

Approved in Open Board Meeting, October 6, 2009

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

September 1, 2009  
Tuesday, 10:15 a.m.

MINUTES OF REGULAR MEETING

The School Board of Broward County, Florida, met in regular session at 10:22 a.m., Tuesday, September 1, 2009, in the Board Room of the Kathleen C. Wright Administrative Center, 600 Southeast Third Avenue, Fort Lauderdale, Florida. Present were: Chair Maureen S. Dinnen; Vice Chair Jennifer Leonard Gottlieb; Members: (Robin Bartleman was absent), (Beverly A. Gallagher was absent), Phyllis C. Hope, Stephanie Arma Kraft, Esq., Ann Murray, Dr. Robert D. Parks, Benjamin J. Williams, Superintendent James F. Notter, and Edward J. Marko, Esq.

**Call to Order** Ms. Dinnen, 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 Dr. Parks, seconded by Mr. Williams and carried, to approve the official minutes for the following Board Meetings: Mrs. Bartleman and Ms. Gallagher were absent. Mrs. Kraft and Mrs. Hope had not yet assumed their seats on the dais. (5-0 vote)

August 4, 2009 – Regular School Board Meeting  
August 18, 2009 – Special – Student Expulsions  
August 18, 2009 – Regular School Board Meeting

**Added Items** One speaker

**Close Agenda** Upon motion by Dr. Parks, seconded by Mrs. Gottlieb and carried, the Agenda was approved and declared closed. Mrs. Bartleman and Ms. Gallagher were absent. Mrs. Kraft and Mrs. Hope had not yet assumed their seats on the dais. (5-0 vote)

**SPECIAL PRESENTATION**  
**Colonel Francisco Betancourt**

Mrs. Gottlieb stated that for the past two summers she has had the wonderful experience of going to the JROTC camps with Colonel James Armstrong, Curriculum Specialist for JROTC, and attending Cadet of the Year and Pass and Review events. She praised the JROTC program in the district; team work, leadership skills, decision-making skills, responsibility lessons, and the focus and determination that the program gives to students. In addition, the program offers academic and rigor, all life-skills.

Mrs. Gottlieb informed that the JROTC program is offered in all 29 Broward County high schools, and JROTC is offered in Freshman academies and offer online college program scholarships for cadets that are still in high school. In addition, there are student leadership development corps for JROTC.

September 1, 2009

Minutes of Regular Meeting  
Page 1 of 35

Remarking that the graduation rate for JROTC's participants is 98.7 percent and 68 percent of graduates are college bound, Mrs. Gottlieb stated that 169 scholarships were offered to JROTC students, totaling \$4 million, and 25 percent of the JROTC participants enrolled in the military.

Mrs. Gottlieb provided a background history of Colonel Francisco Betancourt, Brigade Commander for the 6<sup>th</sup> ROTC Brigade, Savannah, Georgia. Colonel Betancourt has completed tours of duty in Korea, Germany, Bosnia, Kosovo, Saudi Arabia, Kuwait and Iraq. Colonel Betancourt holds a Bachelor of Arts degree in Linguistics from the University of Puerto Rico, Mayaguez and a Masters of Military Arts and Science from the Command and General Staff College at Ft. Leavenworth, Kansas.

Colonel Betancourt holds many military decorations, including the Bronze Star and Meritorious Service Medal, and the NATO Medal. On February 2008, Colonel Betancourt assumed command of the 6<sup>th</sup> ROTC Brigade which is headquartered in Savannah, Georgia, and consists of ROTC programs in 87 colleges and universities, and 250 high schools across Georgia, Florida, Puerto Rico, and the US Virgin Islands, comprising over 54,000 cadets and 842 cadre.

Colonel Betancourt thanked the School Board and the Superintendent for taking time for the presentation of the National US Army's Director of Army Instruction Award for 2009 to Colonel Armstrong. Colonel Betancourt stated it is important to note that Broward County is leading the way in how Cadet Command provides the JROTC program. The Colonel thanked the district for their support of JROTC and Colonel Armstrong.

Colonel Betancourt informed that Colonel Armstrong joined the U.S. Army in 1960, following his graduation from high school, became an aviator and served in his first tour of duty as a helicopter pilot in Vietnam. Colonel Armstrong has commanded at the company, battalion and brigade levels. He has further been assigned at the Army Command level and during the first Gulf War served on the Joint Chiefs of Staff, the Pentagon. Colonel Armstrong retired from the Army in 1993, moved to Florida and founded the JROTC program at Western High School in Davie, Florida. In 1996 he was selected as the Curriculum Supervisor for JROTC and as the Director of Army instruction for the School District.

Colonel Betancourt further stated that under Colonel Armstrong's leadership, Broward County Public Schools has installed JROTC programs in all 20 traditional high schools, becoming the largest school district in the nation with a JROTC program in every traditional high school. Only Chicago Public Schools has more JROTC programs than Broward County.

Colonel Betancourt presented an award to Colonel James Armstrong, who was named the nation's Director of Army Instruction of the Year 2008-2009. This award represents exemplary performance and sets the standard for the 55 national directors of Army Instruction. Colonel Betancourt stated he is also recognizing the achievements of Colonel Armstrong's staff and district administration, who helped Broward County JROTC to be a success.

Colonel Armstrong thanked the School District for their recognition, and expressed honor to Colonel Betancourt for sacrificing his personal time to make the presentation.

Colonel Armstrong discussed the success of the JROTC team, composed of 29 schools, the largest school district in the nation, with JROTC in every traditional high school with wonderful instructors who have spent at least 20 years serving their country. Colonel Armstrong stated that Team JROTC are proud to be part of Team Broward and to be members, co-workers, and people who help make solutions for all kids and working with them for post-secondary success. Colonel Armstrong stated that the School Board are the leaders of the team and they deserve the award. The Colonel thanked the School Board for allowing him to serve the district.

Mrs. Gottlieb, Mr. Notter and Board Members congratulated Colonel Armstrong for bringing recognition of the JROTC program and for his leadership and dedication.

Congratulating Colonel Armstrong, Mrs. Hope thanked the military and armed services personnel for their service to their country.

## **REPORTS**

### District Advisory Council – Jeanne Jusevic

Mrs. Jusevic reported that DAC will hold their general meeting on September 9, 2009, in the Board room. Topics for discussion will be the 2010-11 calendar preview, H1N1 flu precautions, election of DAC Vice-Chair, first reading of bylaws revisions, and training of DAC memberships roles and responsibilities.

The series of ongoing training for the area offices will begin on October 2, 2009 and continue throughout the year. The training committee will be a permanent standing committee and they will continue to meet and help design new training as feedback is received by the membership. The Bylaws Committee met during the summer and will be presenting their recommendations to DAC on September 9, 2009.

Mrs. Jusevic further reported that she has received e-mails and phone calls from parents concerned about issues that are directly affecting their schools. The issues have been presented to principals and senior managers and they have taken time to address the issues of concern and find remedies to solve problems. She stated that parents are noticing the impact that under-funding is causing through larger classrooms and shortages of supplies. DAC will work with other parent groups to advocate for adequate funding for public education and work to find solutions that will assist the district during these economic times.

The DAC website has been updated and redesigned. The Communication Chair is in the process of establishing an easy-to-remember web address, and two e-mail lists are being established, one that will serve as announcing meeting dates and alerts and the other will be for members requesting any information, including news articles.

A comprehensive written report was submitted to the Board.

### ESE Advisory Council – Robert Mayersohn

Mr. Mayersohn extended appreciation to teachers, non-instructional personnel and administrators for their efforts in planning and executing a great opening school week. Special appreciation was extended for the outstanding customer service, extraordinary care and concern that Ms. Inez Ryscik, Shift Supervisor, North Area Terminal, provided during the first week of school. Ms. Ryscik addressed concerns in a warm and sincere manner, and she expeditiously resolved issues with the utmost professionalism. She has the ability to provide continued follow-up to ensure the safety and well being of children.

Mr. Mayersohn thanked Mrs. Denise Rusnak, Director, Exceptional Student Education, and Mrs. Gwen Lipscomb, FDLRS Coordinator, for hosting the ESE Executive Board at the August 19, 2009 ESE Specialist meeting. Gratitude was expressed to Superintendent Notter for attending and presenting a message on accountability.

Mr. Mayersohn reported that he also attended the ESE Transition Specialist meeting, and stated that the prevailing plus of the ESE Transition Specialists and ESE Transition Teachers is that they are optimistic about the district initiative to focus on transition. He stressed that these programs must not be under-resourced because they are a viable option for these students.

Mr. Mayersohn further reported that ESE will hold its first meeting on September 21, 2009 at Piper High School, beginning at 7:00 p.m. Superintendent Notter will give his State of the District address and discuss district spending of IDEA stimulus dollars. A legislative town hall type of meeting is being planned for October, with guest appearances by Representatives Martin Kiar, Franklin Sands and Ari Porth.

### Broward County Association of Student Councils and Student Advisor to the Board – Eti Raz and Sarah Saxner

Eti reported that last week BCASC held its first meeting which was largely attended by high school students and a few middle school students. Two new projects were approved: Shirts to Share, donating shirts that will be sent to community charities that are in need and to Haiti; and each student government representative will meet with their area legislative representatives and speak with them about the importance of educational funding and the impact of budget cuts on activities.

### Facilities Task Force – Nick Sakhnovsky

Mr. Sakhnovsky reported that the Task Force held its first meeting of the 2009-2010 school year in August and there was work done in the summer, particularly in the Transportation Subcommittee area. This subcommittee was developed last year in order to gather data associated with costs of busing students, an important component of facilities planning because when facilities cannot be built students still need to be transported to school.

Mr. Sakhnovsky informed that the Facilities Utilization Subcommittee will review the district's 20-day count and previous report to determine trends, and compare where capital investment has occurred in the past. Mr. Omar Shim, Director, Capital Budget, will provide information regarding where investments have been made in the past and compare it to student counts.

Mr. Sakhnovsky stated the Task Force is investigating the effects of budget cuts regarding ADA, Indoor Air Quality and other safety programs. In addition, Phase 7 of Tools for Schools will begin, and a report of the Audit Committee was presented to the Task Force membership.

Mr. Sakhnovsky thanked district staff for their cooperation with the Task Force during the summer months.

The next Task Force meeting will be held on Thursday, September 3, 2009.

Ms. Dinnen thanked the Task Force and members for their work, and stated that the Indoor Air Quality issue is still a priority with the Board.

## **BOARD MEMBERS**

Ms. Murray informed her colleagues that she, Ms. Dinnen and Mrs. Gottlieb attended the Education Coalition of School Boards conference in Clearwater, Florida, establishing their Legislative agenda. Ms. Murray discussed the unity amongst members throughout the state.

Ms. Murray stated that Sheridan Technical Center has full capacity enrollment in all their programs for the 2009-2010 school year, with almost 1,300 students taking courses in the virtual online classrooms. The school also launched a Green-Ready building certificate program this year, which prepares students to sit for the Green Association exam offered by the USGBC and the GBCI. The credentials highlight basic Green design and construction operations for those interested in the LEED rating.

Gratitude was extended to Target Corporation for giving \$1,500 to Hollywood Hills for their reading program.

Ms. Dinnen informed her colleagues that she attended a Back to School Preview at Fort Lauderdale High School, a standing-room only event for new students and parents.

Ms. Dinnen attended the first day of school at North Andrews Gardens Elementary, Plantation Middle School, and Whiddon Rogers.

Ms. Dinnen discussed the Broward Education Coalition, which began two years ago to try and bring into focus the state Legislature's activities so the district could focus on what to do before and during the Legislative Session and what kind of relationship would be established with state legislators. Ms. Dinnen stated that the coalition wants to do more outreach this year to the public and to different groups, whether civic or business organizations. A message subcommittee was established to work on the principal message of the district to be sent to the Legislature.

Ms. Dinnen further stated the group supported the creation of a pledge of support that every legislator could sign indicating their support for public education. Other discussion included a public service announcement via BECON.

Discussing the Education Consortium, Ms. Dinnen stated that it is attempting to get the different counties to act more in concert with the state issues. The coalition worked extensively on a common document as to their needs when the session begins. Ms. Dinnen stated every single county in the Consortium must sign off on the document or the item is not included in the document. Ms. Dinnen further stated there is greater awareness in other counties and they realize there must be a united force throughout the state and be proactive.

Ms. Dinnen discussed agenda item F-2. Service Delivery Agreement between The School Board of Broward County, Florida, (SBBC) and Hispanic Unity of Florida, Inc., (HUF). Ms. Dinnen stated that New River and Olsen middle schools are receiving a sizable grant from Hispanic Unity. The five-year partnership with the district is in its second year; a great partnership with a local civic organization with the schools. The 21<sup>st</sup> Century Community Learning Center grant provides academic enrichment and remediation services to students who perform at or below the 40<sup>th</sup> percentile on the FCAT.

Ms. Dinnen extended gratitude to Mrs. Gottlieb for taking over the duties of Chair during her absence.

Mr. Williams informed that this is the third consecutive year in which Broward County students and parents have taken part in the Million Father March. The number of fathers and/or father-figures has increased from 25,000, 28,000, and has now reached more than 36,800 fathers and men who care for children and are taking part in this activity this year.

Mr. Williams stated that the district has partnered with members of several community groups and local cities and municipalities to reach out to our parents to accompany their children to school on the first day of classes. This year we were also fortunate to have the National President of the Parent-Teacher Association (NPTA), Charles J. Saylor; Broward County PTA President, Bernie Kemp; local mayors and active community members participate in our program.

Dr. Parks stated that Deerfield High School student Jacob Edri will address the Board during the delegation of Speakers and discuss the 2009 edition of the Code of Student Conduct including the use of "Negro" on a form that parents are to sign and return, asking for their children's racial background. He stated this term was used in addition to black or African-American.

Mr. Notter, who informed that the correction was made, stated the error was made by the Florida Department of Education in bringing down some of the information from the federal government.

Mr. Williams stated that the community is pleased that the error was discovered and corrected by the school district.

(See comments under delegation of Speakers).

Following the luncheon recess, Dr. Parks presented his Board report.

Dr. Parks discussed the solar panels at Deerfield Beach Middle School, the FPL project that is incorporated in the school's curriculum, one of six schools in the state participating in this program. Dr. Parks stated this program is tied into the Environmental Stewardship initiatives.

Dr. Parks informed his colleagues that he spoke with a journalist from Strategize Magazine regarding where the district is with environmental issues, indicating to them that schools are taking the lead in environmental issues.

Dr. Parks congratulated the Green Team at Tradewinds Elementary School for receiving a Disney Environmental Challenge award.

Dr. Parks attended the Coconut Creek City Commission meeting and introduced David Jones, Principal, Coconut Creek High School, and Jim Neer, new Principal at Monarch High School. Dr. Parks also attended Deerfield Beach City Commission and introduced Ms. Sabine Phillips, Principal, Crystal Lake Middle School, and Ms. Christine Flynn, Principal, Deerfield Beach Middle School. Dr. Parks acknowledged Mike Walker, Principal, Park Ridge Elementary School and Ms. Camille Pontillo, Principal, Tedder Elementary. Dr. Parks stated that these individuals are great leaders and will be an asset to their schools.

Dr. Parks attended the Deerfield Beach High School SAC/SAF meeting. He praised the leadership and direction of Jon Marlow, Principal.

Dr. Parks addressed the Pompano Beach/Lighthouse Point Rotary Club regarding the district's budget and educational funding.

Dr. Parks met with staff regarding electronic e-books, and said that a decision was made to upgrade the document and add more information, and meeting with the Superintendent and Mr. Donnie Carter, Chief of Staff, Office of the Superintendent.

Remarking that there would be a major cost savings with downloading e-books on iPods and other electronic equipment, Dr. Parks requested that a Workshop discussion be scheduled on electronic e-books. He stated that the electronic committee will be forwarding their recommendations following the meeting with Mr. Notter and Mr. Carter.

Mrs. Kraft acknowledged the following resolutions that the Board approved at this meeting: A-1. Resolution in Support of Anti-Bullying Week – October 4-10, 2009, A-4. Resolution in Support of Italian Heritage Month – October 2009, and A-5. Resolution in Support of Hispanic Heritage Month – October 2009.

Mrs. Kraft stated that the Broward School Board was the first board in the state to focus on the issue of bullying, and this year will be the first week dedicated to anti-bullying since the policy was incorporated. Mrs. Kraft, who informed that the City of Parkland will be holding an anti-bullying initiative, encouraged her colleagues to work with the municipalities in their district to encourage anti-bullying initiatives in conjunction with the district's initiatives, as it sends a good message. In addition, the municipalities could work with the Education Advisory Board on this issue.

Discussing cyber-bullying, Mrs. Kraft urged that Principals and School Resource Officers to be cognizant of what is expected of them even for activities that may not occur on school grounds.

Mrs. Kraft acknowledged the Italian and Spanish cultures of the community that is celebrated during October. She stated that even though the district does not have Columbus Day as a day off, since the days off have been previously bargained by the unions, the day is important for individuals of Italian and Spanish heritage.

Mrs. Kraft attended the first day of school at Heron Heights Elementary School, a new school, and parents and children are excited about their school. She noted that Heron Heights is the first school in the district that has used LEED Green initiatives, with solar panels and Environmental Stewardship. Mrs. Kraft noted that the first-day enrollment numbers were 40 students over the original projection, which gives the school a "cushion" in place.

Mrs. Kraft also visited Margate Middle School, and stated it is exciting that they are offering the Princeton College Board college preparation program. She reminded her colleagues that many parents were concerned about the boundary change regarding this school, which has resulted in many parents indicating to her that they are glad they made the choice and what the school had to offer.

Dr. Parks noted that every school he has visited has had increased enrollment.

Mrs. Hope welcomed everyone back to the new school year, and stated she attended some Open House events at several schools, including Griffin Elementary and Horizon Elementary whereby Big Mama distributed backpacks to students. On the first day of school she visited Discovery Elementary, Piper High School, and Stranahan High School. Mrs. Hope stated that Westpine Middle School is holding their Open House on September 3, 2009, and Village Elementary held a great Book Bag Give-away event.

Mrs. Hope informed her colleagues that the 8<sup>th</sup> Annual September 11 memorial observance will be held at Western High School, and on September 13, 2009, a Day of Children event will be held at Nova-Southeastern, with free health screenings provided for children.

Mrs. Hope showcased missing child Eduardo Noguez, date of birth February 11, 1992, 6 feet tall, 150 pounds, brown hair and eyes and missing since June 24, 2009. Anyone with information can contact the local police or the National Center for Missing and Exploited Children.

Mrs. Gottlieb congratulated Mrs. Marla Armstrong and Joe Luechauer for hosting the 7<sup>th</sup> Annual Arts Integration Conference, Teaching for Success, Educating the Whole Child through the Arts, held at the Broward Center for the Performing Arts. She stated that the School Board supports arts in education and educating the whole child. Congratulations was extended to the Broward Center for the Performing Arts for their partnership with the district.

Mrs. Kraft stated she has received concerns from band parents that the district has not been able to fund the All County Music programs this year. Mrs. Kraft stated that the budget cuts have affected the program in not being able to afford to rent out the venue (Coral Springs Center of the Performing Arts), and the lack of funds to hire the music clinicians. Mrs. Kraft said that parents have inquired whether Dillard High could be used as a venue over two days, and whether there might be some music or band directors that might want to volunteer their time, as some private citizens have indicated they would be willing to donate their time. Mrs. Kraft requested that the Superintendent could review this possibility in a cost neutral way.

Concurring, Mrs. Gottlieb stated that there was some misinformation in the community that the Board did not see this issue as a priority. Mrs. Gottlieb stated that the cuts to this program was something that the Board did not want to do and that the Board does support the arts.

Mrs. Kraft added that some of the booster clubs can raise funds to pay for the music clinicians.

Mrs. Gottlieb congratulated everyone on the first day of school, and stated it was exciting visiting all the schools and new schools, and spending time with the new National PTA president, Chuck Saylor and speaking with him about his dedication to students.

Mrs. Gottlieb congratulated Mr. Williams on a successful Million Father March, a program that increases male and child participation every year.

Mrs. Gottlieb discussed her attendance at the Consortium of School Boards conference and the Legislative Platform issues. Mrs. Gottlieb informed that Senator Jeremy Ring has agreed to file an amendment to a bill regarding when there is a holiday during the dates the FCAT is given, that the testing be moved up a week.

Mrs. Gottlieb recognized A-9. Resolution in Support of Suicide Prevention Week – September 6-12, 2009. She stated this resolution and the anti-bullying ties into the Silence Hurts campaign and the importance of awareness of these issues.

### Speakers

Jacob Edri

Dr. Parks commended Jacob's actions and bringing this issue to the attention of the School Board. He stated it is a civics lesson for all students; to make sure they know what they are reading and that Jacob did read an important policy of the school district.

Jacob was informed that the error was discovered by the district staff and has been corrected.

On behalf of the School Board, Ms. Dinnen thanked Jacob for his efforts.

**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. Murray, seconded by Mrs. Hope and carried, to approve the Consent Agenda for the remaining items. Mrs. Bartleman and Ms. Gallagher were absent. Mrs. Bartleman and Ms. Gallagher were absent. (7-0 vote)

## **CONSENT ITEMS**

### **A. RESOLUTIONS**

- A-1. Resolution in Support of Anti-Bullying Week – October 4-10, 2009  
(Adopted)

Adopted Resolution #10-14, in support of Anti-Bullying Week – October 4-10, 2009.

- A-2. Resolution in Support of National School Lunch Week - October 12-16, 2009  
(Adopted)

Adopted Resolution #10-15, in support of National School Lunch Week – October 12-16, 2009.

- A-3. Resolution in Support of Disability Employment Awareness Month – October 2009  
(Adopted)

Motion was made by Mrs. Gottlieb, seconded by Dr. Parks and carried, to adopt Resolution #10-16, in support of Disability Employment Awareness Month – October 2009. Mrs. Bartleman and Ms. Gallagher were absent. (7-0 vote)

Former School Board Member Mrs. Karen Dickerhoof addressed the resolution, and thanked the district for their continued support and commitment in helping disabled individuals seek employment with the school district.

Mrs. Dickerhoof stated that this is an opportunity for the community to create activities and employers to become more aware of individuals with disabilities as part of the work force. She discussed a marketing ad during October “Look at My Abilities” campaign, for employers to look at individuals with abilities and not their disabilities.

Mrs. Dickerhoof said it is hopeful the school district will participate in the Broward Business Leadership Network and participate in the Connections job fair held on October 30, 2009, at Nova Southeastern University.

Ms. Dinnen thanked Mrs. Dickerhoof for all she does and to celebrate the month of October as ability awareness.

Thanking Mrs. Dickerhoof for her advocacy for disabled individuals, Mr. Notter stated that the Broward School Board is the only school board in Florida that dedicated the ESE IDEA stimulus dollars to focus on a complete overhaul of a transition program for ESE students. This focus created jobs to maintain some of those teachers from those stimulus dollars.

Ms. Murray discussed the Quest Center and recognized students who have found employment in the community: Lisa, Target; John, Winn Dixie; and students working at Publix. Ms. Murray stated that the Broward School District has afforded employment opportunities for these and other students.

Mrs. Dickerhoof informed that one of the things the United States Business Leadership Network is working on is certification for disability-owned business, a national diversity effort. She thanked the school district for their commitment.

Following the action of this item, a luncheon recess was taken at 12:05 p.m.

- A-4. Resolution in Support of Italian Heritage Month – October 2009  
(Adopted)

Adopted Resolution #10-17, in support of Italian Heritage Month – October 2009.

- A-5. Resolution in Support of Hispanic Heritage Month – October 2009  
(Adopted)

Adopted Resolution #10-18, in support of Hispanic Heritage Month – October 2009.

- A-6. Resolution in Support of the International Day of Peace – September 21, 2009  
(Adopted)

Adopted Resolution #10-19, in support of the International Day of Peace – September 21, 2009.

A-7. Resolution in Support of Celebrate Freedom Week, September 21-25, 2009 (Adopted)

Motion was made by Mrs. Kraft, seconded by Mrs. Hope and carried, to adopt Resolution #10-20, in support of Celebrate Freedom Week, September 21-25, 2009. Mrs. Bartleman and Ms. Gallagher were absent. (7-0 vote)

This item was discussed concurrently with Agenda Item A-8.

Ms. Dinnen, who remarked that both resolutions celebrate patriotic events, stated that the Declaration of Independence is a declaration declaring independence for the 13 colonies from the British, the rationale of why this country was being formed. Ms. Dinnen stated that the document is being honored and that students celebrate freedom events and commemorate this document.

Mrs. Kraft stated when the resolution commemorates September 11, 2001, that teachers educate students about the day's impact on the nation and the world. Remarking that the School Board does not see the impact of resolutions, Mrs. Kraft encouraged teachers that the 9-11 message and the Freedom Week events be merged, as a best practice and that best practices be shared.

A-8. Resolution in Support of Constitution Day, September 17, 2009 (Adopted)

Motion was made by Mrs. Kraft, seconded by Mrs. Hope and carried, to adopt Resolution #10-21, in support of Constitution Day, September 17, 2009. Mrs. Bartleman and Ms. Gallagher were absent. (7-0 vote)

This item was discussed concurrently with Agenda Item A-7.

Ms. Dinnen stated that Constitution Day commemorates when the final draft of the U.S. Constitution was approved and written by the Constitutional Convention in 1787, after the American Revolutionary War was over. Ms. Dinnen, who informed that the Constitution is the shortest as well as the oldest constitution in the world, stated this day will be celebrated through many events.

A-9. Resolution in Support of Suicide Prevention Week – September 6-12, 2009 (Adopted)

Adopted Resolution #10-22, in support of Suicide Prevention Week – September 6-12, 2009.

A-10. Resolution in Support of Green Schools Committee of United States Green Building Council (USGBC), South Florida Chapter, Broward Branch (Adopted)

Adopted Resolution #10-23, which states that The School Board of Broward County, Florida, recognizes the United States Green Building Council (USGBC), South Florida Chapter, Broward Branch as a valuable asset to the Broward County Public Schools and further recognizes the District's use of the USGBC's Leadership in Energy and Environmental Design (LEED).

A-11. Resolution in Recognition of the Heroic Rescue Efforts of Four Hollywood Hills High School Football Team Players and Coach Scott Barnwell (Adopted)

Motion was made by Mrs. Hope, seconded by Ms. Murray and carried, to adopt Resolution #10-24, in Recognition of the Heroic Rescue Efforts of Four Hollywood Hills High School Football Team Players and Coach Scott Barnwell. Mrs. Bartleman and Ms. Gallagher were absent. (7-0 vote)

Through video conferencing, Ms. Murray and the School Board recognized the courage displayed by Hollywood Hills High School football coach Scott Barnwell and players Clarence Murphy, Alvin Arnold, Anthony Yerou and Jared Maldonado in their heroic efforts to rescue a Flagler Beach family from a car crash outside Clewiston on July 12, 2009.

Ms. Murray read the resolution into the record, recognizing the team's heroic efforts, indicating that the group noticed a man frantically trying to wave down help for an SUV that overturned in a canal. The rescue efforts resulted in James Bryan and his two-year-old granddaughter surviving the accident. The players did everything possible to save the life of Juanita Carrillo Bryan, who later passed away due to complications from the accident.

Gratitude was expressed by Coach Barnwell, team members, and Principal Chip Osborn for the School Board having CPR as a part of the curriculum which was used in this incident.

Ms. Dinnen, on behalf of the School Board, stated that these students are a good example to other students in the district, and thinking of other people. The Board praised the Coach and Principal for their leadership.

**B. BOARD MEMBERS**

**D. OFFICE OF THE CHIEF AUDITOR**

**E. CHIEF OPERATIONS OFFICER**

- E-1. Summer International Group Agreement (Approved)

Approved the Summer International Group Agreement.

On May 19, 2009 (E-2), the School Board approved the release of RFP 10-030N – Lease of Food and Concession Training Facility at Kathleen C. Wright Administrative Center (KCW) to install a food concession that will align with the District's existing philosophy and policy with federal laws regarding nutrition.

In addition, the food concession would provide mentally and physically challenged students (transition students) and others, with work experience, which can be translated into employment upon graduation. Summer International Group (Roasted Bean) will provide a nutritionally-based menu available for purchase; provide supplies necessary to deliver a balanced food menu at KCW; develop a food preparation and service training program for transition students through employment; and provide job placement and continued employment at other commercial sites for transition students. Further, the food concession will provide a percentage of revenue from sales to the district.

This item supports the Strategic Plan for Wellness, Goal E: Schools and Staff will have an environment that supports the consumption of healthy foods by students and their families.

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

The district will receive a monthly lease payment of \$500 or 15% of the gross revenues, whichever is greater, to cover the operating costs.

**F. CURRICULUM/EDUCATIONAL PROGRAMS & STUDENT SUPPORT**

- F-1. Articulation Agreement between The School Board of Broward County, Florida, (SBBC) and The University of Florida, (UF) (Approved)

Approved the proposed agreement between The School Board of Broward County, Florida, (SBBC) and The University of Florida, (UF).

Florida Statutes 1007.271, 1007.272, and 1007.27 authorize and encourage agreements between school boards, community colleges, and/or state universities for the purpose of providing dual enrollment opportunities for eligible high school students enrolled in post-secondary courses creditable toward a vocational certificate, an associate, or baccalaureate degree.

As a direct result of ongoing discussions with The University of Florida, this agreement provides dual enrollment/early admissions opportunities for secondary students. The agreement allows for increased collaboration, shared inter-institutional research projects and marketing efforts, and the development of additional acceleration in specialized areas of study.

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

There is no financial impact to the district.

F-2. Service Delivery Agreement between The School Board of Broward County, Florida, (SBBC) and Hispanic Unity of Florida, Inc., (HUF)  
(Approved)

Approved the Continuation Agreement between the SBBC and the HUF.

The SBBC and HUF are in year two of their five-year partnership to operate a 21st Century Community Learning Center (CCLC) Grant for New River and Olsen Middle Schools. The grant funds will be used to provide academic enrichment and remediation services to students at New River and Olsen Middle Schools who perform at or below the 40th percentile on the FCAT. The HUF-administered 21st CCLC program will serve 90 New River Middle School and 79 Olsen Middle School students after school and during the summer at New River and on Saturdays at Olsen. The after school program will operate Monday – Friday, October 5, 2009 – June 8, 2010 at New River Middle School, and Monday – Friday, August 31, 2009 – June 4, 2010 at Olsen Middle School. New River will operate a summer program June 14, 2010 – July 29, 2010 (Monday – Thursday), and Olsen will be open the six Saturdays preceding the FCAT. The principals of both schools will select their site based 21st CCLC facilitators and will recommend teachers.

A portion of the 21st CCLC funds allocated to both schools will be used to hire an outside evaluator to conduct an ongoing formative evaluation. This information will be used by the schools and HUF to ensure the program's compliance with its objectives.

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

The positive financial impact to the district is \$281,884. The source of funds is the 21st CCLC Grant. There is no additional financial impact to the district.

F-3. Continuation CTB-McGraw-Hill TABE Online – Subscriber Agreement  
(Approved)

Approved the continuation Subscriber Agreement between The School Board of Broward County, Florida, and CTB-McGraw-Hill.

Tests of Adult Basic Education (TABE), the standardized assessment approved by the State Board of Education, are required to be used in all adult education programs that report data to the National Reporting System (NRS) for the purpose of placement and promotion of students, and to measure program effectiveness. These tests must be administered in accordance with the test publisher's guidelines in order to achieve the standardization that provides for accurate state and federal NRS reporting.

The data collected from programs is used by the State and Federal agencies to determine the effectiveness of individual programs and of the State as a whole. The standardized assessments approved by the State Board of Education addresses the following goals: to place students accurately, to diagnose learner strengths and weaknesses, to guide instruction, and to show evidence of learning gains.

The TABE Online technology will provide automated test administration, scoring, reporting, and immediate diagnostic test reports. This will provide reliable information to evaluate student needs, direct instruction, and enable schools to create reports to meet federal and state requirements.

The Subscriber Agreement is required under the Children's Online Privacy Protection Act of 1998 ("COPPA"), the Family Educational Rights and Privacy Act and the US Department of Education's implementing regulations at 34 CFR Part 99 (collectively, "FERPA").

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

There is a financial impact of \$80,000 to the district. The source of funds is through the Broward Technical Centers' Perkins Postsecondary Grant budget. There is no additional financial impact to the district.

F-4. Continuation Agreement between Broward County and The School Board of Broward County, Florida, for Driver and Safety Education, Contract #10-CSAD-8267-01  
(Approved)

Approved the Continuation Agreement with Broward County Government for Driver Safety Education.

In 2002, the Florida Legislature approved Statute 318.1215, the Dori Slosberg Driver Education Safety Act, which provides additional funding for driver education programs in public and nonpublic schools.

Legislation provides funding for direct educational expenses of the driver education program. The funding for this statute comes from fees paid as part of traffic tickets.

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

This agreement will be executed after School Board and County Commissioners approval.

The positive financial impact to the district is approximately \$1,200,000 annually. The source of funds is Broward County. There is a financial impact of \$58,358. The source of these funds is the unappropriated general fund balance. There is no additional financial impact to the district.

- F-5. Service Delivery Agreement between The School Board of Broward County, Florida (SBBC) and Young Men's Christian Association (YMCA) of Broward County, Florida, Inc. (Approved)

Approved the Continuation Agreement between the SBBC and the YMCA.

The SBBC and the YMCA are in year two of their five-year partnership to operate a 21st Century Community Learning Center (CCLC) grant funded program at Crystal Lake Middle School. The 21st CCLC grant funds will be used to provide academic enrichment and remediation services to students at Crystal Lake Middle School who perform at or below the 40th percentile on the FCAT. The YMCA-administered 21st CCLC program will serve 100 students in an after school program and 100 students during the summer of 2010. The after school program will operate September 8, 2009 – May 27, 2010 (Monday – Friday); the summer program will run from June 24, 2010 – July 29, 2010 (Monday – Thursday). The principal of Crystal Lake Middle School will select the site based 21st CCLC facilitator and will recommend the teachers.

A portion of the 21st CCLC funds allocated to Crystal Lake Middle School will be used to hire an outside evaluator to conduct an ongoing formative evaluation. This information will be used by the school and the YMCA to ensure the program's compliance with its objectives.

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

The positive financial impact to the district is \$131,157. The source of the funds is the 21st CCLC grant. There is no additional financial impact to the district.

F-6. Service Delivery Agreement between The School Board of Broward County, Florida, (SBBC) and After School Programs Inc., (ASP)  
(Approved)

Approved the Continuation Agreement between the SBBC and ASP.

The SBBC and ASP are in year two of their five-year partnership to operate a 21st Century Community Learning Center (CCLC) grant funded program at Oriole Elementary School.

The grant funds will be used to provide academic enrichment and remediation services to students at Oriole Elementary School who perform at or below the 40th percentile on the FCAT. The ASP-administered 21st CCLC program will serve 95 students in an after school program and 73 students during the summer of 2010. The after school program will operate August 31, 2009 – June 8, 2010 (Monday – Thursday); the summer program will run from June 21, 2010 – July 29, 2010 (Monday – Thursday). The principal of Oriole Elementary School will select the site based 21st CCLC facilitator and will recommend the teachers.

A portion of the 21st CCLC funds allocated to Oriole Elementary School will be used to hire an outside evaluator to conduct an ongoing formative evaluation. This information will be used by the school and the ASP to ensure the program's compliance with its objectives.

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

The positive financial impact to the district is \$152,601. The source of the funds is the 21st CCLC grant. There is no additional financial impact to the district.

F-7. Supplemental Education Services (SES) Agreement – Third Round  
(Approved)

Approved the third round of agreements for Supplemental Educational Service providers required under No Child Left Behind (NCLB).

There are currently 61 State-approved vendors who are eligible to offer SES services in Broward County and have expressed an interest.

The current agreements are for the following providers: 1. Foundations First, Inc., 2. ATS Project Success, 3. Closing the Gaps Learning Center, 4. Pro Networking Plus, Inc., 5. Summit Learning Services, Inc., 6. Abundant Life Institute, Inc., 7. Grand Scholars Inc., 8. "A+" Educational Mapping, 9. Patterson Stewart Consulting LLC, 10. Read and Succeed, LLC, 11. The Princeton Review, Inc., 12. Levi Learning Center, Inc., 13. Jay's Learning Center I, Inc.

Vendors can receive up to \$1494 per pupil for student tutoring services. This is equal to the per pupil appropriation given the district under the Title I program. Based on the required Title I set aside for SES, it is anticipated that 6,041 students can potentially be served in the 2009-10 school year. There will be additional contracts coming forward this year due to the later release date by the state of approved SES providers. The timeline provides an overview of the process employed for the new school year.

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

Copies of the full agreements are available at the public stand in the lobby of the K. C. Wright Building, and at the Board Members' office on the 14th floor of the K. C. Wright Building.

The financial impact for this initiative is up to \$1,494 per approximately 6,041 students. The source of funds is the District's Title I SES set aside which has recently been revised by the state to \$9,025,260. There is no additional financial impact to the district.

- F-8. New Agreement between The North Broward Hospital District d/b/a Broward Health and The School Board of Broward County, Florida  
(Approved)

Approved the new agreement between The North Broward Hospital District d/b/a Broward Health and The School Board of Broward County, Florida.

Health Science Education programs provide secondary and postsecondary career and technical students with clinical learning experiences through contractual agreements with hospitals, nursing homes, and other facilities.

The new agreement with The North Broward Hospital District d/b/a Broward Health will provide clinical experiences to Broward County Schools' Health Science Education students. On-site clinical experiences are necessary to meet curriculum frameworks, student performance standards, and requirements of regulatory agencies for students to qualify for certification/licensure examinations upon program completion.

The following Health Science Education programs are located at 21 high schools: Allied Health Assisting, Patient Care Assistant and Practical Nursing.

The following Health Science Education programs are located at the technical centers: Central Service Technology, Medical Coder/Biller, Electrocardiograph (Cardiovascular) Technology, Health Unit Coordinator, Hemodialysis Technician, Massage Therapy, Medical Assistant, Medical Records Transcribing, Medical Lab Technology, Optometric Technician, Patient Care Technician, Pharmacy Technician, Practical Nursing, First Responder, Nursing Assistant, Emergency Medical Technician and Surgical Technology. Currently, The School Board of Broward County, Florida has 38 School Board approved agreements with various health care facilities.

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

There is no financial impact to the district.

#### **G. HUMAN RESOURCES**

##### **G-1. Personnel Recommendations for Instructional Appointments and Leaves for 2009-2010 School Year (Approved)**

Motion was made by Mrs. Gottlieb, seconded by Mrs. Hope and carried, to approve the personnel recommendations for the 2009-2010 appointments and leaves as listed on 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. Mrs. Bartleman and Ms. Gallagher were absent. (7-0 vote)

The Personnel Recommendations for Instructional Employees include the following items:

1. Teacher Approvals
2. Substitute Teacher Approvals
3. Interim Substitute Teachers
4. Temporary Hourly Teacher Approvals
5. 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.

Referring to pages 3 and 4, Teacher Approvals, Ms. Dinnen stated this list is distinct from the Recall list.

Mrs. Victoria Kaufman, Director, Noninstructional Staffing, informed the Board that the positions are not filled on the Recall list because there are no individuals who meet the qualifications. Mrs. Kaufman stated that the district is continually recalling individuals back for employment, as positions become available and there is a match in qualifications.

Ms. Dinnen stated that the list is now down to 68 from 394 originally laid off employees.

Responding to Mrs. Hope's inquiry about a teacher job fair, Mrs. Kaufman stated that the job fair is usually held in the spring time and individuals are recruited from across the country. She stated that the district is not actively recruiting, and this fair was more of a hiring fair, as schools were getting a high number of applicants for their positions and this was a way to expedite those hires and get them to one location for processing to their sites.

G-2. Personnel Recommendations for Instructional Separation of Employment or Discipline for the 2009-2010 School Year (Approved)

Approved the personnel recommendations for separation of employment or 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.

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.

G-3. Personnel Recommendations for Non-Instructional Appointments and Leaves for the 2009-2010 School Year (Approved as amended)

Motion was made by Dr. Parks, seconded by Mrs. Gottlieb and carried, to approve 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 page 9 to Section 6; add page 10 to Section 8; and add name to page iii, Section 10. Mrs. Bartleman and Ms. Gallagher were absent. Mrs. Bartleman and Ms. Gallagher were absent. (7-0 vote)

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 09-10 fiscal year for all appointments through June 30, 2010.

Following the vote on the item, newly-appointed district employees were recognized and congratulated.

Ms. Margarita Castellon, past Chair of the Broward Education Foundation, introduced Ms. Jorene Jameson, newly-appointed President/CEO, Broward Education Foundation (BEF). Ms. Castellon stated it is exciting for Ms. Jameson to take over the reins of the foundation and provide leadership. She informed that Ms. Jameson has a strong background in fundraising, which is very important today and to the foundation. Ms. Castellon further stated that Ms. Jameson's expertise will move the district to another level of excellence in fundraising and all other areas of the foundation.

Ms. Castellon recognized and extended gratitude to Mr. John Gentile, Acting Director, BEF, for providing leadership to staff and the foundation.

Ms. Jameson said she looked forward to working with everyone and that she is a product of a public education family.

School Board Members welcomed Ms. Jameson to the school district.

Welcoming Ms. Jameson, Ms. Dinnen stated that the School Board values the Broward Education Foundation.

Mr. Williams introduced and congratulated Mr. Donald Gardner, Interim Principal, Park Lakes Elementary School.

G-4. Personnel Recommendations for Non-Instructional Separation of Employment or Discipline(s) for the 2009-2010 School Year (Approved)

Approved the personnel recommendations for separation of employment or 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 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 #4 (Approved)

Approved the recommended supplemental pay positions of employees for the 2009-2010 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 2009-2010 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 reveals 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 325.

Funding has been budgeted in 09-10 school/ fiscal year for all supplements through June 30, 2010.

G-6. Recommendation(s) for Instructional/Noninstructional Discipline for the 2009-2010 School Year (Approved)

Approved 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.

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 on the attachment.

There is no financial impact to the school district.

**H. ATTORNEY**

H-1. Employment Agreements for Deputy General Counsels Robert Paul Vignola and Marylin Batista-McNamara; and Assistant General Counsels, Barbara J. Myrick, Thomas C. Cooney, and Ana I. Segura (Approved as amended)

Motion was made by Mrs. Kraft, seconded by Mrs. Gottlieb and carried, to approve the Employment Agreements for Deputy General Counsels Robert Paul Vignola and Marylin Batista-McNamara; and Assistant General Counsels, Barbara J. Myrick, Thomas C. Cooney, and Ana I. Segura. Mrs. Bartleman and Ms. Gallagher were absent. This motion was superseded by a Motion to Amend (page 25). A roll-call vote was taken: Mrs. Gottlieb, Mrs. Hope, Mrs. Kraft and Ms. Murray voted "yes." Ms. Dinnen, Dr. Parks and Mr. Williams voted "no." (4-3 vote) This motion was superseded by a Motion on the item as amended. A roll-call vote was taken: Ms. Dinnen, Mrs. Gottlieb, Mrs. Hope, Mrs. Kraft and Ms. Murray voted "yes." Dr. Parks and Mr. Williams voted "no." (5-2 vote)

The School Board's Legal Services Committee met on August 11, 2009 concerning the Employment Agreements and compensation of the Deputy General Counsels and Assistant General Counsels, which expire on October 31, 2009.

The Legal Services Committee recommends the approval of the Employment Agreements of the Deputy General Counsels and Assistant General Counsels for the period of November 1, 2009 through October 31, 2011. All other provisions of the Employment Agreements remain in full force and effect.

The Amended Employment Agreements do not provide for an increase in compensation, therefore, there is no additional financial impact to the district. The source of funds is the General Counsel's department budget.

Mrs. Kraft stated that the item was previously deferred so that a Workshop discussion could be held regarding whether to change the contract term from two years to one year.

Motion to Amend (Carried)

Motion was made by Mrs. Kraft, seconded by Mrs. Hope and carried, to amend the contract, reduce the employment time from two years to one year. Mrs. Gottlieb, Mrs. Hope, Mrs. Kraft and Ms. Murray voted "yes." Ms. Dinnen, Dr. Parks and Mr. Williams voted "no." (4-3 vote)

Mrs. Gottlieb stated she supports the motion because it is fair for all employees to have the same contract. Mrs. Gottlieb concurred that the attorneys have advanced degrees but other employees also have advanced degrees.

Concurring, Mrs. Hope stated all contracts should be the same and there are stark differences between last year's contract and this year's contract, not just in time but in responsibilities.

Dr. Parks stated he would not support the motion, as the Legal Services Committee voted to support two years without a pay raise. Dr. Parks stated that not all jobs are the same; these are attorneys who have extensive degrees and are in court to protect the district, and they save the district a lot of money. He stated that the Board needs to look at all job descriptions and review what people do.

Concurring, Ms. Murray stated that since General Counsel Marko will be replaced in the near future, it makes good business sense to protect the business of the district until the new General Counsel comes on board. Ms. Murray stated it is in the best interest of the Board and the system to have a two-year contract. She stated if there were insufficiencies in the contracts they would have been made by now.

Mr. Williams said that he appreciated the Workshop discussion, but he will support the recommendation of the Legal Services Committee of a two-year contract.

Mrs. Kraft stated that she was the only one who opposed the recommendation of the Legal Services Committee, which consists of herself, the Superintendent, the Board Attorney, Mrs. Gottlieb and Dr. Parks. She stated that two of the three Board Members are now recommending one year rather than two years. Mrs. Kraft stated she was not in favor of the committee's recommendation, including her two Board colleagues. She appreciated and respected Mr. Marko's and Mr. Notter's involvement on the committee but said that it is the Board's final decision.

Mrs. Hope stated she is against the proposal because School Board Members only hire and fire the Superintendent and the Board Attorney. She does not think it is constitutionally correct for anyone to make a contract to expand the duties of the School Board.

In addition, Mrs. Hope stated that Mr. Marko is the individual who wrote the Employment Agreement and if the Board happened to get into a dispute with the four attorneys where is Mr. Marko's loyalty, to the School Board or to the contract he created. Mrs. Hope further stated there may be a conflict of interest with Mr. Marko creating the agreements and at the same time representing the School Board. She stated that the new Board Attorney should run their office as they see fit.

Ms. Dinnen stated she will support the recommendation because she believes in continuity of service, and this is the type of position - not because of advanced degrees but due to the continuity of service in this line of work. Ms. Dinnen stated there has been a tradition in the system whereby the attorneys have come before the Board for a regular inspection. The attorneys have been employed for a while and there is no reason to discontinue their employment. Ms. Dinnen provided the rationale of a beginning teacher's contract compared to a teacher who has been in the system for a longer period and would have a different contract.

A roll-call vote was taken on the Motion to Amend.

Ms. Murray stated that she changed her mind.

A roll-call vote was taken on the item as amended.

H-2. Settlement Agreement between The School Board of Broward County, Florida, and N.E.P. and N.D.P., Parents of J.P., Student (Approved)

Approved the Settlement Agreement between The School Board of Broward County, Florida, and N.E.P., and N.D.P., Parents of J.P., Student.

The parents of J.P., (N.E.P. and N.D.P.), were denied a McKay Scholarship for their visually impaired student.

To be eligible for a McKay Scholarship, a student needs to be identified as an ESE student and receive the services enumerated in their IEP during the previous two FTE counts. J.P., was identified as an ESE student; however, he did not receive the services enumerated on his Individual Education Plan (IEP) during the two FTE counts for the 2008-09 school year.

The parties have participated in negotiation and have agreed to the terms and conditions contained in the attached Settlement Agreement pending School Board approval. The Settlement Agreement is in the best interest of both parties, which eliminates additional financial expense associated with the possibility of protracted litigation.

The proposed Settlement Agreement provides for a total payment of \$7,711, the amount equal to the McKay Scholarship funds had J.P., not been denied, so that J.P., can attend a McKay school of his choice. This payment is for one year only and the district will have no further financial obligation regarding this matter.

The School Board Attorney and ESE Department recommend approval of the Settlement Agreement as an appropriate and cost-effective resolution of this matter.

The financial impact to the district is \$7,711. The source of these funds is the unappropriated general fund balance.

I. OFFICE OF THE SUPERINTENDENT

J. FACILITIES AND CONSTRUCTION MANAGEMENT

J-1. Change Orders (Approved)

Approved change orders as listed for various school projects, and approve additional appropriation of \$147,752 from the Capital Projects Reserve.

<u>Coconut Creek High</u>		Change Order 09	\$14,584
Unforeseen Condition	\$14,584		

<b><u>Cooper City High</u></b>		Change Order 03	\$-168,779 (CREDIT)
Owner Request	\$-168,779		
<b><u>Crystal Lake Middle</u></b>		Change Order 10	\$1,012
Unforeseen Condition	\$1,012		
<b><u>Davie Elementary</u></b>		Change Order 01	\$10,880
Consultant Error	\$6,387		
Unforeseen Condition	\$4,493		
<b><u>Deerfield Beach Middle</u></b>		Change Order 03	\$24,175
Unforeseen Condition	\$24,175		
<b><u>Embassy Creek Elementary</u></b>		Change Order 03	\$-148,946(CREDIT)
Owner Request	\$-148,946		
<b><u>Horizon Elementary</u></b>		Change Order 01	\$10,092
Consultant Error	\$1,691		
Owner Request	\$6,072		
Unforeseen Condition	\$2,329		
<b><u>Markham, Robert C. Elementary</u></b>		Change Order 02	\$17,649
Unforeseen Condition	\$17,649		
<b><u>Taravella, J.P. High</u></b>		Change Order 01	\$826
Unforeseen Condition	\$826		
<b><u>Village Elementary</u></b>		Change Order 11	\$3,082
Consultant Error	\$3,082		
<b><u>West Broward High School</u></b>		Change Order 06	\$146,740
Consultant Error	\$8,110		
Consultant Omission	\$51,596		
Owner Request	\$87,034		

Financial Impact: Crystal Lake Middle – Project No.: P.000366 \$1,012; West Broward High School – Project No.: P.000660 \$146,740. An additional financial impact of \$147,752 will come from the Capital Projects Reserve. There is no additional financial impact to the district for the remaining projects.

J-2. Pre-Qualification of Contractors – Approval of Application and Issuance of Certificates (Approved)

Approved the recommendations of the Superintendent indicated in Exhibit 1.

The Qualification Selection Evaluation Committee (QSEC) convened on August 12, 2009, to review Contractor Pre-Qualification Staff Application Review Executive Summaries received for the following contractors and makes the following recommendations to the Superintendent of Schools:

ABC Construction, Inc. – Issue Pre-qualification Re-Certification  
 Bergeron Land Development, Inc. – Issue Pre-qualification Re-Certification  
 Betancourt, Castellon Associates, Inc. – Issue Pre-qualification Re-Certification  
 \*\*BMA Construction, Inc. – Issue Pre-qualification Re-Certification  
 \*Bradanna, Inc. – Issue Pre-qualification Certification  
 \*Century Building Restoration USA Inc. – Issue Pre-qualification Certification  
 DiPompeo Construction Corporation – Issue Pre-qualification Re-Certification  
 \*First Coast Microguard Systems, Inc. – Issue Pre-qualification Certification  
 \*\*Lobban Construction Inc. – Issue Pre-qualification Certification  
 \*\* \*Namin Construction Co., Inc. – Issue Pre-qualification Certification  
 \*\* \*Solution Construction, Inc. – Issue Pre-qualification Certification  
 The Weitz Company, LLC – Issue Pre-qualification Re-Certification  
 Tran Construction, Inc. – Issue Pre-qualification Re-Certification  
  
 \*New Certification \*\*Certified M/WBE and/or SBE

The Pre-Qualification Application reviews were conducted and the recommendations were determined in accordance with F.S. 1013.46, State Requirements for Educational Facilities and Board Policy 7003.

Contractor Pre-Qualification Staff Application Review Executive Summaries are available for review at the Design & Construction Contracts Department.

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

- J-3. Reduction of Retainage – New Food Service, Multipurpose Building – Moss & Associates, LLC – Peters Elementary School, Plantation – Project No. P.000173 (f.k.a. 0931-22-01) (Approved)

Approved the recommendation to reduce retainage now being held on Peters Elementary School, Project No. P.000173, for the contractor Moss & Associates, LLC, from \$331,075 to \$165,537.

In accordance with School Board Policy 7005, the Facilities and Construction Management Department is recommending that the retainage be reduced from \$331,075 to \$165,537. The amount of \$165,537 is being withheld pending final completion of the project.

This project will be brought back to the Board for Final Acceptance and Release of Retainage.

The funds being released totaling \$165,538, were in the previously Adopted District Education Facilities Plan, Fiscal Year 2008-2009 to 2012-2013, page 105.

- J-4. Partial Transfer of Contingency Funds to Owners Savings – New Food Service, Multipurpose Building – Moss & Associates, LLC – Peters Elementary School, Plantation – Project No. P.000173 (f.k.a. 0931-22-01)  
(Approved)

Approved partial transfer of \$700,000 contingency funds to Owners Savings line of the Project Funds Allocation.

Project Consultants: Zelch and McMahon Architects

Scope: In accordance with CM@Risk Agreement, dated December 11, 2007, between The School Board of Broward County, Florida, and Moss & Associates, LLC, per Article 6.1.2. the unused funds from the construction contingency are transferred to the Owner's Savings. The amount of \$700,000 represents a partial transfer amount, and final reconciliation to the contract amount is in process.

There is positive financial impact of \$700,000, which will be moved to the Capital Projects Reserve.

- J-5. Authorize Rejection of Responses – Construction Management at Risk Services – J. P. Taravella High School, Project No. P.000725 (f.k.a. 2751-99-02), Coral Springs  
(Approved)

Approve the rejection of the responses received from DiPompeo Construction Corporation, MBR Construction, Inc., and Turner Construction Company for J. P. Taravella High School, Project No. P.000725 (f.k.a. 2751-99-02) in accordance with Article VII.A of the RFQ.

It is recommended that the original scope of work for construction services be revised to coincide with the scope of work that is in the architectural services contract agreement to install auditorium lighting and wheelchair lift to Projection Room at the auditorium.

It is recommended that the scope of work to resurface asphalt track and convert to current standards also be issued in a procurement at a future date.

Proposal documents submitted by the proposers, staff evaluation documents and the Qualification Selection Evaluation Committee's score sheets are available at the Facilities and Construction Management Division.

The funds for this item are included in the Adopted District Educational Facilities Plan, Fiscal Years 2009-2010 to 2013-2014, Taravella High p.164. There is no additional impact; therefore, a collaboration form is not required from the Capital Budget Department.

J-6. Request for Qualifications and Authorize to Advertise – Construction Management at Risk Services – J.P. Taravella High School, Coral Springs, Project No. P.000725 (Approved)

Approved the Request for Qualifications (RFQ), Selection Criteria and Selection Criteria Scoresheets for Construction Management at Risk Services for J.P. Taravella High School, and authorize the Public Announcement.

Facilities and Construction Management staff recommend the procurement of construction services utilizing the Construction Management at Risk delivery method due to the complexity, scope, and scale of the project.

Selection of this project shall be in accordance with Board Policy 7003 and the procedure prescribed in Exhibit 2. The Qualification Selection Evaluation Committee shall shortlist, interview, and select. The Board will award contract to Construction Manager.

The RFQ is available for review in the Facilities and Construction Management Division.

The funds for this item are included in the Adopted District Educational Facilities Plan, Fiscal Years 2009-2010 to 2013-2014, Taravella High page 164. There is no additional impact; therefore, a collaboration form is not required from the Capital Budget Department.

J-7. Reduction of Retainage – Additions and Alterations to HVAC Equipment – Moss & Associates, LLC – Peters Elementary School, Plantation – Project No. P.000172 (f.k.a. 0931-21-05) (Approved)

Approved the recommendation to reduce retainage now being held on Peters Elementary School, Project No. P.000172 for the contractor Moss & Associates, LLC, from \$89,434 to \$44,717.

In accordance with School Board Policy 7005, the Facilities and Construction Management Department is recommending that the retainage be reduced from \$89,434 to \$44,717. The amount of \$44,717 is being withheld pending final completion of the project.

This project will be brought back to the Board for Final Acceptance and Release of Retainage.

The funds being released totaling \$44,717 were in the previously Adopted District Education Facilities Plan, Fiscal Year 2008-2009 to 2012-2013, page 105.

- J-8. Final Acceptance and Release of Retainage – Hyvac, Inc. – HVAC Additions & Alterations – Ramblewood Elementary School, Coral Springs – Project No. P.000872 (f.k.a. 2721-99-05) (Approved)

Approved the recommendation for Final Acceptance and Release of Retainage now being held on Ramblewood Elementary School, Project No. P.000872 (f.k.a. 2721-99-05) and release the balance of retainage in the amount of \$50,113.

The Contractor, Hyvac, Inc., has completed the project scope of work within the contract limits.

The funds being released totaling \$50,113 are included in the Adopted District Educational Facilities Plan, Fiscal Years 2007-2008 to 2011-2012, page 92.

- J-9. Temporary Construction Easement with Broward County at Discovery Elementary and Banyan Elementary Schools (Approved)

Motion was made by Mrs. Kraft, seconded by Mrs. Hope and carried, to approve the temporary construction easement with Broward County at Discovery Elementary and Banyan Elementary Schools. Mrs. Bartleman and Ms. Gallagher were absent. (7-0 vote)

Broward County will be widening the roadway in front of Discovery and Banyan Elementary Schools and the temporary construction easement will allow the County to access School Board property to harmonize the School Board driveway entrance with the reconstructed roadway.

The term of the temporary construction easement extends until October 10, 2010.

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

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

Mrs. Hope stated that her concerns were addressed by staff.

J-10. Stranahan High School Plat, Site Number 46.1 (Approved)

Motion was made by Mrs. Gottlieb, seconded by Dr. Parks and carried, to approve the Stranahan High School plat, site number 46.1. Mrs. Bartleman and Ms. Gallagher were absent. (7-0 vote)

This school site was originally acquired in 1950 and the school opened in 1951. A replacement school is scheduled to be constructed on the site. Since the site is over five acres and will undergo major redevelopment, the Broward County Land Development Code requires that the land be platted. The redevelopment plan calls for the demolition of 239,038 square feet of existing buildings, retention of 76,298 square feet of existing satisfactory permanent buildings, and construction of 254,020 square feet. The plat is restricted to a development level of 390,000 square feet of public high school buildings, which provides the ability to expand in the future if needed.

The Fort Lauderdale City Commission approved the plat on July 7, 2009.

Staff recommends that we complete the platting process even though the project is on hold.

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

Dr. Parks inquired whether Stranahan still plans to be the district's first Green school.

Mrs. Shelley Meloni, Director, Project Management, Planning and Design, responded that it plans to be the first LEED certified school, and the project is still being designed.

The following individual addressed this item:

Dave Marshall, Riverside Park Residents Association

Mr. Notter informed that a follow-up on the traffic concerns will be addressed by staff.

Mr. Williams stated that this issue has been discussed with Facilities staff and Mr. Michael Garretson, Deputy Superintendent, Facilities and Construction Management, is aware of the issue.

- J-11. Reduction of Retainage – Pirtle Construction – New Auditorium – 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, Auditorium, Project No. P.000660, for the contractor Pirtle Construction from \$851,529 to \$200,901.

In accordance with School Board Policy 7005, the Facilities and Construction Management Department is recommending that the retainage be reduced from \$851,529 to \$200,901. The amount of \$200,901 is being withheld pending final acceptance of the project.

The funds being released totaling \$650,628 are included in the Adopted District Educational Facilities Plan, Fiscal Years, 2008-2009 to 2012-2013, page 198.

**K. OFFICE OF CHIEF FINANCIAL OFFICER**

**OPEN ITEMS**

**AA. RESOLUTIONS**

**BB. BOARD MEMBERS**

**CC. BOARD POLICIES**

- CC-1. Repeal School Board Policy 6207 – Publications (Deferred)

Motion was made by Mrs. Hope, seconded by Mrs. Gottlieb, to repeal Policy 6207 – Publications, at this final reading. This motion was superseded by a Motion to Defer (page 35). Mrs. Bartleman and Ms. Gallagher were absent. (7-0 vote)

Due to the fact that similar language is included in the Code of Student Conduct, this policy is redundant and no longer needed, thus the recommendation is that it be eliminated in lieu of the Student Code of Conduct.

Note: The Code of Student Conduct has already gone to print, however, the memo provided to schools as the Code is rolled out will include language that must be placed on all school publications: "The opinions expressed in this publication are not necessarily those of (insert name of school) or Broward County Public Schools" (see Exhibit 2).

There is no financial impact to the school district.

Mr. Marko informed the Board that his office is in the process of sending out a memorandum regarding this policy and to speak with the Superintendent. Mr. Marko requested a deferral of the item to the September 10, 2009 School Board meeting.

Motion to Defer (Carried)

Motion was made by Mrs. Hope, seconded by Mrs. Kraft and carried, to defer the agenda item to the next Regular School Board Meeting, September 10, 2009. Mrs. Bartleman and Ms. Gallagher were absent. (7-0 vote)

CC-2. Revisions to Exceptional Student Education Policies and Procedures (SP&P) Formerly Known as Policies and Procedures for the Provision of Specially Designed Instruction and Related Services for Exceptional Students (SP&P) (Withdrawn)

- DD. OFFICE OF THE CHIEF AUDITOR
- EE. CHIEF OPERATIONS OFFICER
- FF. CURRICULUM/EDUCATIONAL PROGRAMS & STUDENT SUPPORT
- GG. HUMAN RESOURCES
- HH. ATTORNEY
- II. OFFICE OF THE SUPERINTENDENT
- JJ. FACILITIES AND CONSTRUCTION MANAGEMENT
- KK. OFFICE OF CHIEF FINANCIAL OFFICER

**Adjournment** This meeting was adjourned at 3:11 p.m.

RT