

Approved in Open Board Meeting, August 27, 2008

THE SCHOOL BOARD OF BROWARD COUNTY, FLORIDA
OFFICE OF THE SUPERINTENDENT

July 22, 2008
Tuesday, 10:15 a.m.

MINUTES OF REGULAR MEETING

The School Board of Broward County, Florida, met in regular session at 10:53 a.m., Tuesday, July 22, 2008, in the Board Room of the Kathleen C. Wright Administrative Center, 600 Southeast Third Avenue, Fort Lauderdale, Florida. Present were Chair Robin Bartleman; Vice Chair Maureen S. Dinnen; Members, Beverly A. Gallagher, Jennifer Leonard Gottlieb, Phyllis C. Hope, Stephanie Arma Kraft, Esq., (Dr. Robert D. Parks was absent), Eleanor Sobel, Benjamin J. Williams, Superintendent James F. Notter, and Edward J. Marko, Esq.

Call to Order Mrs. Bartleman, Board Chair, called the meeting to order and led the Pledge of Allegiance to the Flag of the United States of America.

Minutes for Approval Motion was made by Mrs. Hope, seconded by Ms. Dinnen and carried, to approve the official minutes for the following Board Meetings: Dr. Parks was absent. (8-0 vote)

June 3, 2008 – Regular School Board Meeting
June 17, 2008 – Special – Student Expulsions
June 17, 2008 – Regular School Board Meeting
June 25, 2008 – Special – School Board Meeting
June 25, 2008 – 1st Public Hearing – Tentative District Educational Facilities Plan for the Five Years ending June 30, 2013

Close Agenda Upon motion by Ms. Dinnen, seconded by Mrs. Gottlieb and carried, the Agenda was approved and declared closed. Dr. Parks was absent. (8-0 vote)

REPORTS

District Advisory Council – Jeanne Jusevic

Ms. Jusevic reported that DAC has not met in July, however, they will plan the 2008-2009 school year and the annual DAC Breakfast. The breakfast will be held at the Signature Grand Hotel on September 3, 2008, and this opportunity will enable DAC to empower its Area and South Chairs to a panel discussion with various key district individuals and three break-out classes. Subsequently, DAC will distribute a definitive Area South manual.

The first DAC meeting will be held on August 20, 2008 at the KC Wright Administration Center and the Steering Committee meeting will be held on August 4, 2008 at the South Central Area Office beginning at 9:00 a.m.

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Ms. Jusevic informed the Board that the Free and Reduced Lunch program informational flyer has been reproduced in four languages. She requested that principals Xerox the copies and distribute them to parents, areas where parents are present such as registering students or changing school schedules.

A comprehensive written report was submitted to the Board.

Charter School Task Force – Ruth Lynch

Ms. Lynch reported that the Task Force will not meet in July and August, and will resume meeting in September. She requested that Board Members' appointees to the Task Force stress the importance that they attend the meetings so that a quorum can be held to conduct business.

The Charter School office no longer reports to the North Central Area Superintendent and now reports to the Executive Director of Educational Programs and the Deputy Superintendent of Educational Programs and Student Support. This aligns all of the Choice assignments such as magnets, reassignments, No Child Left Behind and charter schools in one central location.

Ms. Lynch further reported that the district received a score of 41 out of 50 points (a perfect score) on the application for exclusive authority. The district is challenging the intent to deny Broward exclusive authority and will update the Task Force at the next meeting.

Four charter schools are identified as possible double-F charter schools: Smart School Charter High School, Parkway Academy, Eagle Academy and Downtown Academy of Technology and Arts. Smart School was reconstituted for the 2007-2008 school year and it indicates in their charter agreement that if the school receives another F within a four-year period the charter agreement will terminate. The Florida DOE requires the closure of double-F charter schools if it receives an F for the first year under reconstitution.

Remarking that the Task Force wants to ensure that any recommendations made to the Board are done with sufficient information, Ms. Lynch stated that the Task Force will be trained in this regard prior to making recommendations, beginning in September. Training Sessions will include: Charter School legislation and School Board Policy 1163, Florida Schools of Excellence Commission, the history of charter schools in Broward County, and best practices of successful charter schools.

Ms. Lynch said she was pleased with the show of support in the audience for the Smart School.

BOARD MEMBERS

Mrs. Kraft informed her colleagues that a ground-breaking ceremony will be held for Elementary School "Z" on August 14, 2008, beginning at 9:00 a.m.

Mrs. Hope informed her colleagues that a ground-breaking ceremony will be held for Elementary School "A" on August 15, 2008.

Mrs. Hope attended the Bobby Jones Gospel Complex ground-breaking ceremony in Lauderhill.

Mrs. Hope stated that the Cooper City Commission featured students' art work at City Hall.

Mrs. Hope attended the City of Weston's 4th of July parade.

Mrs. Hope thanked Mr. Jim DeFede and Ms. Shelly Heller for promoting the Anti-Bullying policy.

Mrs. Hope announced the birth of her new grandson, Nathaniel Jr., born on June 24, 2008, at Plantation Hospital.

Mrs. Sobel informed her colleagues that over the lunch recess she attended a meeting at Broward Community College regarding Amendment 5 and its ramifications to the district. Mrs. Sobel stated that new partnerships are forming in the state with AARP, businesses, and Democrats and Republicans working to defeat Amendment 5. Mrs. Sobel indicated at this meeting that the School Board was opposed to Amendments 5, 7 and 9, and that the district has a dedicated revenue stream from property taxes. There is no other source of revenue available at this time that would replace the property tax.

Ms. Dinnen visited the Fort Lauderdale Adult Center. Remarking that the Center has doubled their enrollment at this location in the past year, Ms. Dinnen expressed gratitude to Mr. Notter for providing extra support to the Center, and Ms. Suzanne Yach who works at the Center.

Ms. Dinnen participated in the Independence Day parade in Plantation.

Ms. Dinnen attended the retirement party for Mr. Bob Legg, a great business supporter from the community.

Ms. Dinnen discussed the debate at the Planning Council meeting.

Ms. Dinnen informed her colleagues that the Solar Knight II, South Plantation High School's solar car, finished third among the 13 teams in their category. Remarking that the team will be recognized at a subsequent School Board meeting, Ms. Dinnen commended Mr. Allan Phipps, Teacher, and students for their accomplishment.

Mrs. Bartleman informed her colleagues that she and Senator Nan Rich had a meeting with parents regarding Tourette's Syndrome. She said that Tourette's Syndrome is not a recognized category under individuals with disabilities and many students have this syndrome. Mrs. Bartleman stated that an awareness campaign is underway and it will be addressed during ESE month.

Mrs. Bartleman discussed the Character Education Curriculum with Ms. Anne Rousseau, Homeless Education. She stated that the department will begin the third year of a four-year federal funding resource project which is being implemented at eight randomly selected Broward middle schools: Bair, Coral Springs, Falcon Cove, Indian Ridge, Millennium and New Renaissance to raise the awareness.

SUPERINTENDENT

Mr. Notter informed the School Board that three out of four schools in the district are grades A or B and for every ten schools, 9 are A, B or C schools. He stated that the corporate Board keeps their focus on teaching and learning.

Speakers

Lynn Brown

CONSENT AGENDA Following identification of those items Board Members and members of the public indicated they would like considered separately, motion was made by Ms. Dinnen, seconded by Mrs. Gottlieb and carried, to approve the Consent Agenda for the remaining items. Dr. Parks was absent. (8-0 vote)

CONSENT ITEMS

A. RESOLUTIONS

B. BOARD MEMBERS

B-1. Affiliation with Florida School Boards Association, Inc. (Approved)

Approved membership in the Florida School Boards Association (FSBA).

Florida School Boards Association will continue to provide valuable services to the local school board members. Those services include researching issues of legislative importance to school systems in Florida and representing their views before the legislature, the State Board of Education, and other organizations interested in public education. Additionally, FSBA provides leadership training for school board members and, as an added benefit, all members of the Association are covered by a \$100,000 accidental death and dismemberment insurance policy.

The financial impact to the school district is \$23,649. The source of the funds is the Board Members' department budget.

D. OFFICE OF THE CHIEF AUDITOR

E. CHIEF OPERATIONS OFFICER

E-1. Bid/RFP and Other Financial Recommendations Less Than \$500,000
(Approved)

Approved the Bid/RFP recommendations as stated on the award recommendation for each Bid/RFP listed below.

<u>BID/RFP</u>	<u>Title – Location – Amount</u>
29-034B	Bid Document Fulfillment and Printing Services – Facilities and Construction Management – Amount: \$300,000
29-036B	Printing Services for Construction Projects – Facilities and Construction Management – Amount: \$225,000

Board approval of these Bid/RFP recommendations does not mean that the amounts shown will be spent. These amounts represent the spending authority, which may be spread among the awarded vendors through the term of this contract from available funds already included in various school/department/center budgets.

The financial impact of each Bid/RFP Recommendation is indicated on its respective exhibit.

E-2. Additional Recommendations on Existing Contracts Less Than \$500,000
(Approved)

Approved additional expenditures on previously approved term contracts as shown below. The recommendations are requests for additional expenditures only and do not require any changes to the district budget.

A. APPROVAL FOR EXTENSION ON THE FOLLOWING CONTRACT:

1. RFP 24-141N – Eligibility for Offering Summer Programs On-Site for Elementary, Middle, High and Exceptional School Children (additional expenditure of \$0 requested; \$0 originally approved on 4/20/04)

It is recommended that the contract with Miami Children’s Hospital Dan Marino Center be extended until August 18, 2008 until such time as a new RFP can be awarded. General Condition 6.1 (Extension) of the RFP states, “In addition to any renewal options contained herein, SBBC is granted the right to extend any award resulting from this RFP for the period of time necessary for SBBC to release, award and implement a replacement RFP for the goods, products or services provided by this RFP”.

All programs administered through the Before and After School Care Programs are funded by parents, however, funding may become available from categorical grants or other funds approved by the State legislature for other programs. This recommendation is not a request for an additional expenditure. This recommendation will allow Before and After School Care Programs Department to continue offering on-site summer programs for elementary, middle, high and exceptional school children until August 18, 2008.

B. APPROVAL FOR RENEWAL AND AN ADDITIONAL EXPENDITURE ON THE FOLLOWING CONTRACT:

1. 26-023E – Library Security Detection System (additional expenditure of \$50,000 requested; \$149,900 originally approved on 06/26/05)

It is recommended that the contract with 3M Company (formerly Checkpoint Systems, Inc.) be renewed for an additional year from August 1, 2008 through July 31, 2009, in accordance with Special Condition 5 of the bid, authorizing contract renewal which states: "The purpose of this bid is to establish a contract, at firm unit prices, for the purchase of estimated requirements for the items listed. The term of the bid shall be for approximately one year, and may, by mutual agreement between SBBC and the awardee, upon final School Board approval, be extended for two additional one year periods and, if needed, 90 days beyond the expiration date of the final renewal period. The Board, through its Supply Management and Logistics Department, will, if considering to extend, request a letter of intent to extend from each awardee, prior to the end of the current contract period. The awardee will be notified when the recommendation has been acted upon by the School Board.

All prices shall be firm for the term of the contract. Bidder(s) agrees to this condition by signing its bid." Furthermore, it is recommended that the School Board authorize an additional expenditure of \$50,000 to the subject contract. The amount of recommended spending authority is available from funds already included in the District budget. This recommendation is based on a very good supplier evaluation. Since the date of award, the Consumer Price Index (CPI) reflects an increase of 3.9%. This recommendation will allow various locations to continue purchasing library security detection systems through July 31, 2009, and will provide for an approximate total expenditure of \$199,900 for the award period.

Items submitted for renewal approval have been evaluated by user departments and schools, and determined that satisfactory service is provided, and that the contract prices are currently the best value based on current vendor prices, comparable prices from other agencies, and/or the Consumer Price Index (CPI) data. Recommendations are being made for additional expenditures on previously approved term contracts. These recommendations are requests for additional expenditures only, and the amount is available from funds already included in the District budget.

These recommendations authorize additional expenditures until the expiration date of each contract, at which time the contract will be re-bid according to Board Policy unless the contract is renewed per the terms and conditions of the bidding documents.

These recommendations for additional spending authority will be funded from available funds already included in various school/department/center budgets or as described in the Summary Explanation and Background.

E-3. Reimbursement In Lieu of Transportation (Contract Car) (Approved)

Approved reimbursement in lieu of transportation to parent or guardian of student for the 2007-2008 school year for contract car.

By mutual agreement with Pupil Transportation Department, parents or guardians are afforded the option of receiving reimbursement in lieu of school bus transportation when they live in a very isolated area or when the student is a medically fragile child that requires services not easily provided on school buses, or for some other reason that the cost to the School Board would be greater to provide transportation than the cost to reimburse the parents or guardian. If students are transported to and from school in private vehicles owned by parents or guardians, the School Board will reimburse the parent or guardian the standard mileage reimbursement per mile for two round trips each day the student is in attendance at school.

The parent or guardian of a student at Pinewood Elementary will provide transportation in a private vehicle in lieu of required school bus service. This request is authorized under Florida Statute 1006.22 and State Board of Education Rule 6A-3.017.

Funding for this reimbursement of transportation cost is included in the Pupil Transportation operation budget.

E-4. Charter School Student Transportation Agreements (Approved)

Approved agreements between The School Board of Broward County, Florida, and Charter School of Excellence, Inc., and RISE Education Schools, Inc., and approve renewal of agreements between The School Board of Broward County, Florida, and Assistance Unlimited, Inc., d/b/a Central Charter School, Charter Schools USA Coral Springs, L.C., for the City of Coral Springs Charter School, Eagles' Nest Community Charter Schools, Inc., and Smart School, Inc., to provide student school bus transportation during the 2008-09 school year.

These agreements will provide student school bus transportation for the students attending Central Charter School, Charter School of Excellence, City of Coral Springs Charter School, Eagles' Nest Elementary and Middle Charter Schools, RISE Academy School of Science & Technology, Smart School Middle and Smart School Institute High School on district school buses for the 2008-09 school year.

These agreements have been reviewed and approved as to form and legal content by the School Board Attorney.

Assistance Unlimited, Inc., d/b/a Central Charter School, Charter School of Excellence, Inc., Charter Schools USA Coral Springs, L.C., Eagles' Nest Community Charter Schools, Inc., RISE Education Schools, Inc., and Smart School, Inc., will reimburse the district for the cost of this service as invoiced.

E-5. Transportation Agreement for After School Programs, Inc. (Approved)

Approved agreement between The School Board of Broward County, Florida, and After School Programs, Inc., a non-profit organization, to provide school bus transportation for recreational programs for the period of one year.

The transportation agreement allows After School Programs, Inc., to utilize district school buses for organization sponsored recreation programs and events that are dependent on transportation. The organization's recreational programs provide activities and supervision for many district students during the summer and other days when school is not in session. Organization sponsored recreation programs provide a valuable service to their respective communities.

The transportation service will be provided during the times school buses are not being utilized for service to Broward County Public Schools. After School Programs, Inc., will reimburse the district for the cost of this service.

The agreement has been reviewed and approved as to form and legal content by the School Board Attorney.

After School Programs, Inc., will reimburse the district for the cost of this service as invoiced.

F. CURRICULUM AND INSTRUCTION STUDENT SUPPORT

F-1. Postsecondary Workforce Education and Community Education Fee Schedule for 2008-2009 (Approved)

Approved the Proposed Postsecondary Workforce Education and Community Education Fee Schedule for 2008-2009.

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The School Board must adopt annually the State of Florida Fee Schedule for Postsecondary and Community Education programs. The General Appropriations Act amended the tuition and fees policies for 2008-2009 to reflect an increase in the standard tuition rate. As a result, Broward County Public Schools must increase fees accordingly.

The fee increase for Technical Certificate / Applied Technology Diploma programs is 5% from \$2.00 to \$2.10 per hour.

The fee increase for Continuing Workforce Education (CWE) is 12% from \$2.95 to \$3.30. CWE tuition fee must represent 50% of the cost to provide the program, as required by law.

Individuals enrolled in Adult General Education programs that do not have a high school diploma and individuals with a high school diploma who are functioning below the ninth grade level are exempt from tuition fees. In addition, economically disadvantaged participants enrolled in Amanda's Place are fee exempt or pay a sliding scale fee for tuition. The registration and activity fees support student services, recruitment and marketing at the technical centers, adult centers and community schools.

In the 2007-2008 school year, approximately 220,000 adults and children were enrolled in technical, adult and community education programs at the technical centers, adult centers and community schools.

The positive financial impact to the district is \$6,903,468. The source of funds is student fees. There is no additional financial impact to the district.

G. HUMAN RESOURCES

G-1. Personnel Recommendations for Instructional Appointments and Leaves for 2008-2009 School Year and Reappointments for 2008-2009 School Year (Approved)

Approved the personnel recommendations for the 2008-2009 appointments and leaves and the 2008-2009 reappointments as listed in the Executive Summary and respective lists for instructional staff. All recommendations are made with the understanding that these individuals will comply with regulations/policies as set forth by the Florida State Department of Education and The School Board of Broward County, Florida.

The Personnel Recommendations for Instructional Employees include the following items:

1. Instructional Reappointments 2008-2009
2. Teacher Approvals
3. Substitute Teacher Approvals
4. Interim Substitute Teachers
5. Temporary Hourly Teacher Approvals
6. Teacher Extension of Calendar
7. Instructional Leaves

There will be no financial impact to the school district. Funding for the positions has been allocated in the school and department budgets.

G-2. Personnel Recommendations for Instructional Separation of Employment and Discipline for the 2008-2009 School Year
(Approved as amended)

Motion was made by Mrs. Hope, seconded by Ms. Dinnen and carried, to approve the personnel recommendations for separation of employment and discipline as listed in the respective lists for instructional staff. All recommendations are made with the understanding that these individuals will comply with regulations/policies as set forth by the Florida State Department of Education and The School Board of Broward County, Florida. This item was amended to reflect one name to Section 1. A Motion to Amend was made (page 11). Dr. Parks was absent. (8-0 vote)

The Personnel Recommendations for Instructional Employees include the following items:

1. Instructional Resignations/Retirements/Layoffs
2. Instructional Suspensions/Terminations

There will be no financial impact to the school district.

Ms. Donna Lichi, Teacher, Seminole Middle School, addressed the Board, stating that she was suspended for one day without pay by her principal for allegedly leaving campus without permission. She stated that she spoke with the principal and requested the video surveillance indicating the time of leaving and returning, which was not provided. She stated that this would prove that she was on campus by way of e-mails. Ms. Lichi stated that she received a letter last week that the Board approved her suspension on July 23, 2008, a day after the meeting of July 22, 2008.

Mrs. Lynn Strong, Associate Superintendent, Human Resources, informed the Board that there is cause for the one-day suspension. She said she will reconvene an investigation of the employee's case to ensure that her due process rights are being honored. Mrs. Strong stated if there is any action to be reversed, a recommendation will be made to the Board at a subsequent time.

Ms. Gallagher requested that the employee be provided information that she requested from the school.

Mrs. Hope voiced concern that the employee received a written letter that the School Board approved the suspension prior to the Board voting on the agenda item. Mrs. Hope requested that the item be removed from the agenda item until the issue is resolved.

Mrs. Strong responded that a notice letter was sent notifying the employee that her name would be before the School Board for action today.

Motion to Amend (Carried)

Motion was made by Ms. Dinnen, seconded by Ms. Gallagher and carried, to amend to delete the name of Donna Lichi/Instructional, Suspensions, Terminations from the agenda item pending further investigation, and brought back to the August 19, 2008 Regular School Board Meeting. Dr. Parks was absent. (8-0 vote)

G-3. Personnel Recommendations for Non-Instructional Appointments and Leaves for the 2008-2009 School Year (Approved as amended)

Approved the personnel recommendations for appointments and reassignments as listed on the Executive Summary, respective lists and individual appointments for Non-Instructional Employees. All recommendations are made pending security clearance and with the understanding that these individuals will comply with regulations/policies as set forth by the Florida State Department of Education and The School Board of Broward County, Florida. This item was amended to add names to Section 6; add name to Section 6a; add names to Section 8.

The Personnel Recommendations for Non-Instructional Employees include the following sections:

1. Non-Instructional Approval(s)
2. Non-Instructional Reassignment(s) – Promotion(s)
3. Non-Instructional Reassignment(s) – Demotion(s)
4. Non-Instructional Substitutes/Temporaries
5. Non-Instructional Leave(s)-Layoff(s)
6. District Managerial/Professional/Technical
7. Reassignment of Current School-Based/District Managerial/Professional Technical Personnel
8. School-Based Managerial
9. School-Based/District Managerial Acting/Special/Task Assignment(s)

- 10. School-Based / District Managerial / Professional / Technical Leave(s)
- 11. Salary Adjustment

Funding has been budgeted in 08-09 fiscal year for all appointments through June 30, 2009.

Board Members announced and congratulated newly-appointed district personnel.

G-4. Personnel Recommendations for Non-Instructional Separation of Employment and Discipline(s) for the 2008-2009 School Year
(Approved as amended)

Approved the personnel recommendations for separation of employment and discipline as listed on the respective lists for Non-Instructional staff. All recommendations are made with the understanding that these individuals will comply with regulations/policies as set forth by the Florida State Department of Education and The School Board of Broward County, Florida. The School Board of Broward County, Florida. This item was amended to add name to Section 3.

The Personnel Recommendations include the following items:

- Non-Instructional Resignation(s) / Retirement(s)
- Non-Instructional Suspension(s) / Termination(s)
- Managerial and Professional / Technical Resignation(s) / Retirement(s)
- Managerial and Professional / Technical Suspension(s) / Termination(s)

There is no financial impact to the school district.

G-5. Supplemental Pay Positions – List #1 (Approved)

Approved the recommended supplemental pay positions of employees for the 2008-2009 school / fiscal year.

Employees are recommended for supplemental pay positions by Principals or Department Supervisors and approved by the Area Superintendent or appropriate Division Head. Supplemental positions are listed alphabetically by last name, with location and supplement type.

The Specific Supplemental Pay Positions include the following type of supplements: Secondary department chairpersons high school; secondary department chairpersons and / or team leaders middle school; elementary grade level chairpersons and / or team leaders; athletic supplements; general supplements; and special supplements for the 2008-2009 school year.

Individuals may be recommended for task assignments that improve the school's/department's programs and/or operations. A computer-generated list of those names is printed and attached revealing all individuals recommended for Non-Specific (SPL). Non-Specific Supplements are additional Task Assignments performed beyond the employee's regular day based on the recommendations of the direct supervisor.

Individuals listed meet the requirements for the supplemental positions. The total number of Supplements recommended in this item is 836.

Funding has been budgeted in 08-09 fiscal year for all supplements through June 30, 2009.

G-6. Recommendation(s) for Instructional/Noninstructional Discipline for the 2008-2009 School Year (Approved)

Motion was made by Ms. Dinnen, seconded by Mr. Williams and carried, to approve the recommendation(s) for discipline as listed for Instructional/ Noninstructional staff. All recommendation(s) are made with the understanding that these individuals will comply with regulations/policies as set forth by the Florida State Department of Education and The School Board of Broward County, Florida. Dr. Parks was absent. Ms. Gallagher and Mrs. Sobel were absent for the vote. (6-0 vote)

This disciplinary action recommendation is a result of an investigation by the Office of Professional Standards & Special Investigative Unit. The individual(s) involved have been provided the opportunity to appear and participate, with representation, before the Professional Standards Committee and in a pre-disciplinary hearing prior to submission of this recommendation. We have followed the School Board processes for disciplinary action. The requested action(s) is listed.

There is no financial impact to the school district.

Mrs. Hope stated that her concerns have been addressed by staff.

H. ATTORNEY

H-1. Hold Harmless Agreement between The School Board of Broward County, Florida and The City of Pompano Beach Regarding Pompano Beach Middle School (Approved)

Approved the Hold Harmless Agreement between The School Board of Broward County, Florida and The City of Pompano Beach regarding Pompano Beach Middle School.

The School Board is constructing a Multi-purpose/ Cafeteria building (Building #9) at Pompano Beach Middle School. A portion of the building's footprint crosses over an existing sanitary sewage utility easement.

The City has requested we hold them harmless for any damages to the sanitary sewer line, throughout the construction up to the final acceptance of the relocated sanitary sewer lines, and file an application to vacate the sanitary sewer line and abandon the easement.

This item has been reviewed by the City Attorney's office, who will recommend the execution of this Agreement at the City's July 22, 2008 meeting.

The School Board Attorney has approved this agreement as to form and legal content.

There is no financial impact to the School District and a Collaboration Form is not required.

I. OFFICE OF THE SUPERINTENDENT

I-1. Revised Renewal Agreement with Florida Virtual School (Approved)

Approved the Revised Renewal Agreement with Florida Virtual School.

Broward Virtual Education was established in 2001 to accommodate students wishing to take courses online. Florida Virtual School has agreed to provide their nationally recognized courses to the District as a franchise. The Florida Virtual School will also provide training and technical support for Broward County teachers.

This agreement has been approved as to form and legal content by the School Board Attorney.

The financial impact to the district is estimated to be \$150,000 for the 2008/2009 school year. The source of funding is the ETS Technology Licensing Fund.

I-2. Agreement with City of Plantation (Approved)

Approved the Agreement between The School Board of Broward County, Florida and the City of Plantation to use Drug Sniffing Dogs adhering to SBBC procedures.

The School Board of Broward County, Florida has requested that the City of Plantation provide the use of Drug Sniffing Dogs following procedures to ensure student safety and well being.

This Agreement has been approved as to form and legal content by the School Board Attorney.

There is no financial impact to the school district.

I-3. Proposed School Board of Broward County, Florida 2008-09 Work Calendars (Approved)

Motion was made by Ms. Dinnen, seconded by Mr. Williams and carried, to approve four alternate 196-day work calendars for 2008-09 to allow 196-day trainers to provide professional development during the months of June, July, and August prior to the report date for traditional 196-day personnel. Dr. Parks was absent. Ms. Gallagher and Mrs. Sobel were absent for the vote. (6-0 vote)

Four alternate 196-day employee work calendars have been developed at the request of Budget Forecast. Current 216-day instructional staff who deliver training will be placed on 196-day calendars and need to be available to provide training during June, July, and August when the traditional 196-day personnel are not working.

- HRD and Core Curriculum need to provide training during the months of June, July, and August prior to the report date for traditional 196-day personnel.
- Time is required to prepare workshop materials and to deliver the professional development.
- Dates identified for the alternate 196-day calendars were identified collaboratively with input from HR, HRD and Core Curriculum.
- Alternate "days off" have been scheduled at times that would not be appropriate for professional development.
- Alternate "days to work" reflect dates when summer training will be needed.

There is no financial impact to the district.

Mrs. Hope stated that her concerns have been addressed by staff.

I-4. Petition for Formal Proceedings (Withdrawn)

I-5. The School Board of Broward County, Florida – 2007-2008 Annual Educational Equity Act Plan (Received)

Motion was made by Ms. Dinnen, seconded by Mrs. Gottlieb and carried, to receive the 2007-2008 Annual Educational Equity Act Plan. Dr. Parks was absent. Ms. Gallagher and Mrs. Sobel were absent for the vote. (6-0 vote)

The Florida Educational Equity Act (FEEA), Section 228.2001, F.S., became law in June 1984, and the rules for implementation were adopted by the State Board of Education in February 1985. The FEEA was amended in 1993 to mandate stronger monitoring and enforcement for gender equity in athletics. Rules for athletics were adopted in September 1994. The FEEA covers all educational programs and activities operated by public educational institutions. The FEEA implementing rules are consistent with federal laws prohibiting discrimination in employment and educational programs. The Department of Education has mandated continued focus on African American and Hispanic students' access to high quality instruction including Advanced Placement (AP), Dual Enrollment (DE), Honors and Level III courses 9-12, 8th grade Algebra I and PLAN/ACT and PSAT/SAT test takers. Additionally, the Department of Education mandated that districts focus on narrowing the racial performance gaps in reading on the 3rd and 10th grade FCAT tests.

Copies of the full 2007-2008 Annual Educational Equity Act Plan are available at the public stand in the lobby of the KC Wright Building and at the Board Members Office on the 14th Floor of the KC Wright Building.

There is no financial impact to the school district.

Mrs. Kraft stated that the district pays for this test and there should not be a decrease in the number of minority students taking the test. Mrs. Kraft inquired which schools are offering the PSAT during the week and on weekends. Mrs. Kraft requested that staff review the implementation and provide the Board with this data.

Ms. Dinnen requested that staff ensure that all 10th graders are offered the opportunity to take the PSAT test during the school day, rather than on weekends.

Mr. Williams requested a parent link be placed on the district's website to inform parents that the PSAT test is being offered free of charge for 10th graders.

Mrs. Kraft requested that principals inform parents that non-10th graders have the opportunity to take the test for a certain price.

The following individual addressed this item:

Jeanne Jusevic

I-6. Proposed Agreement for Consultant Services for the 2008-2009 School Year (Approved)

Approved the proposed agreement between Mattie Benson and The School Board of Broward County, Florida, for Consultant Services.

The Superintendent of Schools has a need for a consultant to provide services to The School Board of Broward County, Florida, in the areas including, but not limited to, those responsibilities, assigned to the position of consultant Principal for the South Central Area Superintendent's Office. This position will be from July 28, 2008 through June 30, 2009.

The School Board Attorney has approved the agreement as to form and legal content.

The maximum financial impact is \$89,921 plus approved mileage and expenses. The source of funds is the South Central Operating Budget.

I-7. Petition for Formal Proceedings (FW) (Withdrawn)

I-8. Authorization for the Superintendent of Schools to Notify the Governing Board of Smart School, Inc., of the Proposed Termination of the Charter School Agreement between The School Board of Broward County, Florida and Smart School, Inc., (Smart School Institute of Technology and Commerce, Inc.) (Deferred)

Motion was made by Mrs. Hope, seconded by Ms. Dinnen, to authorize the Superintendent of Schools to notify the governing board of Smart School, Inc., of the proposed termination of the Charter School Agreement between The School Board of Broward County, Florida and Smart School, Inc., (*Smart School Institute of Technology and Commerce, Inc.*), for the reasons stated in the Executive Summary. This motion was superseded by a Motion to Defer (page 23). Dr. Parks was absent. (8-0 vote)

Pursuant to Florida Statutes 1002.33(8)(a)(1) and (4), The Sponsor may terminate the charter for any of the following grounds:

1. Failure to participate in the state's education accountability system created in s. 1008.31, as required in this section, or failure to meet the requirements for student performance stated in the charter.
2. Other good cause shown.

Section 2.02 of the Second Amendment of the Charter School Agreement provides: "The School shall not receive an "F" score ("failing grade") on the annual Florida A+ Plan for two (2) years within a four (4) year period.

Section 2.03.2 of the Second Amendment of the Charter School Agreement provides: "The parties agree that the receipt by the School of one (1) more score of "F" ("failing grade") on the annual Florida A+ plan during the 2007-2008, 2008-2009, 2009-2010 academic school years constitutes "good cause" for SBBC's termination of the School's Charter Agreement pursuant to the procedures specified in Section 1002.33(8), Florida Statutes."

The Florida Department of Education released letter grades for the 2007-2008 school year. As a result of Smart School Institute of Technology and Commerce's receipt of an "F" letter grade for the second consecutive year under the annual Florida A+ Plan, and it's third "F" letter grade overall, The School Board of Broward County, Florida ("SBBC") is requested to authorize the Superintendent to notify the governing body of the charter school of the district's intention to terminate the charter agreement between The School Board of Broward County, Florida ("SBBC") and Smart School, Inc., for the reasons stated in the Executive Summary.

This item has been approved as to form and legal content by the School Board Attorney.

There is no financial impact to the district.

Mrs. Kraft requested that the Superintendent and Mr. Marko update the Board on the current issues of this item.

Mr. Notter informed the Board that the Smart School was under a state reconstitution plan for 2007-2008 and there was a contract amendment that stated specifically that if the school did receive an F in the first year of reconstitution that the school would close. Mr. Notter stated that the district was in full compliance with state board rule and state board statutes.

The Superintendent further stated that in initial discussions with the state last week there was no indication of flexibility and staff has reconfirmed with DOE this morning, through Chancellor Dr. Frances Haithcock, that the district does not have flexibility in closing the school. Mr. Notter stated that the Smart School signed an amendment which was approved by the Board, that if they have an F in the first year of reconstitution that they would be closed. Remarking that for the past five years the school has received grades of D, F, D, F, and F, Mr. Notter stated that in order to receive a D grade the school must need a performance score of 395. Last year the score was 336 and the previous year the school scored 330.

Mr. Notter opined that even if the state gave the district the option of another year, it would be an uphill battle for the school to score an additional 59 points in order to stay open.

Acknowledging that a small school can provide clear, succinct, individualized attention, Mr. Notter stated that the charter school system needs to lobby the state board so that a like-in-kind charter school could be in service that dealt with only Level I and Level II students and had some flexibility. Mr. Notter further stated that the state board needs to provide an opportunity for charter schools within two years to show the learning gains that are necessary.

Mr. Notter further stated that the School Board does not have the authority to indicate that the Smart School would stay open. Based on the academic achievement of the school, he would not support keeping the school open a second year.

Mr. Marko stated that the district is conducting its due diligence to ensure that there is flexibility, but the state has indicated the district needs to comply with the regulation and has the duty and obligation to implement the law.

Mr. Robert Vignola, Esq., informed the Board that the process that would apply for termination of a charter school involves the initiation of an approved item by the Board which authorizes the delivery to the charter school of a notice of proposed termination that includes termination issues that are being considered by the Board as grounds for termination. Mr. Vignola stated that the school has failed to achieve a satisfactory score on the Florida A+ Plan, and the grounds as set forth in the agenda item will be contained in a notice sent to the charter school's governing body and will notify the school that it has an opportunity to request an informal hearing before the School Board within 14 days.

Mr. Vignola informed that if the Board at the informal hearing were to determine that they believe termination should proceed, a subsequent item would appear before the Board after 90 days have passed from the issuance of the notice of proposed termination. Mr. Vignola stated if the Board votes to terminate after 90 days, the statute affords the charter school an opportunity to appeal that ruling to the state.

Ms. Gallagher stated that she was not happy with the process, as the Smart School students remain in limbo for 90 days. Ms. Gallagher stated that the school is attempting to accomplish what charter schools are legislated to do, to try to pick a part of the traditional school system that is not reaching students. She said the school is reaching students that the Broward School district was not reaching.

Mr. Vignola clarified that the vote today would not be to terminate the contract but to send a notice to the school, advising them of the grounds of the proposed termination, and the termination vote would not be cast until 90 days after that vote. Mr. Vignola stated that the school will remain open until the appeals process is completed.

Ms. Gallagher said if the school closes she wants assurance that the students have a choice on where they will be placed and that they are in a program that will ensure their success.

Mr. Notter stated that the district will provide the highest integrity in transitional services for the students.

Ms. Gallagher suggested that the transition be provided during a semester break rather than in the middle of a quarter, which is disruptive to students. She requested that staff work in conjunction with Smart School administration so that a smooth transition can occur.

Mrs. Hope inquired whether other charter schools have included in their contracts a longer time provision to illustrate they must show progress.

Mr. Vignola responded that the provision is being applied to charter school agreements, through amendments, that if the school were to receive one more score of F, a failing grade, on the Florida A+ Plan during the 2007-2008, 2008-2009, 2009-2010 academic school years, that would constitute good cause for termination of the charter school.

Ms. Luwando Wright-Hines, Director, Charter Schools, informed the Board that most recently Parkway Academy had this provision added to their agreement because they received their first F grade. All other charter schools' agreements after 2004 include a provision that they cannot have two Fs within a four-year period.

Mrs. Hope requested that this information be provided. She stated that district staff knew that the school had difficulties and should have been committed to the concerns of the school. Mrs. Hope requested that she be provided a list of the names of staff who recommended that staff be appointed to their board. Mrs. Hope inquired whether legislative guidelines can be used so that a school cannot be closed.

Mr. Notter responded that the Department of Education has indicated that once the school has been in reconstitution and scores an F grade, it is required to close. This was also included in the Technical Assistance paper that the state provided.

Responding to Mrs. Hope's inquiry, Ms. Wright-Hines stated that the state does not have oversight in monitoring a district sponsored charter school.

Mrs. Gottlieb inquired whether the school can show improvement and educational gains within 90 days.

Mr. Notter stated that the reality is that the state uses the benchmark of the FCAT scores.

Mr. Marko stated that after the School Board votes to provide the school notice, there will be an informal hearing whereby the charter school will present their case before the School Board.

Ms. Dinnen stated that the School Board is very concerned about the students and the community's concerns, and that she will support the proposal as stated.

Mr. Williams stated that the School Board and Smart School knew that the school was failing last year, but the district has a process in which to proceed, to put the school on notice that the school may close if the grades do not improve.

Mrs. Bartleman stated that students who graduate from Smart School go on to college, some of whom are the first members of their family to go to college. She stated this illustrates a support system for students who have the most need, Level I and Level II students. Mrs. Bartleman stated that students and the community will have an opportunity at the informal hearing to speak on behalf of the school. She said that the district needs to focus their efforts in lobbying the legislation regarding this issue.

The following individuals addressed this item:

Jocelyn Carter Miller
James Eubanks
Hazelle Rogers, Commissioner, City of Lauderdale Lakes
Henry Green
Daniel Sohn
Unidentified male speaker
Caroline Kennedy
Barbara McDonald
Tanisha Sulker
Vanessa Robinson
Pastor Tony Parmesano
Helene Sohn
Eric Haynes, Deputy Vice Mayor, City of Lauderdale Lakes
Unidentified female speaker
Anthony Wright
Unidentified male speaker
Sabrina Thompson
Caryn Montpellier
Lucia Maller
Shantria Hall
James Jackson
Unidentified female speaker
Lamar Lewis
Unidentified female speaker

Jack Maurice
Terry Wilson
Unidentified male speaker
Tiffany Logan
Emily Lewis
Damian Powell
Robert McKenzie

Mr. Notter informed the Board that there is not a specific time frame to initiate action, but the district has an obligation, under the statute, to take action.

Mrs. Kraft opined that state law does not say that the School Board must take action, but that it sets forth a process to follow. Mrs. Kraft stated that the Board has the authority to decide whether to waive the district's contract provisions. She said that the Technical Assistance paper indicates if the school receives an F grade for the first year under reconstitution it must be closed by the authorizer. Mrs. Kraft inquired whether the Board could disregard the Technical Assistance paper and the DOE, and what would be the legal ramifications to the Board.

Dr. Joanne Harrison informed the Board that the district is required to submit the Assistance Plus Plan which states that if the charter school received an F grade after reconstitution it would have to close. The rules state that the School Board and the district would lose lottery dollars, and the Deputy Chancellor indicated this morning that a district had never not complied with the A++ Plan or the Technical Assistance paper.

Mrs. Kraft noted that whenever the district moves to terminate an employee or expel a student, the Board must take action before the due process begins. Mrs. Kraft inquired if the notification goes forward and the appeal goes forward whether the Board can subsequently reconsider the final action is going to be closure of the school.

Mr. Marko responded that after the Board gives notice and the school wishes to have an informal process and completes the informal process, the Board would need to set forth with particularity the rationale to terminate the school's contract. The item would then go to the Department of Education to handle the appeal. Mr. Marko stated that the hearing is before the Board and the Board may decide whether to recommend termination.

Mr. Marko advised that there needs to be a review by staff, including the legal department, on the issue of waiving a provision in the contract because it has ramifications for other charter schools. Mr. Marko voiced concern over whether the Board should vote today.

Mrs. Kraft stated there may be more opportunity at a hearing for the Board to decide and subsequently indicate to the state that the school should get another chance.

Mrs. Gottlieb stated that the public comments validate her desire to deemphasize the FCAT. Mrs. Gottlieb applauded the school for embracing their students and community. She encouraged the Board to take on the challenge to support the school, and said she would vote against putting the school on notice to terminate.

Mrs. Hope stated that the school is an example of success even though it does not appear on the FCAT results. She said if the Board is committed to deemphasizing the FCAT, the school is showing the district how to proceed. Remarking that there is no timetable for the Board to take action, Mrs. Hope suggested tabling the item or to vote no on the notice to terminate. She stated this will provide time for the Board to gather information and whether there is a penalty, malfeasance, or loss of lottery dollars. Mrs. Hope thanked everyone for their input.

Ms. Dinnen stated that she has been fighting the FCAT for ten years and she testified at the Senate and House levels. Ms. Dinnen stated there is an uncertainty for the Board and she would support postponing the item.

Mr. Notter recommended a deferral of the item, defer taking action until a time certain so that the district can meet and work with the DOE and the state board in August, including community members and students to discuss this issue.

Motion to Defer (Carried)

Motion was made by Ms. Dinnen, seconded by Ms. Gallagher, to defer the agenda item to the first School Board meeting in September 2008, following the state board meeting. Dr. Parks was absent. Mrs. Sobel was absent for the vote. (7-0 vote)

Ms. Gallagher stated this will be the opportune time for the School Board to take a stand against the FCAT.

A vote was taken on the Motion to Defer.

J. FACILITIES AND CONSTRUCTION MANAGEMENT

- J-1. Reduction of Retainage – Balfour Beatty Construction, LLC. – IAQ/Cafeteria – Fort Lauderdale High School – Project No. P.000179 (f.k.a.0951-99-01) (Approved)

Approved the recommendation to reduce retainage now being held on Fort Lauderdale High School, Project No. P.000179 from the General Contractor, Balfour Beatty Construction LCC, from \$489,241 to \$100.

In accordance with School Board Policy 7005, the Facilities and Construction Management Division is recommending that the retainage be reduced from \$489,241 to \$100.

This project has reached Substantial Completion and given a Temporary Certificate of Occupancy. The amount of \$489,141 is being released at this time pending final inspection of the project.

Subsequent to final inspection, this project will be brought back to the Board for Final Acceptance and Release of Retainage.

The funds being released totaling \$489,141 are included in the Adopted District Educational Facilities Plan, Fiscal Years 2007-2008 to 2011-2012, page 145.

- J-2. Final Acceptance and Release of Retainage – DiPompeo Construction Corporation – Cafeteria and (8) Classroom Addition – Broadview Elementary School, Pompano Beach – Project No. P.000144 (f.k.a. 0811-21-01) (Approved)

Approved the Final Acceptance for Broadview Elementary School, Cafeteria and (8) Classroom Addition, Project No. P.000144, and release the balance of retainage in the amount of \$22,312.

The General Contractor, DiPompeo Construction Corporation has completed the project within the extended contract time limits. In accordance with State Statute No. 255.078 Public Construction Retainage, the Facilities and Construction Management Division is recommending that the retainage be released by the amount of \$22,312.

The funds being released totaling \$22,312 are included in the Adopted District Educational Facilities Plan, Fiscal Years 2007-2008 to 2011-2012, page 34.

- J-3. Reduction of Retainage – James B. Pirtle Construction Company, Inc. – New School (Reuse of Pine Ridge) – Cypress Run Education Center, Pompano Beach – Project No. P.000655 (f.k.a.3891-22-01) (Approved)

Approved the recommendation to reduce retainage now being held on Cypress Run Education Center, New School, Project No. P.000655 from the Construction Manager at Risk, James B. Pirtle Construction Company Inc., from \$407,864 to \$7,864.

In accordance with School Board Policy 7005, the Facility and Construction Management Division is recommending that the retainage be reduced from \$407,864 to \$7,864.

Construction of the project has reached final completion. The amount of \$7,864 is being held pending final documentation of completion.

Subsequent to final documentation of completion, this project will be brought back to the Board for Final Acceptance and Release of Retainage.

The funds being released totaling \$400,000 are included in the Adopted District Educational Facilities Plan, Fiscal Years 2007-2008 to 2011-1012, page 164.

- J-4. Final Construction Documents which Include Authorization to Advertise for Bids – Renovation and Remodeling Auditorium and ADA Restrooms – Boyd Anderson High School, Lauderdale Lakes – Project No.P.000325 (f.k.a.1741-24-01) (Approved)

Approved Final Construction Documents, which include Authorization to Advertise for Bids for Renovation and Remodeling Auditorium and ADA Restrooms, Boyd Anderson High School, Lauderdale Lakes, Project No. P.000325.

Project Consultant: Architecture, Inc.

Scope of Work: Remove existing lights & sound system. Update with state of the art system including new electrical distribution center. Remove and replace existing stage curtains. Install new ADA stage lift. Repaint interior of theater. Remodel existing bathrooms to meet ADA requirements.

The Contract Estimate is \$1,074,084.

Final Construction Documents, which include the advertisement for bids are available for review at the Facilities and Construction Management Division.

There is no financial impact. The sources of funds are identified in the Adopted District Educational Facilities Plan, Fiscal Years 2007-2008 to 2011-2012, page 135.

- J-5. Reduction of Retainage – James B. Pirtle Construction Co., Inc. – New School – West Broward High School, Pembroke Pines – Project No. P.000660 (f.k.a. 3971-25-03) (Approved)

Approved the recommendation to reduce retainage now being held on West Broward High School, Project No. P.000660 from the Construction Manager at Risk, James B. Pirtle Construction Co., Inc., from \$2,119,867 to \$423,973.

In accordance with Article 8.4 of the Agreement, the Facilities and Construction Management Division is recommending that the retainage be reduced from \$2,119,867 to \$423,973.

The amount of \$423,973 is being withheld at this time pending completion of the project.

Subsequent to final completion, this project will be brought back to the Board for Final Acceptance and Release of Retainage.

The funds being released totaling \$1,695,893 are included in the Adopted District Educational Facilities Plan, Fiscal Years 2007-2008 to 2011-2012, page 134.

- J-6. Reduction of Retainage – James A. Cummings, Inc. – Classroom Addition/ Environmental Science and Everglades Restoration Program/Renovation – South Plantation High School, Plantation – Project No. P.000425 (f.k.a.2351-22-02) (Approved)

Approved the recommendation to reduce retainage now being held on South Plantation High School, Project No. P.000425 from Construction Manager @ Risk, James A. Cummings, Inc., from \$466,341 to \$93,268.

In accordance with School Board Policy 7005, the Facilities and Construction Management Division is recommending that the retainage be reduced from \$466,341 to \$93,268.

This project has reached Substantial Completion and given a Temporary Certificate of Occupancy. The amount of \$373,073 is being released at this time pending final inspection of this project.

Subsequent to final inspection, this project will be brought back to the Board for Final Acceptance and Release of Retainage.

The funds being released totaling \$373,073 are included in the Adopted District Educational Facilities Plan, Fiscal Years 2007-2008 to 2011-2012, page 156.

K. OFFICE OF CHIEF FINANCIAL OFFICER

K-1. Bank Resolutions (Approved)

Motion was made by Ms. Dinnen, seconded by Mrs. Kraft and carried, to approve bank resolutions for school internal accounts. Dr. Parks was absent. Ms. Gallagher and Mrs. Sobel were absent for the vote. (6-0 vote)

<u>School</u>	<u>Name of Bank</u>
Atlantic West Elementary	Wachovia Bank, N.A.
Banyan Elementary	Wachovia Bank, N.A.
Chapel Trail Elementary	Wachovia Bank, N.A.
Community School North	Wachovia Bank, N.A.
Coral Springs High	Wachovia Bank, N.A.
Everglades Elementary	Wachovia Bank, N.A.
Fairway Elementary	Wachovia Bank, N.A.
Forest Hills Elementary	Wachovia Bank, N.A.
Fort Lauderdale High	Wachovia Bank, N.A.
Gulfstream Middle	Wachovia Bank, N.A.
Lauderdale Manors Elementary	Suntrust, N.A.
New Renaissance Middle	Wachovia Bank, N.A.
Orange Brook Elementary	Wachovia Bank, N.A.
Peters Elementary	Wachovia Bank, N.A.
Plantation Middle	Wachovia Bank, N.A.
Pompano Beach Elementary	Wachovia Bank, N.A.
Sunset School	Wachovia Bank, N.A.
West Broward High	Wachovia Bank, N.A.
West Hollywood Elementary	Wachovia Bank, N.A.

A bank resolution authorizes a school to maintain activity fund accounts with a bank or savings and loan associations. The approval of this resolution is pursuant to 1011.18 (4) Florida Statutes

There is no financial impact to the district.

Mrs. Bartleman indicated that staff has addressed the concerns of Mrs. Sobel.

K-2. Revision to Capital Projects Funds Budget Amendments (Approved)

Approved the Capital Projects Funds Amendments for Fiscal Year 2008. These amendments are as of April 2008.

These amendments are being submitted to reflect additional revenues and appropriations of the Capital Projects Funds in order to:

- 1) Recognize an increase in estimated revenue
- 2) Adjust appropriations
- 3) Reallocate budgeted funds
- 4) Allocate time and travel to projects

The financial impact of this agenda item is adjusting Revenue and Appropriation as indicated on schedules A and B for Capital Budget activities as of April 2008.

K-3. Interim Financial Statements for the Period Ended April 30, 2008 (Approved)

Approved the Interim Financial Statement for the period ended April 30, 2008.

Financial Statements are required to be submitted to the School Board, pursuant to State Board Administrative Rule 6A-1.008.

There is no financial impact to the district.

K-4. Revision to General Fund Amendment (Approved)

Approved the General Fund Amendment I-6 for Fiscal Year 2007-08.

This amendment is for the purpose of updating The Broward County School District Budget for changes in Revenues and Appropriations due to the recognition of new revenue or the adjustment of projected revenue from 4/1/08 through 4/30/08.

Financial Impact: Recognize changes in Revenues and Appropriations due to new revenue or the adjustment of projected Revenue from 4/1/08 through 4/30/08.

K-5. Revision to Special Revenue (Other) Amendment (Approved)

Approved the Special Revenue (Other) Amendment IV-6B for Fiscal Year 2007-08.

This amendment is for the purpose of updating The Broward County School District Budget for changes in Revenues and Appropriations due to the recognition of new revenue or the adjustment of projected revenue from 4/1/08 through 4/30/08.

Financial Impact: Recognize changes in Revenues and Appropriations due to new revenue or the adjustment of projected Revenue from 4/1/08 through 4/30/08.

K-6. Advertisement of the Tentative District School Budget for Fiscal Year 2008-2009 (Approved)

Approved the advertising of the Tentative School Budget for Fiscal Year 2008-2009.

The Legislature has increased the Required Local Effort (RLE) millage for fiscal year 2008-09. In order to participate in the Florida Education Finance Program, the School District is required to levy the RLE millage provided by the state.

Although the overall millage rate has decreased as compared with last year's, the decrease is due to paying off of the General Obligation Bond and the reduction of school construction millage by the Legislature.

Pursuant to Chapter 200.065 of the Florida Statutes, the School District is required to advertise its intent to adopt a tentative budget in a newspaper within 29 days of certification of value.

The total school district's budget, excluding transfers out of ~~XX~~ \$249,526,921 is ~~XX~~ \$5,052,144,401. The major components of the District's budget are the ~~\$X.X~~ \$2.1 billion general fund and the ~~\$X.X~~ \$2.6 billion capital budget.

OPEN ITEMS

AA. RESOLUTIONS

BB. BOARD MEMBERS

CC. BOARD POLICIES

CC-1. Proposed New Job Description and Minimum Qualifications for the Executive Director, Support Operations Position for The School Board of Broward County, Florida 2008-2009 Organizational Chart (Adopted)

Motion was made by Ms. Dinnen, seconded by Mrs. Kraft and carried, to adopt the proposed new job description and minimum qualifications for the Executive Director, Support Operations position in the Operations division for The School Board of Broward County, Florida 2008-2009 Organizational Chart. Approval is requested to advertise for one (1) vacant position following the first reading. This is the final reading. Dr. Parks was absent. Ms. Gallagher and Mrs. Hope were absent for the vote. (6-0 vote)

This position, on the 2008-2009 Organizational Chart, requires a School Board adopted job description. See Executive Summary.

There is no additional financial impact to the district budget. The source of funding is the General Fund and is included with the 2008-2009 Organizational Chart, approved on 5/06/2008.

No discussion was held on this item.

CC-2. Proposed Revised Job Description and Minimum Qualifications for the Executive Director, Educational Technology Services Position for The School Board of Broward County, Florida 2008-2009 Organizational Chart (Adopted)

Motion was made by Ms. Dinnen, seconded by Mr. Williams and carried, to adopt the proposed revised job description and minimum qualifications for the Executive Director, Educational Technology Services position in the Operations division for The School Board of Broward County, Florida 2008-2009 Organizational Chart. Approval is requested to advertise for one (1) vacant position following the first reading. This is the final reading. Dr. Parks was absent. Ms. Gallagher and Mrs. Hope were absent for the vote. (6-0 vote)

This position, on the 2008-2009 Organizational Chart, requires a School Board adopted job description. See Executive Summary.

There is no additional financial impact to the district budget. The source of funding is the General Fund and is included with the 2008-2009 Organizational Chart, approved on 5/06/2008.

No discussion was held on this item.

CC-3. Proposed Revised Job Description and Minimum Qualifications for the Coordinator, Family Counselor Position for The School Board of Broward County, Florida 2008-2009 Organizational Chart (Adopted)

Motion was made by Mr. Williams, seconded by Ms. Dinnen and carried, to adopt the proposed revised job description and minimum qualifications for the Coordinator, Family Counselor position in the Educational Programs and Student Support division for The School Board of Broward County, Florida 2008-2009 Organizational Chart. This is the final reading. Dr. Parks was absent. Ms. Gallagher and Mrs. Hope were absent for the vote. (6-0 vote)

This position, on the 2008-2009 Organizational Chart, requires revisions to the previously adopted job description to update minimum requirements and job responsibilities. See Executive Summary.

There is no additional financial impact to the district budget. The source of funding is the General Fund and is included with the 2008-2009 Organizational Chart, approved on 5/06/2008.

No discussion was held on this item.

CC-4. Proposed New Job Description and Minimum Qualifications for the Program Supervisor, Before and After School Child Care Position for The School Board of Broward County, Florida (Adopted)

Motion was made by Ms. Dinnen, seconded by Mr. Williams and carried, to adopt the proposed new job description and minimum qualifications for the Program Supervisor, Before and After School Child Care position in the Curriculum and Instruction/Student Support division for The School Board of Broward County, Florida. Approval is requested to advertise for one (1) vacant position following the first reading. This is the final reading. Dr. Parks was absent. Ms. Gallagher and Mrs. Hope were absent for the vote. (6-0 vote)

The responsibilities of this position are currently being performed by a Teacher on Special Assignment. The Before and After School Child Care program is not of a temporary nature; therefore a job description that accurately documents the job qualifications and on-going performance responsibilities has been developed. See Executive Summary.

There is no additional financial impact to the district budget. The source of funding is the General Fund.

No discussion was held on this item.

CC-5. Proposed Revised Job Description for the Director, Growth Management for The School Board of Broward County, Florida 2008-2009 Organizational Chart (Adopted)

Motion was made by Ms. Dinnen, seconded by Mrs. Gottlieb and carried, to adopt the proposed revised job description and pay grade of the Director, Growth Management position in the Facilities and Construction Management division; amend the 2008-2009 Organizational Chart to reflect this change. This is the final reading. Dr. Parks was absent. Ms. Gallagher and Mrs. Hope were absent for the vote. (6-0 vote)

The Director, Growth Management position responsibilities and position impact have expanded during the past year to incorporate the new public school concurrency provisions, contained in the amended Interlocal Agreement for Public School Facility Planning, as mandated by SB360. Adoption is requested for the revised job description, pay grade, and to amend the 2008-2009 Organizational Chart accordingly. See the Executive Summary for additional detail.

The additional financial impact to the district, including benefits, is approximately \$5,100. The source of funding is the Capital Fund.

No discussion was held on this item.

CC-6. Anti-Bullying Policy (Adopted as amended)

Motion was made by Ms. Dinnen, seconded by Mrs. Hope and carried, to adopt revisions to the Anti-Bullying Policy, at this final reading. This motion was superseded by Motions to Amend (pages 32 and 33). Dr. Parks was absent. Ms. Gallagher was absent for the vote. (7-0 vote)

In recognition of the seriousness of bullying and the impact of such behaviors on the teaching and learning environment in Broward County Public Schools, the School Board convened a Task Force to develop an Anti-Bullying policy. The Task Force was co-chaired by Shelly Heller, parent, and Aimee Wood, Student Support Services, and included members from the community and the school system. The initial draft of the policy was presented to the School Board at a workshop on May 13, 2008.

This proposed policy includes direction from the workshop and addresses the mandates of recently passed legislation (HB669). The approved policy will be provided to the Department of Education as a model for other districts to use.

Bullying of students, teachers, and other employees of the school district is expressly prohibited in the legislation and in this policy. While bullying complaints by or towards other persons who may interact with school system personnel (e.g., parents, volunteers, vendors, contractors) under this policy will not be ignored, the level of investigation and action will be dependent on the impact of the incident on students, school system employees, and the school teaching and learning environment.

The policy includes the amendment from the first reading (see amendment pages 1 & 8).

This policy was reviewed at Policy Review on June 3, 2008.

There is no financial impact to the district.

Mrs. Kraft, who stated that the district's policy should be the model for the whole state, offered two amendments to clarify the policy.

Motion to Amend (Carried)

Motion was made by Mrs. Kraft, seconded by Mrs. Gottlieb and carried, to amend page 8, IX. Referral for Intervention, C., 2., add counseling, sentence to read: counseling interventions to address the behavior of the students who bully (e.g., empathy training, anger management). Dr. Parks was absent. Ms. Gallagher was absent for the vote. (7-0 vote)

A vote was taken on the Motion to Amend.

Mrs. Kraft stated she would offer an amendment to clarify that the district's policy complies with the DOE requirements, that notification is provided.

Second Motion to Amend (Carried)

Motion was made by Mrs. Kraft, seconded by Mrs. Hope and carried, to amend page 7, VIII. Investigation requirements for reported acts of bullying under this policy, C. add in parentheses: (The Florida DOE requires that school administrators/ designees provide immediate notification to the parents of both the victim and the alleged perpetrator of an act of bullying or harassment). Dr. Parks was absent. Ms. Gallagher was absent for the vote. (7-0 vote)

A vote was taken on the Second Motion to Amend.

Mr. Marko stated that these amendments would not be substantive changes and would not require a third reading.

Mrs. Kraft, who remarked that the Broward School District is the first in the state to have this policy, expressed gratitude to staff for their hard work.

Concurring, Mrs. Bartleman stated the district is taking the first step to provide a safe learning environment for students.

Mrs. Leah Kelly, Executive Director, Student Support Services, stated that a copy of the current draft of the procedural manual has been sent to the Board and several training sessions will be held with principals.

Mrs. Hope requested that she be provided written language in the procedural manual that empowers the parent; such as a written copy of a complaint, indicating that staff is aware of the problem.

Responding to Mrs. Sobel's question, Mrs. Kelly stated that the data has to be submitted to the state, as some of the district's funding is contingent upon meeting their requirements. She said upon preliminary review by the state, the district is in compliance and the policy will be looked at as a model policy.

The following individual addressed this item:

Shelly Heller

A vote was taken on the item as amended.

CC-7. Board Policy 7014: Environmental Stewardship Policy
(Adopted as amended)

Motion was made by Mrs. Gottlieb, seconded by Ms. Dinnen and carried, to adopt New Board Policy 7014 as it pertains to Environmental Stewardship Policy, at this final reading. This motion was superseded by a Motion to Amend (below). Dr. Parks was absent. Ms. Gallagher was absent for the vote. (7-0 vote)

Per the direction of the School Board, the Environmental Stewardship Policy 7014 has been developed to support the District Strategic Plan Goal #7 – Environmental Stewardship by establishing a district-wide Environmental Strategic Plan that addresses and monitors sustainability, resource conservation and the implementation of environmental practices district-wide.

There is no financial impact to the district, therefore this item does not require a collaboration form from the Capital Budget Department.

Mr. Notter informed the Board that an amendment was requested to be made on behalf of Dr. Parks.

Motion to Amend (Carried)

Motion was made by Mrs. Kraft, seconded by Mrs. Gottlieb and carried, to amend Section III. Policy Oversight, to read: The Broward School Board shall establish a the Superintendent's District Environmental Oversight Committee (SDEOC). The Superintendent shall appoint the SDEOC committee members. The SDEOC will ~~to~~ monitor objectives, recommend initiatives and identify responsibilities supporting the implementation of the Environmental Strategic Plan.

The SDEOC shall report to the School Board bi-annually.

The SDEOC shall establish an Environmental Technical Advisory Committee (ETAC) to provide technical information, status and timelines; make recommendations on environmental strategies, educational programs, and pilot projects; recommend process and procedures; develop evaluation guidelines for the SDEOC's approval and recommendation to the Board.

The ETAC shall report to the SDEOC on a quarterly basis. Dr. Parks was absent. Ms. Gallagher was absent for the vote. (7-0 vote)

A vote was taken on the Motion to Amend, followed by a vote on the item as amended.

DD. OFFICE OF THE CHIEF AUDITOR

EE. CHIEF OPERATIONS OFFICER

EE-1. Bid/RFP and Other Financial Recommendations \$500,000 or Greater
(Approved)

Motion was made by Ms. Dinnen, seconded by Mr. Williams and carried, to approve the Bid/RFP recommendations as stated on the award recommendation for each Bid/RFP listed below. Dr. Parks was absent. Ms. Gallagher and Mrs. Hope were absent for the vote. (6-0 vote)

<u>BID/RFP</u>	<u>Title – Location – Amount</u>
29-022B	Occupational and Physical Therapy – Various – Amount: \$16,000,000

Board approval of these Bid/RFP recommendations does not mean that the amounts shown will be spent. These amounts represent the spending authority, which may be spread among the awarded vendors through the term of this contract from available funds already included in various school/department/center budgets.

The financial impact of each Bid/RFP Recommendation is indicated on its respective exhibit.

Mrs. Bartleman voiced concern over the monitoring of individuals who receive physical therapy. She requested that more detail be provided to her. Mrs. Bartleman stated that more than one person should be monitoring all these students.

EE-2. Additional Recommendations on Existing Contracts \$500,000 or Greater
(Approved)

Motion was made by Ms. Dinnen, seconded by Mrs. Gottlieb and carried, to approve additional expenditures on previously approved term contracts as shown below. The recommendations are requests for additional expenditures only and do not require any changes to the district budget. Dr. Parks was absent. Ms. Gallagher and Mrs. Hope were absent for the vote. (6-0 vote)

A. APPROVAL FOR RENEWAL AND AN ADDITIONAL EXPENDITURE ON THE FOLLOWING CONTRACT:

1. 25-007B – Full Service Requirements for the Storage and Delivery of Frozen, Canned and Chilled Food Commodities (additional expenditure of \$500,000 requested; \$700,000 previously approved on 7/24/07 and \$2,500,000 originally approved on 6/15/04)

It is recommended that the contract with School Food Service Systems be renewed for an additional year from July 1, 2008 through June 30, 2009 in accordance with Special Condition 5 of the bid which states: "The purpose of this bid is to establish a contract, at firm unit prices, for the purchase of estimated requirements for the items listed. The term of the bid shall be for approximately one and one half years, and may, by mutual agreement between SBBC and the awardee, upon final School Board approval, be extended for two additional one year periods and, if needed, 90 days beyond the expiration date of the final renewal period. The Board, through its Supply Management and Logistics Department, will, if considering to extend, request a letter of intent to extend from each awardee, prior to the end of the current contract period. The awardee will be notified when the recommendation has been acted upon by the School Board. All prices shall be firm for the term of the contract. The bidder(s) agrees to this condition by signing its bid." This recommendation is based on an excellent supplier evaluation. Since the date of award, the Consumer Price Index (CPI) reflects an increase of 12.57%.

Furthermore, it is recommended that the School Board authorize an additional expenditure of \$500,000 to the subject contract. The amount of the recommended spending authority is available from funds already included in the District budget. This recommendation will allow schools, departments and centers to continue purchasing storage and delivery of frozen, canned and chilled food commodities as required through June 30, 2009, and will provide for an approximate total expenditure of \$3,700,000 for the award period.

Items submitted for renewal approval have been evaluated by user departments and schools, and determined that satisfactory service is being provided, and that the contract prices are currently the best value based on current vendor prices, comparable prices from other agencies and/or the Consumer Price Index (CPI) data. Recommendations are being made for additional expenditures on previously approved term contracts. These recommendations are requests for additional expenditures only, and the amount is available from funds already included in the District budget. These recommendations authorize additional expenditures until the expiration date of each contract, at which time the contract will be re-bid according to Board Policy unless the contract is renewed per the terms and conditions of the bidding documents.

These recommendations for additional spending authority will be funded from available funds already included in various school/department/center budgets or as described in the Summary Explanation and Background. This does not increase the existing budget.

No discussion was held on this item.

FF. CURRICULUM AND INSTRUCTION STUDENT SUPPORT

GG. HUMAN RESOURCES

HH. ATTORNEY

II. OFFICE OF THE SUPERINTENDENT

JJ. FACILITIES AND CONSTRUCTION MANAGEMENT

- JJ-1. Amend the Spending Authority for Padula & Wadsworth Construction, Inc. – District-Wide Relocatable Buildings and Site Adaptation, Bid No. 2007-04-FC – Deerfield Beach Elementary, North Andrews Gardens Elementary, Nova High, Nova Middle, and Westpine Middle Schools
(Withdrawn)

KK. OFFICE OF CHIEF FINANCIAL OFFICER

Following the action of Agenda Item I-8, the following Attorney-Client Session commenced at 2:10 p.m. and concluded at 2:40 p.m.

Announcement by Chair

“The School Board of Broward County, Florida, will meet in an Attorney-Client session in accordance with Section 286.011(8), Florida statutes on July 22, 2008 at 12:00 p.m. The Attorney-Client session will be held in the Board Room on the first floor of the Kathleen C. Wright Administration Center, 600 Southeast Third Avenue, Fort Lauderdale, Florida 33301.

“The purpose of the private session is for the School Board and counsel to discuss pending litigation relative to the following case: National Fire Insurance Company of Hartford vs. The School Board of Broward County, Florida vs. Danville-Findorff, inc., et. al., Case No. 07-8850 CACE 14, before the Circuit Court for the 17th Judicial Circuit in and for Broward County, Florida. A certified court reporter will record the entire session.

“The following persons will attend this Attorney-Client session: School Board Members: Robin Bartleman, Chair; Maureen S. Dinnen, Vice Chair; Beverly S. Gallagher; Jennifer Leonard Gottlieb; Phyllis C. Hope; Stephanie Arma Kraft, Esq.; (Dr. Robert D. Parks was absent); (Eleanor Sobel was absent); Benjamin J. Williams; James F. Notter, Superintendent of Schools; David J. Valdini, Esq.; Elaine Parries, Esq.; Robert Paul Vignola, Esq.; and Edward J. Marko, Esq.

“Telephone conferencing or other telecommunications technology may be used in the conduct of this Attorney-Client Session to permit absent Board Members to participate and to be heard by other School Board Members and Counsel.”

Adjournment This meeting was adjourned at 4:15 p.m.

RT