

Approved in Open Board Meeting, January 18, 2012

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

October 18, 2011
Tuesday, 10:15 a.m.

MINUTES OF REGULAR MEETING

The School Board of Broward County, Florida, met in regular session at 10:15 a.m., Tuesday, October 18, 2011, in the Board Room of the Kathleen C. Wright Administrative Center, 600 Southeast Third Avenue, Fort Lauderdale, Florida. Present were: Chair Benjamin J. Williams; Vice Chair Ann Murray; Members, Robin Bartleman, Maureen S. Dinnen, Patricia Good, Donna P. Korn, Katherine M. Leach, Laurie Rich Levinson, Nora Rupert; Superintendent Robert W. Runcie, and J. Paul Carland, II., Esq.

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

Mr. Williams welcomed Superintendent Runcie to his first School Board meeting.

Minutes for Approval (None)

Close Agenda Upon motion by Ms. Murray, seconded by Ms. Dinnen and carried, the Agenda was approved and declared closed. (9-0 vote)

SPECIAL PRESENTATIONS

Class Size Briefing – Superintendent Runcie

The Superintendent reminded the assembly that the Florida voters approved a statewide mandate that limited classrooms at the Pre-K-3 level to 18 students or less, in 4th to 8th grade confined to 22 students or less, and at the high school level compliance was at 25 students or less. Mr. Runcie noted that as of Friday, October 13, 2011, the district was required to submit class size numbers based on individual classroom periods in the state of Florida.

Through a slide presentation the Superintendent illustrated the [Districtwide Averages for Core Subjects by Grade Level Grouping](#). Currently, for core subject areas the Pre-K-3, (state's benchmark is 18) the district is at 19.1, approximately one student over, on average. For 4th- 8th grade (state benchmark is 22 students), the district has 21.9 students; grades 9-12 (state benchmark is 25), the district is at 27.5 students, approximately 2.5 students over. Mr. Runcie stated there has not been any substantial, significant increase in class size growth across the district from the prior year to the current year.

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Remarking that this is a function of the distribution of where those students are, Mr. Runcie stated if the district is one student over or 10 students over, the district is out of compliance. The district is 52.3 percent in compliance, a little more than half of the 67,000 classroom periods are in compliance based on the state's benchmark. The Superintendent noted that a quarter of all the classroom periods (16,000 classroom periods) are in compliance and are under the criteria, although the district does not get credit for this based on their calculations. Mr. Runcie stated that approximately 90 percent of classroom periods are in compliance of within four students; 1-2 students were at 23 percent, 3-4 students were at 14 percent, and 10 percent are 5-9 students over.

Mr. Runcie further stated that the district has effectively dropped from a compliance rate last year of 97 percent to 52 percent, approximately a 45 percent drop. The Superintendent stated this is a function of how the measures are actually calculated but there has not been any substantial increase in core class sizes across the district; recognizing there are non-core classes which are being analyzed to ensure that class sizes across the board are kept to a minimum.

Illustrating the Core Period Compliance Summary, Mr. Runcie stated that as of October 14, 2011, for non-charter schools 52 percent (35,018) are within compliance; 76 percent (50,646 periods) are within 1-2 students of compliance; 90 percent (60,388 periods) are within 4 students or less of compliance. The Superintendent indicated that the district has maintained a strong focus on the core mission of student achievement and ensuring that as the class size issue is reviewed, that this be balanced against what is in the best interests of children.

Mr. Runcie recognized the importance of student achievement, high-quality instruction in the classroom being the primary goal, and acknowledged the district's success as a result of this goal; the only district in the country having been nominated as a finalist for the third time since 2008 for the Broad Award for the best run urban school district in the country. The district has received an "A" status by the state five out of the last six years, recognized by the Council of the Great City Schools as one of top 5 performing districts academically, and recognized as the leader in the state, and second in the nation, in the number of national board-certified teachers.

The Superintendent stated that the primary factor that has contributed to the compliance figures has been the district facing a fairly significant reduction in its budget from last year. This has been driven by the loss of education jobs, stimulus dollars, and other sources of revenue which total about \$204 million. As a result, the district reduced approximately 1,061 teaching positions, a savings to the district of \$69 million (out of \$204 million), and the remainder of those reductions were taken out of other operating areas of the district. Mr. Runcie stated that as the district moves forward the financial issues of the district will be reviewed to ensure that cuts are kept as far from the classroom as possible. In addition, a review will be made at various stages to keep class size to a minimum in core subject areas and non-core subject areas.

In conclusion, Mr. Runcie reiterated that the district has had consistent flat growth in core subject areas across the board and the penalty has gone up as a matter of how those classes are distributed across the 67,000 classroom periods.

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Ms. Dinnen informed the public of the distinction of the class size rule governing traditional public schools and charter schools. Traditional schools have to adjust their class sizes according to classroom by classroom and charter schools are allowed to do what traditional schools did previously, according to school-wide.

Acknowledging that there will be a comparison of Broward County School District to other counties, Ms. Dinnen stated that the district's choice is to be devoted to student achievement. Noting the statistics that indicate that it is less than 1 percent that the district will have more than 10 students in a class, Ms. Dinnen stated that the district has chosen to allow a broad spectrum of classes to achieve student achievement rather than packing a smaller amount of classes with a huge overage.

Concurring, Mr. Runcie stated that at the end of the day the district should not be pulled into a numbers game; the fact is the district needs to do what is best for children and create the best learning environment for them. The Superintendent opined that packing large groups of children in a traditional or virtual classroom may not be in the best interests of children to improve the compliance statistics. Mr. Runcie said if this were to occur, the compliance numbers would look better on a percentage basis but the actual potential penalties that would be paid would not change because it is based on a per-student basis.

Mr. Runcie further stated that analysis will continue on the data which will be provided to the Board this week, including the data on non-core areas.

Ms. Dinnen reminded her colleagues that the district previously had funds from the Jobs Bill and the district lost \$540 per student allocation during the last Florida Legislative Session. Ms. Dinnen stated there is a quality issue and there is the issue of how many resources are now available to the district.

Mrs. Korn stated that as families continue to use charter schools over traditional schools, some of this is related to perception rather than to the reality of what is in the schools and what the district has been able to offer and continue to offer, in terms of a high level of education. Remarking that the perception cannot be ignored, Mrs. Korn stated that when the media indicates the class size numbers in the majority of cases it is a select few but for parents in this select class it is critical. She stated it is important to get the message out that the district is identifying these issues and addressing how to work with them within this school year rather than next year.

Mr. Runcie requested that staff review the specific concerns of the Board and begin to rank the classes in terms of the 10 highest averages and develop strategies on how to reduce those class sizes in short order. In addition, to review the lowest averages because many times it is an issue of supply and demand and a review should be made of how to balance resources and staff.

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Recognition of Keith S. Roberts – Mrs. Korn

Mrs. Korn introduced district employee Mr. Keith Roberts, M/WBE Specialist, and Ms. Marie Gill, Executive Director, Minority Enterprise Development (MED). Mrs. Korn stated that MEDWeek is celebrating its 29th anniversary for the accomplishments and contributions of minority business enterprises and those organizations and individuals that advocate the support of their development and growth.

Ms. Gill welcomed the School Board and Superintendent Runcie on behalf of the Jamaica/USA Chamber of Commerce. Ms. Gill stated that she is also proudly representing the U.S. Department of Commerce Minority Business Development Agency Business Center, a federal program that was enacted by Congress in 1982, which provides services to small and minority businesses to help them develop and grow.

Ms. Gill recognized Mr. Roberts as recipient of the Minority Enterprise Development Week (MEDWeek) 2011, S/M/WBE Advocate of the Year Award for Broward County. Mr. Roberts was selected for his role and contributions toward the accomplishments of Broward County Public Schools in maintaining an active supplier diversity program for small/minority/women business owners, and for a consistent outreach effort directed to ensure that they are included in the district's purchasing initiative.

Mr. Roberts, who thanked the School Board for the recognition, stated that the program is for students who may not be college bound or who may need funding to enter college.

Ms. Alyce Zahniser, Mrs. Korn's appointee to the Supplier Diversity Committee, said it is a pleasure to work on behalf of the students and teachers in meeting the initiatives, goals and objectives of Supplier Diversity. Ms. Zahniser stated that the School Board is making strides in offering opportunities for minorities, women and small business in Broward County.

REPORTS

Broward County Council PTAs/PTSAs – Linda Nestor

Ms. Nestor reported on the Ann Murray Clothing Bank, who continues to supply uniforms to needy families. The clothing bank is located behind Thurgood Marshall Elementary School and is open Monday and Wednesday, 2:00 p.m. to 4:00 p.m. and Saturday from 9:00 a.m. to 12:00 Noon.

The first of three Parent Involvement Nights begin this evening at Margate Elementary School, 6:00 p.m. to 8:00 p.m., with the theme of tips on saving money. The second event will be held on November 16, 2011 at a school in the Central Area, with a theme of empowerment, and the third event will take place in April 2012.

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Ms. Nestor further reported that a Meet and Greet will be hosted with Mr. Runcie on November 2, 2011; all local PTA members are invited to meet the new Superintendent at the Pre-Function room, 6:00 to 8:00 p.m.

The next PTA general meeting is on November 9, 2011, Pre-Function room at the K.C. Wright building, 6:30 p.m. to 9:30 p.m.

A comprehensive written report was submitted to the Board.

ESE Advisory Council – Ivan Baratz

Mr. Baratz reported on the first meeting of the school year, September 7, 2011, with broad presentation of ESE parents with Pre-K school children through high school. Gratitude was extended to ESE supervisors for attending the advisory meeting to show support and solidarity for ESE Advisory Council. Guest speaker for the meeting was Melissa McQuilkin, Director of Respite Services for Broward Children's Center, who provided a video and presentation, and parents were informed of services available to them through Respite Services.

During the Parents Forum, parents had a discussion on the topic of transportation of ESE students, and School Sensitivity was discussed regarding the need to promote sensitivity for ESE students especially in the general education setting.

Mr. Baratz reported on the October 5, 2011 ESE meeting, with staff from the Transportation department addressing and responding to questions by parents. Gratitude was extended to Ms. Carolyn Brownlee-Fuller and her staff for attending the meeting.

A motion was presented and unanimously approved that the School Board be presented with the request for a policy that states that during the first period of a school day if any ESE special-needs student using district transit services is noted as absent, that a robot call is made immediately to notify the parent(s) instead of waiting until the end of the evening to advise of such absence.

Mr. Baratz informed that parents presented their experiences and expressed their concern that in the event a student is missing something catastrophic could happen by the time a parent is notified. Parents would like parameters and guidelines to ensure that they are notified immediately by all schools across the district.

A comprehensive written report was submitted to the Board.

Mrs. Bartleman, who referred to an incident of a student with autism being left on a school bus all day, inquired whether staff looked into this incident. She stated that the parents thought the child was at school, the school thought the child was home sick, and he was actually sitting in the bus. Mrs. Bartleman requested a safety mechanism, middle ground, especially for those ESE students that are non-verbal.

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Broward County Association of Student Councils and Student Advisor to the Board – Spencer Switzey

Spencer welcomed the Superintendent, stating it was an honor and looked forward to watching the Superintendent do a good job. He informed the Superintendent of his function as a School Board Advisor.

Spencer reported on the BCASC events throughout the county, including Speak Up Speak Out sessions and town hall sessions with students. The next event will be held at Cooper City High School and at Flanagan High School.

Spencer announced that Coral Glades High School student Kayla Rivera has been named the Advisor of the Year by the Southern Association of Student Councils, which represents 15 Southeastern states in the United States.

Technology Advisory Committee – Joel Levine

Mr. Levine reported that TAC will host a reception at Sawgrass Technology Park for business partners to encourage them to send their tax dollars to the school district for technology. This event will be held on November 14, 2011, beginning at 6:00 p.m.

Mr. Levine informed that Race to the Top funds and Title I funds have enabled the purchase of 1,800 laptops and 300 video projectors, and other technology tools.

TAC received a resolution on the Digital Divide submitted by the Diversity Committee, and it was decided to form a TAC sub-committee to review the language of the resolution. Mr. Levine stated that a new Digital Learning and Citizenship Committee is being formed in order to comply with the new E-Rate law to review issues such as internet safety and the use of social media.

Mr. Levine further reported that TAC formulated some initial goals for the upcoming school year which included proactive and reactive activities, such as make recommendations based on the District Educational Technology Plan and the new priorities set by the district.

Ms. Dinnen requested that a list of the TAC meetings be submitted to her.

A comprehensive written report was submitted to the Board.

Employee Unions – Bernie Schultz

Ms. Schultz welcomed Mr. Runcie to Broward County and stated that Mr. Patrick Santeramo, President, Broward Teaches Union, has contacted the Superintendent. She stated that BTU is looking forward to a very fruitful and profitable relationship between the teachers union and the Superintendent.

Ms. Schultz thanked Mr. Carter, former Interim Superintendent, for his service to the district pending a selection of the Superintendent and for doing a super job.

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Facilities Task Force – Charlotte Greenbarg

Ms. Greenbarg welcomed Superintendent Runcie, stating that the Task Force looks forward to working with Mr. Runcie as the committee fulfills its mission of oversight of the Facilities and Construction department. She informed that the Task Force was created as a result of one of the past Grand Jury reports.

Ms. Greenbarg reported that Task Force members met on October 6, 2011 and welcomed Michael Marchetti, the new CTU/TSP representative. Gratitude was extended to him for volunteering to take the job of Recording Secretary.

Ms. Greenbarg informed that Mr. Tom Lindner, Deputy Superintendent, Facilities and Construction Management, advised that questions about the Physical Plant Operations Zone 4 project would not be answered until the audit is complete. Questions arose about the TSSC annex project and Mr. Lindner advised that the district owns the building and the project has been in design for more than four years. The scope is to renovate the second, third and fourth floors along with the addition of a fire sprinkler system and fire alarm upgrade. The Benefits department is currently located on the first floor and the rest of the building will be renovated to accommodate staff from the leased Sawgrass building. Mr. Lindner also advised on the status of portable classrooms.

Ms. Greenbarg stated that all Task Force meetings will be held at Nova Middle Media Center in 2012. The next meeting will be held on November 3, 2011 at Nova Middle School.

A comprehensive written report was submitted to the Board.

District Advisory Council – Jodi Klein

Ms. Klein welcomed Superintendent Runcie. Ms. Klein reported on the General Meeting of October 12, 2011 at 6:30 p.m., with guest speaker Dr. Jeanine Gendron, Director, Instructional Technology, who presented a PowerPoint on the Digital Divide and Digital Learning.

Ms. Klein highlighted the calendar options and new business. A motion was made and approved unanimously that the School Board modify the boundary process schedule and delay it as needed until a definite answer is received as to whether the new core class definitions change the FISH capacity at Broward schools.

A comprehensive written report was submitted to the Board.

BOARD MEMBERS

Mrs. Bartleman informed that at the last League of Cities meeting there was discussion about who should be funding School Resource Officers (SRO), even though 50 percent is not enough, and some feeling that the school district should pay the salaries of all SROs. Mrs. Bartleman stated that the Sheriff has proposed that everyone incur a portion of the cost because some cities do not have any schools, such as Southwest Ranches, but all the children who live there get the benefit of the SROs at the schools they go to in other cities. Mrs. Bartleman further stated that Mr. David Golt, Executive Director, Professional Standards, will be attending the next Education Committee meeting for continued discussion on this issue.

Mrs. Bartleman spoke of the survey of SRO funding of the 67 school districts by Charlie Dodge, Pembroke Pines City Manager, which will be reviewed. She stated that Pembroke Pines has hired retired officers to serve as SROs and who work only 180 days a year. This pays for their salary but not their car, uniform and belts. Other models include the City of Sunrise who has an SRO in every school and some rotate their SROs at the elementary school level. Mrs. Bartleman further stated that the mayor of Sunrise is bringing this issue through their Safety Committee.

Mrs. Bartleman announced that the Transition to Life Summit event was held at Signature Grand which was attended by many district employees, over 300 parents who participated with students in workshops. The event was funded by American Recovery and Reinvestment Act (ARRA) money which has run out; and a Special Needs Advisory Committee is being developed to ensure that funds are available in the future.

Mrs. Bartleman, who extended gratitude to district employees and the community for their prayers and well wishes following her surgery, stated that the school district is a family.

Ms. Murray informed her colleagues that in support of the district's efforts to expand the participation of the community and parents in schools, Boulevard Heights Elementary is currently implementing a parent-involved initiative. The curriculum encompasses elements of Broward County Public Schools Character Education Program as well as School Board resolutions for each month of the school year and is now part of the delivery of instruction. Parents are encouraged to actively participate in the process by performing specific tasks or projects at home that are directly connected to what is taught at the school; for example, the month of September was about Cooperation and Hispanic Heritage. The feedback from parents, teachers, students and the community has been positive.

Ms. Murray spoke of Dania Elementary offering violin lessons to select 4th and 5th grade students, a program initiated by the Jim Moran Foundation to the Florida Youth Orchestra. Participating students receive violins to take home for practice. Gratitude was extended to the Jim Moran Foundation and the Youth Orchestra for their assistance in offering free music education to students.

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Ms. Murray announced that Dania Elementary was also selected to participate in the Bess Friends program in conjunction with South Broward High School, whereby 20 high school students have been paired with 20 Dania Elementary students to provide a mentoring forum. Miami Dolphins Wide Receiver Davone Bess helped kick off the program by visiting both schools and sharing his story of struggles, choices and ultimate success through hard work and perseverance. Students will meet face-to-face once a month for this program, another outlet for them to express themselves and receive support from each other. Sheridan Hills was also selected to be part of the Bess Friends program, pairing with Hollywood Hills High School who will come to the school four times during the school year.

Ms. Murray congratulated Hollywood Park Elementary for receiving grants from donorschoose.org, an online charity that helps students in need, to fund classroom projects. Public school teachers from across the country post requests for classroom items and browsers can select a request and donate any amount of their choice. The school received \$400, \$521, and \$399 grants, in addition to a \$500 grant from Target. Congratulations was also extended to Oakridge Elementary School kindergarten teacher Susan Paton, who received \$1,000 worth of school supplies along with six other Broward County teachers. Principals nominated teachers to receive classroom supplies as part of a nationwide event, A Day Made Better. Supplies were donated by OfficeMax and Adopt-A-Classroom, an organization that helps communities to help schools.

Ms. Murray announced that Lexi Thompson, a junior at Broward Virtual School, became the youngest player in history to win the Ladies Professional Golf Association (LPGA) tournament. Lexi, a 16-year old, is also a scholar, maintaining a 3.9 grade point average.

Ms. Murray informed her colleagues that Education Technology Services (ETS) secured E-Rate funding and installed new high-performance network electronics, new telephone systems and new high-speed wireless campus overlays at schools throughout the county. By installing this new equipment, the district has been able to refresh and upgrade aging data and telecommunications infrastructure at E-Rate eligible schools at discounts of 80 to 90 percent. The migration of telephone systems to an IP platform at E-Rate eligible schools allows for the continued convergence of network resources in the district. Ms. Murray noted that Broward Schools has received in excess of \$93 million in funding support since the beginning of the program.

Mrs. Good informed her colleagues that she attended several football games, including Miramar High School (ranked 4-5 in the U.S.) – St. Thomas game; and Cooper City (Hog Bowl) – Western High School.

Mrs. Good attended the Food Truck fundraising event at West Broward High School, a successful event that several schools are holding, which benefits PTSA. Mrs. Good visited Sea Castle Elementary and lunched with Principal Rick Rodriguez, followed by a tour of the school.

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Mrs. Good attended the Hawkes Bluff Book Fair, attended by all sectors of the community that helped to raise funds for the school's PTA. Mrs. Good assisted at the Miramar-Pembroke Pines Regional Chamber of Commerce Hispanic Heritage event, an event that provided an opportunity to reach out to various community leaders to support the cause.

Mrs. Good announced that the Broward County Housing Partnership, who she represents on behalf of the School Board, held a breakfast meeting and presentations from the community were made about affordable housing. Mrs. Good stated that they are aware that the School Board has a potential item for a Workshop discussion with regard to this topic, and they have postponed any action on taking a position until the district takes an issue.

Mrs. Good attended the Federation of Public Employees picnic at Tradewinds Park, which was attended by approximately 2,500 people, many who welcomed her and spoke to her regarding their concerns.

Mrs. Good recently attended Sunshine Elementary for a site visit and met with their principal, Ms. Donna Patton, who has done a good job at the school and maintaining a "B" grade; they are attempting to move to an "A" school.

Mrs. Good attended the Mayor of Pembroke Pines (Frank Ortis) breakfast for principals, traditional and charter schools, to share in discussion on what is important for children. She stated that the city is collaborating on how schools can get the message out through the city, the city now having a neighborhood newspaper and have asked all schools to advise them of upcoming events at the schools. Discussion was also held about having business partners assist all schools in an effort to support programs. Speaking on the School Resource Officers, Mrs. Good stated that the city is moving forward with a transition of SROs; as SROs retire they are going to place retired police officers back into the schools and they will not remove the SROs from the schools. This method will save them dollars and still provide the district with support to have SROs in the schools.

Mrs. Good announced that Pioneer Middle School student Rhoda Borombozin was invited by NBC News to attend the Teacher Town Hall event in New York City, broadcast live on September 25, 2011. The West Broward High School Band won the Overall Grand Champions at the Falcon Sound Invitational (29 bands) and 1st Place in Class 5A. The school's JROTC Raiders females took home 1st Place and the boys taking home 3rd Place.

Mrs. Good announced that everyone is wearing pink to support Breast Cancer Awareness Month and families who have fought a very hard disease.

Ms. Dinnen announced that the ECO Discovery Center is enlarging its area which was promoted in the news media, and an opening gala will be held on November 5, 2011. Additional details will be presented at a future date. Ms. Dinnen stated that she has been affiliated with this group for a number of years and they have done a wonderful job of raising money for the center.

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Ms. Dinnen stated that a list was published through the district's e-mail regarding the salaries of School Board Members throughout the state, which reverts to the salary that Broward School Board Members had prior to last year's legislation which demanded that a salary be equal to a first-year, beginning teacher. Ms. Dinnen informed that the Board has not changed their salary back to the old amount, and currently it is \$39,000.

Ms. Dinnen received information that the United States Senate will be hearing portions of the American Jobs Act by Senator Harry Reid, the first part regarding teachers and first responders; the amount of money for teachers regaining their jobs is \$35 billion and the first responders is \$5 billion. Ms. Dinnen stated that the Infrastructure Act was a tremendous amount of money as well. The Jobs Bill is three times the amount that was received last year for jobs.

Ms. Dinnen attended the Florida School Boards Association Legislative Committee Day, gathering input and suggestions to develop a legislative program. Ms. Dinnen said she tried to "push" the items that are on the district's legislative program, and she was able to add an item, Tax Funds Intended to Support the School Board's Five-Year Plan Must Not Be Diverted to Charter Schools. Ms. Dinnen stated that she was not successful in moving the penalty for non-compliance of class size but it would again be reviewed, wanting to move it as a priority. She informed that the penalties by the counties not in compliance are put in a pool, or fund, and distributed to those counties who are in compliance. Ms. Dinnen further stated that their priorities are centered around unfunded mandates, new forms of funding, and local control.

Ms. Dinnen had lunch at Plantation High School's new cafeteria; a canopy will be placed for outside dining by students in the future.

Ms. Dinnen praised Superintendent Runcie for attending, on his first day of work, the Fort Lauderdale's Principals Round Table event. She stated they were impressed that the Superintendent would attend this get-to-know-you meeting. Other attendees were Mr. Williams, Mrs. Leach and new City Manager Lee Feldman.

Ms. Dinnen spoke of the Broad Award event and the information gathering by several individuals, educators and business leaders, who picked the top 75 urban schools for review. Ms. Dinnen praised the district for being selected 4th out of the 75 schools for review (rather than in the past 100 schools).

Mrs. Korn informed her colleagues that she visited Margate Elementary School for lunch, an enjoyable experience with some 5th grade safety patrol students, some students recommending the Media Center as their favorite school activity. Mrs. Korn praised Mr. Daniel Bass, Media Specialist, for implementing the programs that he has brought to the school. She stated that his ideas should be shared throughout the district.

Mrs. Korn spoke about the concerns regarding training for teachers, noting that Ms. Gracie Diaz, Associate Superintendent, Human Resources, and staff are addressing these "glitches."

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Mrs. Korn stated there is still work to be done with the program, although the online program was created for teachers to work at their leisure and to make it as easy as possible while still being able to receive the training that allows them to be skilled. She requested that staff continue to assist and be proactive.

Mrs. Leach visited newly remodeled Floranada Elementary, visited their autism cluster and had lunch in their cafeteria. Mrs. Leach spoke of her former 4th grade teacher Mrs. Carol Fonda, who still teaches and is doing a great job with students.

Mrs. Leach visited Northeast High School and their new cafeteria; spent time at the Broward Center celebrating the 20th anniversary of the Student Enrichment of the Arts Program (SEAS) partnership with the school district. Other visits included Bayview Elementary and had lunch with Representative George Moraitis in their cafeteria; discussing the struggles of schools and getting volunteers for schools. Mrs. Leach noted that there are 50 parents who volunteer a day at Bayview who provide assistance to the teachers and students.

Mrs. Leach spoke of her visit to Atlantic Vocational and the programs, such as the Toyota/Lexus repair training and the Access Program, a program for students - 18-21 year old individuals who have special needs; developing job skills, life skills and personal skills. Mrs. Leach visited the Cross Creek Center School, students using artistic programs such as a stained glass program which taps into a student's artistic abilities in a therapeutic way. Mrs. Leach also visited Cypress Run, an alternative school for students who have committed expellable acts, and observed their bicycle repair program and music classes.

Mrs. Leach reported on the Parent Community Involvement Task Force at Plantation High School that was organized by Mrs. Rich Levinson, parents providing input regarding their concerns with the school district. Mr. Runcie provided opening remarks at this event.

Mrs. Rich Levinson reported on the kick-off Parent Community Involvement Task Force at Plantation High School which was attended by hundreds of people who came to meet and listen to Mr. Runcie and to speak about their concerns regarding the school system. Mrs. Rich Levinson stated that the Task Force was developed to review parent and community involvement, how to increase and energize that involvement in the district, and to also consider non-profit, business and municipal involvement with schools. Remarking that the Task Force has been very exciting, Mrs. Rich Levinson stated that over 100 hard-working volunteers are on six committees working on this initiative who will subsequently submit recommendations to the School Board about policy, beginning in 2012.

The next public hearing on this initiative will be held on Thursday, October 20, 2011, at McArthur High School, 8:00 p.m. to 9:00 p.m.

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Mrs. Rich Levinson reported that she had an opportunity to visit Broward Virtual School, speaking with Principal Chris McGuire and listening to the experiences of this school with parents and students. She stated that Broward Virtual School is a model for virtual schools in the state, which allows students to move at their own pace and to be able to move at different levels.

Mrs. Rich Levinson attended the Ribbon Cutting ceremony at Piper High School for their new ZTV Production Studio. She informed her colleagues that she will be presenting Mr. Jordan Zimmerman, Zimmerman Advertising, and the Council for Educational Change, at a future Board meeting. Mrs. Rich Levinson stated that Mr. Zimmerman made a major donation to the school that was matched by the Council for Educational Change which allowed for a remodeling of their state-of-the-art production studio. She encouraged the district obtaining partnerships with business leaders involved directly with the schools. Gratitude was expressed to Mr. Zimmerman for his donation and for spending a tremendous amount of time working with students.

Mrs. Rich Levinson also attended the Central Organization of Rising Educators (CORE) Kick-Off, an organization of aspiring leaders in the Central Area, teachers who want to move into leadership and enhance the district.

Mrs. Rich Levinson informed her colleagues that she attended the United Way Education Town Hall Meeting, a grant by the Gates Foundation and a task force that has studied Empowering Effective Teaching. The task force was commended for their initiative which was attended by many non-profit organizations and business representatives. Mrs. Rich Levinson stated this is an example of a recurring theme of working together to help students be successful in school.

Mrs. Rich Levinson announced that the countywide Send Your Sales Tax to School kick-off initiative will be held on November 1, 2011. The initiative provides businesses donating their collection allowance, up to \$30 a month, a maximum of \$360 yearly, to be used for technology in schools. A massive campaign will be implemented throughout the county to chambers of commerce, municipalities, BECON TV, and the Technology Advisory Committee will be assisting.

Mrs. Rich Levinson spoke of her visits to Village Elementary, Griffin Elementary, Indian Ridge Middle and speaking to students.

Mrs. Rich Levinson spoke of the Kick-Off Civics Program, a partnership with the Town of Davie, which was held this past week. The Town is working with some students from Western High School who will be coming to a Public Affairs Academy, working directly with department administration, learning about the various aspects of government and how it works. A bus tour was also held through the Town of Davie, visiting all unique aspects of the city.

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Mrs. Rupert informed her colleagues that she was honored to be guest speaker for Human Rights at the Rodeo Restaurant in Wilton Manors, to speak about how the School Board is open, transparent and inclusive, especially in the Superintendent process. She also spoke on cyber-bullying.

Mrs. Rupert stated that she attended the CORE leadership session and she presented a PowerPoint data presentation. Mrs. Rupert attended the Innovation Zone Night for Lyons Creek Middle School (new Principal Dr. Ted Toomer) and Monarch High School, speaking with parents at her home school.

Mrs. Rupert visited Norcrest Elementary School's Sensory Garden opening, with students serving as tour guides, providing scientific information on the incorporation of plants and sensory.

Speakers

Jerrod Neal
Mark Corwin
Patricia Louissaint
Marty Jacobsen
Billy Davison

CONSENT AGENDA Following identification of those items Board Members and members of the public indicated they would like considered separately, motion was made by Mrs. Leach, seconded by Ms. Murray and carried, to approve the Consent Agenda for the remaining items (**identified by ***). (9-0 vote)

CONSENT ITEMS

A. RESOLUTIONS

- A-1. Resolution in Support of Anti-Bullying Week – November 14-18, 2011
(Adopted)

Motion was made by Mrs. Rupert, seconded by Ms. Dinnen and carried, to adopt Resolution #12-30, in support of Anti-Bullying Week – November 14-18, 2011. (9-0 vote)

Mrs. Rupert thanked Dr. Joanne Harrison, Deputy Superintendent, Educational Programs and Student Support Services, for bringing forward the resolution supporting Anti-Bullying Week.

Mrs. Rupert, who highlighted portions of the resolution, stated that over half of adolescents and teens have been bullied online and about the same number have been engaged in cyber-bullying. Additionally, 25 percent of adolescents and teens have been bullied repeatedly through their cell phones or the internet and over half of young people do not tell their parents when cyber-bullying occurs.

Approved in Open Board Meeting, January 18, 2012

Mrs. Rupert informed that the district has been successful in engaging Representative Dwight Bullard (District 118) and State Senator Ellyn Bogdanoff (District 25) to sponsor a bill for cyber-bullying that will confront and help children in schools. The language was strengthened so that children who are bullied off campus on their electronic devices will be held accountable.

The following individual addressed this item:

Billy Davison

Ms. Dinnen requested that the deceased student's name be provided to the Board so that a moment of silence can be observed at the next Board meeting.

A-2. Resolution in Support of School Psychology Week – November 14-18, 2011 (Adopted)

Motion was made by Ms. Murray, seconded by Ms. Dinnen and carried, to adopt Resolution #12-31, in support of School Psychology Week – November 14-18, 2011. (9-0 vote)

Ms. Dinnen, who spoke of the importance of the psychologist's role in the education of students, stated that psychologists do not receive much credit and attention. Reading a portion of the resolution, Ms. Dinnen stated that The School Board of Broward County, Florida, in connection with the Broward County Association of School Psychologists, declares its support of School Psychology Awareness Week, November 14 -18, 2011, and urged all schools, departments, groups, individuals, business partners, parents and community leaders to recognize the vital role that school psychologists play in the personal and academic development of children.

Mrs. Bartleman praised school psychologists for taking leadership roles in the district's response to intervention teams. Noting that not every child who is in a response to intervention team actually will qualify for a disability, Mrs. Bartleman stated that the psychologists are reviewing all data and working with teachers to ensure that every child is getting the services they need to succeed. Gratitude was extended to district staff for all they do.

B. BOARD MEMBERS

E. CHIEF OPERATIONS OFFICER

F. CURRICULUM/EDUCATIONAL PROGRAMS & STUDENT SUPPORT

- F-1. Contract Agreement between Alliance for a Healthier Generation (AHG), and The School Board of Broward County, Florida
(Approved as amended)

Motion was made by Ms. Dinnen, seconded by Ms. Murray and carried, to approve the agreement between Alliance for a Healthier Generation, and The School Board of Broward County, Florida (SBBC). This motion was superseded by a Motion to Amend (page18). (9-0 vote)

Alliance for a Healthier Generation Agreement for 2011-2015 with The School Board of Broward County, Florida, will provide support and technical assistance to schools and the school district supporting their efforts to improve nutrition, physical activity, and staff wellness through the Healthy Schools Program. Alliance for a Healthier Generation obtains local, state, and national resources to support schools in implementing the school's health action plans. The Alliance for a Healthier Generation will provide a full time Relationship Manager to support schools with their wellness goals and also, sub-funding for staff attending two technical assistance workshops. Alliance for a Healthier Generation also provides support in aligning schools, district policies, and contracts. Alliance for a Healthier Generation beverage and snack food guidelines intends to provide access to healthier food and beverages.

This agreement has been reviewed and approved as to form and legal content by the Office of the General Counsel.

There is no financial impact to the school district.

Mrs. Korn spoke of the funding provided for training substitutes and said that it is a wonderful agreement that the district will truly benefit from. Voicing concern over the contract lacking language regarding substitutes recovering the costs, Mrs. Korn stated she understood there would be a Memorandum of Understanding with each school for this training to be covered. She requested that memorandums of understanding be referenced, that memorandums of understanding will be made at the individual schools. Mrs. Korn further stated, if the district has an agreement with someone who is providing a service and one of the things to be provided is funds to hire substitutes for these positions, it should be referenced in the contract that that is going to occur. She said this is a significant cost to the district and it is good business practice.

Concurring, Mrs. Good inquired whether the agreement expired in July 2011.

Approved in Open Board Meeting, January 18, 2012

Mrs. Kathrine Francis, Executive Director, Student Support Services and Exceptional Student Education, responded that the agreement begins in July 2011 and ends on July 2015. The contract does not begin until it is signed and is Board approved but there is a process through the approval process that brings the item to the Board; signed by the Alliance and the Legal department.

Mrs. Good stated that she has raised concerns in the past when agreements have expired and are presented to the Board, which puts the Board in a predicament whereby if the Board feels it is not acted upon it falls on the Board to have an agreement that is not in place. Mrs. Good further stated that the process has been to allow other agencies to sign first and then forwarded to the district, which takes so much time that the agreement comes to the Board beyond the commencement date.

Mrs. Leach inquired whether the services have begun.

Mrs. Francis responded that the services will not begin until there is approval; this is the initiation of the service.

Mrs. Good requested the Legal department to review agreements that are going before the Board and that it indicates that the agreement is going to commence upon execution, in order to provide the Board flexibility and once it is presented to the Board that is when the agreement will begin.

Mr. Carland informed the Board that he was made aware of some terms that were present in the Executive Summary that did not appear in the black letter of the agreement. Mr. Carland stated that inter-delineations can be made (through amendments) and resubmitted to the outside parties to sign off that they concur. Mr. Carland said he did not see this as a problem because staff has already articulated in the back-up information that this is the understanding between the parties, that they are going to provide those funds for substitutes.

Mr. Carland further stated that in going forward the Legal department can work with staff more closely in terms of being more inclusive in the list of services. Because this is a cooperative situation between the district and another non-profit organization, they are securing funds through grants, they have agreed to provide services. Mr. Carland advised that the district is not obligated and has a 30-day opt out; if for any reason the other party decided to back out of their agreement to pay for the substitutes, the district could choose to back out of the whole agreement or just indicate which services they want.

Approved in Open Board Meeting, January 18, 2012

Offering to include an amendment to the agreement, Mrs. Korn stated that in reality the substitutes could have been paid for by the district. She said it is not a reflection on the other party, the discussion is only for legal purposes.

Mr. Carland suggested an amendment to Article 2 - Special Conditions, Section 2.02, that in addition to the other agreements, the Alliance will provide sub-funding for staff attending two technical assistance workshops.

Motion to Amend (Carried)

Motion was made by Mrs. Korn, seconded by Mrs. Good and carried, to amend Agreement, Article 2 – Special Conditions, Section 2.02, That in addition to the other agreements, the Alliance will provide sub-funding for staff attending two technical assistance workshops.

The following individual addressed this item:

Billy Davison

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

G. HUMAN RESOURCES

*G-1. Personnel Recommendations for Instructional Appointments and Leaves for 2011-2012 School Year (Approved)

Approved the personnel recommendations for the 2011-2012 appointments and leaves 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 Department of Education and The School Board of Broward County, Florida. The teacher approvals on this G-1 item are teachers in subject areas for which there is no surplus and/or layoff teacher in that certification area that could be placed in these positions.

The Personnel Recommendations for Instructional Employees include the following items:

1. Teacher Approvals
2. 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.

Approved in Open Board Meeting, January 18, 2012

- *G-2. Personnel Recommendations for Instructional Separation of Employment or Discipline for the 2011-2012 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 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 2011-2012 School Year (Approved)

Motion was made by Ms. Dinnen, seconded by Ms. Murray 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 Department of Education and The School Board of Broward County, Florida. Mrs. Rupert voted "no." (8-1 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/Temporary Employees
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) – Layoff(s)
11. Salary Adjustment

Approved in Open Board Meeting, January 18, 2012

Funding has been budgeted in 2011-2012 school / fiscal year for all appointments through June 30, 2012.

Mrs. Rupert, who reminded her colleagues that previously the Board had indicated that administrative salaries would not be as cushy as in the past, praised the Superintendent for agreeing to a \$30,000 pay cut over his three-year contract. Mrs. Rupert stated that the Board needs to move forward and call for an administrative salary review and freeze salary increases until all employees can be given a fair pay increase. Mrs. Rupert was of the opinion that at this time it is not appropriate to give someone a \$30,000 pay raise, as it is not fiscally responsible given the deficit that the district is facing and furloughing employees.

Remarking that she reviewed the October 4, 2011 meeting minutes of this item, Mrs. Good stated that the item was deferred to provide the new Superintendent an opportunity to make the selection. Mrs. Good, who advised that she will support the recommendation, acknowledged that it is the purview of the Superintendent to make the selection but expressed concern regarding the salary increases being given to a person that is filling the Facilities and Construction Management Deputy Superintendent position. Mrs. Good further stated that the current structure allows employees to receive a 5 percent and a 3 percent salary increase on every pay grade increase that they receive, which is fair, including promotions because that is the procedure that is in place.

Addressing the rationale given regarding the 30 percent salary increase on this position, Mrs. Good stated there were two previous positions that were merged into one position which results in a cost savings associated with the position that was eliminated. Mrs. Good was of the opinion if the position now has more duties associated with it then a study should reveal what the pay rate should be. Mrs. Good reiterated her concerns with regard to such a significant increase to an individual at a time when employees are doing so much more with less, which sends out a mixed message to employees and to the community.

Ms. Dinnen informed her colleagues that the Board discussed at a workshop and the Board meeting when the Organizational Chart was approved that this position would incorporate two former positions. Ms. Dinnen suggested that in the future, if the Board has other concerns about pay values of two positions being merged into one position, that they should be brought up at that time, which would be more orderly and expedite the flow of business. She praised Mr. Lindner for his admirable performance over the past 21 months in an extremely difficult environment and difficult position.

Approved in Open Board Meeting, January 18, 2012

Remarking that she will support this item, Ms. Dinnen stated the Board may want to review this position because there might be too much work in one job. She noted that the rationale for combining the positions was due to the budget shortages and it was a cost savings to merge both positions into one.

Responding to Mrs. Leach's inquiry, Ms. Diaz stated that the discussion at the Organization Chart meeting centered on merging the Facilities and Construction division with Physical Plant Operations and Maintenance. The Executive Director position was left on the chart because Mr. Lindner was in an acting position and it was unknown at that point when the permanent position would be advertised, whether Mr. Lindner would apply for the permanent position. Ms. Diaz stated if Mr. Lindner did not apply or was not selected for the position, there would be a position for him to go back to. The intent was for the position to be filled permanently, and if he was the selected candidate, the position not filled would be reviewed again during this year's organizational process.

Mrs. Rupert said she voted against the Organizational Chart because there was no specific amount attached to the position and it was not known if there would be a cost savings with the two merged positions. Mrs. Rupert stated that her opposition is only for the increase in salary for the position, as it is disproportionate at this time.

Mrs. Korn requested that a study be held regarding the combination of the additional responsibilities of the two positions, the reasons behind why the salary range is appropriate. Mrs. Korn stated this discussion will provide a comfort level when two positions are merged and when a position is eliminated, whether the responsibilities are no longer continuing and will go to another area or, if there is an impact, the Board should consider what other positions need to be reviewed regarding the salary scale.

Mrs. Rich Levinson, who remarked that this is the Superintendent's decision as to who the candidate will be and she will support his recommendation, noted that the administrative position is a yearly contract. Mrs. Rich Levinson inquired whether the salary is commensurate with other Deputy Superintendent positions.

Ms. Diaz responded that there are two Deputy Superintendent positions, salary is \$177,000, and the other person accepted a lower salary because she had retired and was rehired into the system. The salaries are within the level of what is normally paid.

Mrs. Rich Levinson spoke of the elimination of the Executive Director position which will be a savings to the district.

Approved in Open Board Meeting, January 18, 2012

Responding affirmatively, Ms. Diaz stated this was the intent.

Mrs. Leach inquired whether the salary range is commensurate with other districts of similar size.

Ms. Diaz responded that the salary is a little lower than Miami-Dade and \$3,000 higher than the person who is in the position in Palm Beach County.

Mrs. Rich Levinson inquired whether or not the Executive Director position will be filled.

Mr. Runcie responded that the Executive Director for Physical Plant Operations will not be filled.

Mrs. Good inquired whether a review was made regarding the possibility of the Deputy Superintendent position fulfilling the role of two individuals and was the Pay Grade 35 an acceptable pay grade for that work load.

Ms. Diaz responded that Pay Grade 35 was already in place prior to the two divisions merging and the position now has additional work load. She concurred that typically when a person assumes the role of an Interim position they receive a 5 percent increase and Mr. Lindner was given a 5.5 percent increase. Thereafter, additional percentage increases are given based on the number of pay grades they are moving into.

Ms. Diaz informed that the Salary Handbook provides guidelines for promotions for administrators and those group of individuals that are not covered under a Collective Bargaining agreement. She stated that the first pay grade would be a 5 percent increase and, beyond that, each step would be an additional 3 percent increase. Ms. Diaz explained that because Mr. Lindner received 5.5 percent to take the position, it would be 11 percent from where he was before or 11 percent from the Interim position.

Mrs. Good stated that the 30 percent that is being offered is significantly higher than what the procedures currently allow, but the procedures allow the Superintendent that flexibility.

Concurring, Ms. Diaz stated that the percentage is 23.2 percent and it is allowable based on the Superintendent reviewing comparable positions.

The following individual addressed this item:

Rhonda Ward

Approved in Open Board Meeting, January 18, 2012

Mrs. Good noted that the Board cannot vote “no” on this item based on specific criteria.

Concurring, Mr. Carland informed that Florida Statute provides that it is within the authority of the Superintendent to nominate employees for positions which the Board has previously approved. The Board has before them a job description and salary schedule which provides the Superintendent the opportunity to fill the position and nominate persons for said position. Mr. Carland stated that in this case the Superintendent has brought forward a nomination and the Board is constrained to support that nomination unless a majority of the Board articulates good cause not to support that appointment.

Ms. Murray remarked that the position of Director of Transportation, Patricia Snell, was previously postponed and has now been withdrawn. She inquired about the candidate.

Ms. Diaz responded that Ms. Snell decided to withdraw her name and is no longer interested in the position. She concurred that this withdrawal was after the postponement of the item.

Newly-appointed district personnel were recognized and congratulated by Board Members Mrs. Good, Mrs. Leach and Ms. Murray.

G-4. Personnel Recommendations for Non-Instructional Separation of Employment or Discipline(s) for the 2011-2012 School Year (Approved)

Motion was made by Mrs. Rupert, seconded by Mrs. Good and carried, to approve 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 Department of Education and The School Board of Broward County, Florida. (9-0 vote)

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.

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

Approved in Open Board Meeting, January 18, 2012

G-5. Supplemental Pay Positions – List #6 (Approved)

Motion was made by Ms. Dinnen, seconded by Ms. Murray and carried, to approve the recommended supplemental pay positions of employees for the 2011-2012 school/ fiscal year. (9-0 vote)

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 2011-2012 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 lists all individuals recommended for Non-Specific Supplements. Non-Specific Supplements are additional task assignments performed beyond the employee's regular day based on the recommendation of the direct supervisor.

Individuals listed meet the requirements for the supplemental positions.

Funding has been budgeted in the 2011-2012 school/ fiscal year for all supplements through June 30, 2012.

Noting that a majority of the individuals had one or two supplements, Mrs. Korn said she previously inquired whether there is a cap in terms of those supplements. Acknowledging that there are certain exceptions, Mrs. Korn stated that she wanted more clarity because a waiver needs to be in place in order to have an additional supplement. Mrs. Korn requested that in the future, if a third supplemental pay position is listed, that a statement be included in the back-up information that a waiver is in place for the additional supplemental paid position.

Concurring, Ms. Diaz stated that she confirmed the time frame that the individual received the waiver; it was a North Area school and it went through the North Area Office and it was approved.

Responding to Mrs. Rich Levinson's inquiry, Ms. Diaz stated that when the supplements come to the Board they have already been reviewed that the waiver is in place.

H. ATTORNEY

*H-1. Broward County School Board vs. Donna Lichi (Adopted)

Adopted the Recommended Order, rendered on July 20, 2011, by Claude B. Arrington, Administrative Law Judge, in the matter of Broward County School Board vs. Donna Lichi, Case No. 10-10168, before the State of Florida Division of Administrative Hearings; and rendered the Final Order in this cause.

On October 19, 2010, The School Board approved the recommendation from the Superintendent of Schools for the suspension without pay and termination of Ms. Donna Lichi, a teacher, after a determination was made that she was not fit to perform her duties. Ms. Lichi challenged The School Board's action and requested an administrative hearing before the State of Florida Division of Administrative Hearings.

Following the administrative hearing, the Administrative Law Judge issued a Recommended Order, recommending that The School Board enter a final order (1) adopting the Findings of Fact and Conclusions of Law contained in the Recommended Order; and (2) that the final order terminate Ms. Lichi's employment. No exceptions to the Recommended Order were filed by either party.

The School Board of Broward County, Florida, must take final agency action by rendering a final order in this matter. Attached hereto as Exhibit 2 is a Final Order that has been approved as to form and legal content by the Office of the General Counsel.

There is no financial impact to the district.

I. OFFICE OF THE SUPERINTENDENT

*I-1. Self-Assessment: Safety & Security Best Practices (Approved)

Approved Broward's Self-Assessment: Safety & Security Best Practices 2010-2011.

The Safety & Security Best Practices was developed by the Office of Program Policy Analysis & Government Accountability (OPPAGA), and approved by the Commissioner of Education and the Partnership of School Safety & Security in 2001. Since 2001, each school district must use the Safety & Security Best Practices to conduct a self-assessment of the school district's current Safety & Security Practices. Each Superintendent shall report the self-assessment results and School Board action to the Commission of Education within thirty (30) days following the School Board meeting.

Approved in Open Board Meeting, January 18, 2012

There is no financial impact to the school district.

- *I-2. Law Enforcement Mutual Aid Agreement for Voluntary Cooperation and Operational Assistance (Approved)

Approved the Mutual Aid Agreement between The School Board of Broward County, Florida, and law enforcement agencies in Broward County.

This agreement is to grant voluntary cooperation and assistance in routine law enforcement activities across Broward County in certain situations and terms as specified in the Mutual Aid Agreement.

This agreement has been reviewed and approved as to form and legal content by the Office of the General Counsel.

There is no financial impact to the school district.

J. FACILITIES AND CONSTRUCTION MANAGEMENT

- J-1. Final Construction Documents which include Authorization to Advertise for Bids – Cosmetology Lab Renovations – Sheridan Technical Center, Hollywood – Project No. P.000197 (f.k.a.1051-25-07) (Deferred)

Motion was made by Ms. Murray, seconded by Mrs. Rupert, to approve Final Construction Documents, which include Authorization to Advertise for Bids for Cosmetology Lab Renovations, Project No. P.000197. This motion was superseded by a Motion to Defer (page 30). (9-0 vote)

Project Consultant: T.Y. Lin International
Scope of Work: Renovation of the existing Cosmetology Lab
Contract Estimate: \$1,140,000

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

Based on the PFA, the total cost of this project will be \$1,500,000 and this will come from the Workforce Development Funds.

Mrs. Leach informed that she and Mrs. Rupert visited Atlantic Vocational to meet with Mr. Robert Crawford, Principal, to discuss their programs, such as the Toyota/Lexus technical program and an energy program, which has replaced the cosmetology program due to students not completing the program and that the job placement was not high when they left the program.

Approved in Open Board Meeting, January 18, 2012

Mrs. Leach questioned whether expanding or refurbishing the cosmetology program at Sheridan is the best use for these dollars.

Mr. Lindner responded that the Vocational Oversight Committee vetted \$15 million in funds that the district received from WorkForce Development; the project has been on the District Educational Facilities Plan for over five years, was funded for \$975,000 and with WorkForce One development funds this will not affect Capital Budget. Mr. Lindner stated that one of the reasons expressed in the meetings about moving forward with the project was due to the technology and the facility is lacking in up-to-date and modern cosmetology methods and training. Mr. Lindner was of the belief that the lab was replaced at Atlantic to increase enrollment at Sheridan, one of the reasons to expend the funds to get the lab up-to-date.

Ms. Murray stated that the team overseeing the vocational/technical schools work in collaboration to decide what programs should stay at a location; moving or eliminating a program so that it will shoulder up the program where it exists at Sheridan. Ms. Murray stated that the program works with WorkForce One, who have strong input in what the clients need and the direction they need to go to provide individuals with a new experience, become job worthy and marketable when they finish the program. She stated that the trend between the three technical centers, they have eliminated programs to ensure that the clientele is strong enough to support at one location or the other. Ms. Murray noted that Sheridan has always had a strong clientele for their cosmetology program, and their facility is at least 35 or 40 years old.

Mrs. Bartleman stated that she attended the Girl Scouts/Locks of Love community function at Sheridan which was very well attended. She inquired whether there is sufficient enrollment for the program.

Dr. Desmond Blackburn, Central Area Superintendent, informed that the need and interest is there for the cosmetology program. As mentioned, the Oversight Committee looks at program assessment for viability of the programs and continuation of the program is decided on an annual basis. Dr. Blackburn stated that consolidating the cosmetology, barbering, facials and massage therapy programs at Sheridan is the collaborative decision that was made in the best interests of the program. In addition, there are several community outreach efforts that derive from the cosmetology program.

Approved in Open Board Meeting, January 18, 2012

Dr. Blackburn further stated that the building is 44 years old, has been used five or six days per week over those years and wear and tear has been extreme. Dr. Blackburn stated that decisions were made by the Oversight Committee with his final approval, in collaboration with Mr. Lindner.

Mr. Runcie informed that in the future when these types of items are presented to the Board there will be data on student outcomes and details about the program so that a comprehensive profile is presented. The Superintendent stated this program is a significant investment, potentially investing in this program or another program that may have greater long-term opportunities for students. Mr. Runcie further stated that a lot of investment is related to the core curriculum and that Goal One is more appropriate to this item: Raise achievement of all students to ensure graduation from high school and readiness for post-secondary education, rather than Goal Three: Provide a safe and secure physical and technological environment for all students and employees. Mr. Runcie said this will provide a clear picture of what the outcomes will be on these investments.

Mrs. Rich Levinson inquired whether the outcomes could be provided prior to approval for bid.

Responding that some of the outcomes are not yet known, Dr. Blackburn stated that in school year 2010-2011 the program generated \$875,000 for the WorkForce Development funds. In addition, fees of over \$74,000 were generated from barbering, cosmetology and facials students. Speaking to the renovation of the 44-year old building, Dr. Blackburn stated that there are approximately 21 other projects that could potentially be funded through WorkForce development capital dollars and renovating Sheridan's cosmetology lab is the most viable use of these dollars at this time.

Mrs. Rich Levinson inquired whether the \$975,000 has been placed into the Capital Budget.

Mr. Lindner responded that the amount remains in the Capital Budget, and it will not be used for the execution of this project. He stated that the amount is a line item previously approved in the Five-Year Plan five years ago and has been carried over; the funds will remain in the Capital Funds Reserve.

Mrs. Korn inquired whether the dollars could be used for another program and when was the priority established for this project.

Approved in Open Board Meeting, January 18, 2012

Dr. Blackburn responded that on an annual basis the “pot” of WorkForce dollars is appropriated, and \$15 million was appropriated for capital improvement projects within WorkForce. He stated that the \$1.5 million of the \$15 million can be re-appropriated to some other WorkForce capital project.

Mr. Lindner informed that the project is a recent priority based on the Oversight Committee’s meetings for this year and the windfall of the \$15 million. There was a list of projects and this project came forward and there are other projects in the queue but this project was ready to go. Remarking that the scope of work has not thoroughly been decided, Mr. Lindner opined that intuitively he feels the need is much greater than \$15 million.

Mrs. Bartleman stated the school is very old, the program is generating \$100 million from WorkForce dollars for the program, over 200 students are enrolled and it is the only program left in the county for cosmetology, hair and massage since Atlantic Vocational eliminated their program. Mrs. Bartleman stated that students need to be trained with appropriate instruments in an appropriate setting; there are individuals who want to be hairdressers and they need jobs and this program gives someone a career. The program is in demand, it is affordable and it is less expensive than students going to a private institution. Mrs. Bartleman suggested that the item be tabled for a Workshop discussion.

Remarking that the Board is operating somewhat in a vacuum when this amount of money is available, Mrs. Rich Levinson stated there should be a list prioritizing the manner in which projects are done and it should be based on utilization and return on investment. Mrs. Rich Levinson praised that the program is used by 200 students, but said there may be other programs where many more students will benefit or there may be new fields that the Board may or may not want to appropriate the funds.

Ms. Murray stated that WorkForce One study the national trends and review the job market, and as they create new fields and innovative programs they will tell the district what to do with their money. WorkForce One will not train people for jobs that do not exist; their goal is to ensure that the money spent will profit the community and creates more jobs.

Concurring, Dr. Blackburn stated that WorkForce programs are funded by WorkForce dollars and they carefully analyze return on investment on every dollar that is spent to ensure that dollars are coming back by way of program completion and job market placement.

Approved in Open Board Meeting, January 18, 2012

Mrs. Rupert stated she would like to review data/statistics before making a decision. She stated that students need to learn these skills now so when they are ready they can move into "hot" fields.

Mrs. Good stated that these type of items require more information on the program aspect and not only on the construction side, in order to be able to validate the need for some of these projects in moving forward. Mrs. Good suggested tabling the item to the next Board meeting in November so that more data on the program can be provided, so there is a comfort level for the Board that this is exactly the program that is needed.

Board Members Mrs. Bartleman, Mrs. Korn, Mrs. Good, Mrs. Rich Levinson, Ms. Murray and Mrs. Rupert requested Mr. Runcie to schedule a Board workshop on October 25, 2011 or November 8, 2011, to further discuss the data: provide information on the program aspect, present the outcomes on this investment, what are some of the hot trends, what are the district's needs, and what is the overall scope of the \$15 million expenditure. Additionally, that staff present a representative from WorkForce One at the workshop.

Motion to Table (Carried)

Motion was made by Mrs. Korn, seconded by Mrs. Good and carried, to table the agenda item to the November 15, 2011 Regular School Board meeting.

The following individual addressed this item:

Billy Davison

A vote was taken on the Motion to Table.

K. OFFICE OF CHIEF FINANCIAL OFFICER

OPEN ITEMS

AA. RESOLUTIONS

- AA-1. Approval of the Redistricting Steering Committee Formation, Redistricting Process Timeline, and Redistricting Guiding Principles for 2011-2013 (Adopted as amended)

Motion was made by Ms. Dinnen, seconded by Ms. Murray and carried, to adopt Resolution #12-32, in support of Establishing the 2011-2013 Redistricting Steering Committee, timeline and the guiding principles for drawing new single-member districts. This motion was superseded by Motions to Amend (page 34). Mrs. Rich Levinson voted "no." (8-1 vote)

Section 1001.36, Florida Statutes, provides that, "Any district school board may make any change that it deems necessary in the boundaries of any district school board member residence area at any meeting of the district school board, provided that such changes shall be made only in odd-numbered years." Based on the 2010 census population numbers, the seven single-member representative districts for the Broward County School Board are no longer equally proportioned and must have balanced populations to comply with the established legal principles regarding the distribution of population within the County.

Therefore, the Broward County School Board, through the approval of the Resolution, shall create a Redistricting Steering Committee to recommend any necessary changes to the boundaries of the Broward County school board districts based on the 2010 census. This process provides the opportunity for significant community input in an open and inclusive atmosphere.

A review of this resolution and exhibits has been completed and approved by Executive Leadership and District legal counsel.

- A. The Resolution provides, in pertinent part, the following:
1. That the Redistricting Steering Committee, (hereinafter referred to as the "Committee"), be created consisting of nineteen (19) appointees, two (2) as appointed by each District School Board Member and one (1) by the Superintendent of Schools;
 2. That at the initial meeting, the Committee elects a Chair and a Vice-Chair, establish the governance procedures for the Committee and that a list of regular meetings be approved;
 3. That the Committee adopt any plans in accordance with established legal principles;

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4. The procedures for filling any vacancies on the Committee;
 5. That the Committee hold no less than seven (7) public meetings, one in each of the current seven single-member districts and that all meetings be held in accordance with the Government-in-the-Sunshine procedures; and,
 6. That the Committee is also charged with providing the Broward County School Board with proposals by the first regular school board meeting in December 2012, so that the Board can adopt a final plan in January 2013.
- B. In addition, the Broward County School Board, through approval of the Resolution intends to follow the 2011-2013 Single-Member School Board Redistricting Guiding Principles discussed during the September 27, 2011 School Board Redistricting Workshop which are inclusive of the requirements of Florida Statute 1001.36, traditional redistricting principles, and principles unique to the Broward County School District.

The fiscal impact to the district should not exceed \$50,000, inclusive of costs associated with the Redistricting Steering Committee which will include but is not limited to advertising of meetings, printed materials, and printer equipment costs associated with hosting public meetings.

Mrs. Rich Levinson, who noted her dissatisfaction with redistricting not occurring until 2014, stated there is a 10-year census done and the district should have been realigned for the 2012 election.

Mrs. Good requested an understanding of the procedures that will be established for the membership of the Redistricting Committee. She inquired whether absences will be allowed for the individuals participating or whether this discussion will occur subsequently.

Dr. Joanne Harrison, Deputy Superintendent, Educational Programs and Student Support Services, responded that the committee will be brought together for discussion, with two members representing each Board Member. She stated that once the committee is formed the issue of absenteeism will be presented.

Mrs. Good requested clarification regarding the member residing within the Board Member's district.

Dr. Harrison responded that the individual would be a resident in the Board Member's district.

Remarking that the district is allowed to redistrict in year 2013, unlike the Legislature, Mrs. Bartleman suggested creating a new policy for future redistricting to be on the same cycle as the Legislature.

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Mr. Carland advised that a policy could be set indicating that the district intends to redistrict in the first odd year following the census. The statute only requires that it occur in an odd year.

Concurring, Dr. Harrison stated that the policy will be reviewed to determine whether the district is allowed to redistrict as soon after the census data is submitted.

Responding to Ms. Dinnen's inquiry regarding the amount of meetings to be held, Dr. Harrison stated a meeting will be held to begin the process, followed by seven (7) meetings. Thereafter, the group would meet to make recommendations. Dr. Harrison stated that staff did not want to place a limit because it is unknown whether additional meetings are needed.

Concurring that it would have been better to have this occur close to the time the census data was available, Ms. Dinnen stated that the Board discussed at a Workshop that they could not get the amount of parental or community involvement they wished to get. Also, the district was facing difficult decisions this year, hiring a new Attorney and a new Superintendent, large teacher layoffs, 17 budget meetings, Workshops and School Board meetings. Ms. Dinnen commented that the Board can now do a very good and thoughtful job that involves the community.

Mrs. Rupert suggested that staff also review Miami-Dade School District's policy so that the cycle is the same as the Legislature.

Mrs. Rich Levinson stated that the Board was told at the first Workshop that they needed to wait for the county. Mrs. Rich Levinson stated there is a 10-year census for a reason; the districts should be even and should represent the constituents in those districts, and a change should not be done four years later.

Mrs. Rich Levinson requested an amendment to clarify the attendance, so as not to be too limiting.

Mrs. Leach inquired about pages 3 and 4, Membership of the Committee, which does not indicate herself or Mrs. Bartleman's appointees.

Mrs. Bartleman indicated that Mrs. Leach was not yet appointed when a discussion was held at a Workshop. She said she did not need an appointment since she is an At-Large Board Member.

Dr. Harrison responded that this is a scrivener's error that will be corrected and brought back to the Board with clarifying language.

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Mr. Carland advised that the Board make their corrections to the item at this time.

Motion to Amend (Carried)

Motion was made by Mrs. Leach, seconded by Mrs. Rupert and carried, to amend that Mrs. Leach and Mrs. Bartleman (At-Large Board Members) be added with representation, 2 members from each, to be listed in Section 2. Membership, page 3 of 6. (9-0 vote)

A vote was taken on the Motion to Amend.

Second Motion to Amend (Carried)

Motion was made by Mrs. Rich Levinson, seconded by Mrs. Rupert and carried, to amend page 5, Section 5. Meetings and Public Hearing, strike ... ~~to meet at least twice per month...~~ to add no more than twice a month. Sentence to read: The Committee shall endeavor to meet no more than twice a month, whether in regular or special meetings or in public hearings, until its assignment is completed. (9-0 vote)

The following individual addressed this item:

Billy Davison

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

BB. BOARD MEMBERS

BB-1. Membership in National School Boards Association's National Affiliate Program – Council of Urban Boards of Education (CUBE) (Approved)

Motion was made by Ms. Dinnen, seconded by Ms. Murray and carried, to approve membership in the National School Boards Association's National Affiliate Program – Council of Urban Boards of Education (CUBE). Mrs. Good voted “no.” (8-1 vote)

CUBE was established by the National School Boards Association (NSBA), in 1967. CUBE is the Urban component of NSBA's National Affiliate program. CUBE addresses the unique needs of School Board Members of the largest cities in the United States.

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The benefits CUBE provides for large urban districts include: specialized federal lobbying and legal advocacy via a professional staff in Washington, D.C.; ad hoc topical reports especially for and about CUBE districts; survey findings, which profile our nation's urban schools; specialized forums to facilitate sharing of concerns, ideas, and "best practices" in the urban school setting; news from the urban public education arena via a bi-monthly newsletter; access to contacts and data from other urban districts; and in-depth analysis on issues in periodic reports and monographs.

Belonging to CUBE provides the district with added strength to address educational issues at a national level. When combined with membership in the Council of Great City Schools, the district becomes empowered with synergy to advance academic initiatives, educational opportunities and legislative changes which are needed by large urban districts like Broward County. Of the 54 members of the Council of Great City Schools, 37 also belong to CUBE.

Cost of this affiliation is \$14,000. The source of funds is the Board Members' department budget.

Mrs. Good requested clarification as to the need to continue with this membership.

Reminding her colleagues that she is the representative for CUBE, Mrs. Rupert stated that the organization is part of the National School Boards Association National Affiliate Program, which provides information on best practices, job availability. Mrs. Rupert further stated that she uses the newsletter to incorporate information relating to demographics, what best practices can be used to motivate students, core practices, how to shorten the learning gains and how to measure against other districts.

Mrs. Rupert informed that she has not attended a CUBE conference due to the district's financial situation but she receives newsletters, packets, and has collaborated with other members throughout the country for information on many areas, including the Superintendent's search. Mrs. Rupert was of the opinion that membership is invaluable for the district to stay competitive in an urban school district.

Remarking that Chicago Public Schools is a member of CUBE, Mr. Runcie stated that getting a perspective on best practices and what is occurring in other districts is always helpful. Mr. Runcie stated that the value is worth the cost of membership.

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Ms. Dinnen stated that the purpose of CUBE was to give the urban districts a meeting place to exchange those ideas that are particular or peculiar to that type of a district. She stated that the National School Boards Association is huge and offers a lot of advantages, but the urban districts have particular interests, problems and emergencies that they need to address, which is why CUBE was founded. Ms. Dinnen further stated that listening to how other districts are handling different issues cannot be gained by reading a journal.

CC. BOARD POLICIES

DD. OFFICE OF THE CHIEF AUDITOR

EE. CHIEF OPERATIONS OFFICER

FF. CURRICULUM/EDUCATIONAL PROGRAMS & STUDENT SUPPORT

- FF-1. Service Delivery Agreement between The School Board of Broward County, Florida (SBBC), and Hispanic Unity of Florida, Inc., (HUF)
(Approved)

Motion was made by Ms. Dinnen, seconded by Ms. Murray and carried, to approve the 21st Century Community Learning Centers (CCLC) Service Delivery Continuation Agreement between the SBBC and HUF. (9-0 vote)

The SBBC and HUF are in the fourth year of their five-year partnership to operate a 21st CCLC Program at Olsen Middle School. The grant funds will be used to provide academic enrichment and remediation services to students at the school who perform at or below the 40th percentile on the Florida Comprehensive Assessment Test (FCAT). The Program will serve 80 students at Olsen Middle School after school and on Saturdays. The After School Child Care Program will operate Monday – Friday, August 29, 2011 – June 6, 2012. The Program will operate for eight Saturdays throughout the year at Olsen Middle School.

A portion of the 21st CCLC funds will be used to hire an outside evaluator to conduct an ongoing formative evaluation. This data will be used by Olsen Middle School and HUF to ensure the Programs compliance with its objectives.

This agreement has been reviewed and approved as to form and legal content by the Office of the General Counsel.

The positive financial impact to the district is \$98,039. The source of funds is the 21st CCLC grant. There is no additional financial impact to the district.

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No discussion was held on this item.

FF-2. Grant Applications (Approved)

Motion was made by Mrs. Rupert, seconded by Ms. Dinnen and carried, to approve the submission of grant applications to: (9-0 vote)

- A. Barbara Bush Foundation for Family Literacy, \$65,000
- B. Kids in Need Teacher Grants, \$1,894
- C. Target Field Trip, \$1,450
- D. USTA Florida Share the Love Grant, \$2,000

Copies of the full grant applications are available at the Board Members' Office on the 14th floor of the KC Wright Building.

The potential positive financial impact is \$70,344 from various sources. There is no additional financial impact to the district.

Mrs. Rupert praised the Barbara Bush Foundation for Family Literacy, \$65,000 grant.

Mrs. Rich Levinson inquired about the status of hiring additional grant writers.

Dr. Harrison stated it is hopeful that a name to fill the position will be submitted to the Board at the next Board meeting. Dr. Harrison informed that a review is being conducted of how other districts within and outside the state are handling their grants, and whether there is a way to offset the grant writers against some of the grants.

Mrs. Rich Levinson expressed gratitude to staff for working hard on writing the grants, in addition to their other job duties.

Mrs. Korn stated that she previously inquired about how information regarding the grants that the district applies for, including grants by individual schools or the Broward Education Foundation, can be filtered back out to the schools. Mrs. Korn informed that she shared some ideas with the Broward Education Foundation regarding how to further provide incentives as well as educate those grant liaisons in terms of being able to take those opportunities and move forward with them. Mrs. Korn stated she is hopeful that the Board may soon further the efforts that the district is conducting at this level and taking it back to the schools, as many grants require a 501 (c) (3) status to be able to apply for them. She stated that this effort can be expanded by providing some additional assistance at the school level.

Approved in Open Board Meeting, January 18, 2012

FF-3. Continuation of Behavioral Health Contract with the Broward County Community Partnerships Division (BCCPD) (Approved)

Motion was made by Ms. Dinnen, seconded by Mrs. Rupert and carried, to approve renewal of the current contract agreement between Broward County Community Partnerships Division and The School Board of Broward County, Florida, (SBBC). (9-0 vote)

On September 22, 2009, the Broward County Board of County Commissioners approved funding recommendations made by the BCCPD for The SBBC Family Counseling Program (FCP), to receive a grant in the amount of \$1,091,940 with a two-year renewal option. Contract is in the third year of the funding cycle. FY12 contract has been reduced to \$1,043,940. This grant must have a District match. The BCPS match is \$1,386,283. A combination of funds from BCCPD and the BCPS supports the Family Counseling Program. The District provides approximately 57percent of the funding.

The FCP, which began in 1980, provides free, short-term counseling and related services for any student enrolled in any school in Broward County. In 2010-11, 26 family counselors served 3,931 customers, providing more than 15,460 counseling hours. Treatment goals and objectives in the areas of academics, attendance, and improved behavior set for each student served revealed an average of 85percent improvement by the end of counseling sessions. Mental Health and Family Functioning treatment objectives were met with 95percent improvement.

The Family Counseling Program currently makes services available through 13 school sites, serving Broward County. The BCCPD funding has collaborated with the District to provide this degree of coverage. Centers are located at Bair Middle, Cooper City High, Crystal Lake Middle, Deerfield Beach High, Everglades High, Ft. Lauderdale High, New River Middle, Northeast High, Perry Middle, Plantation High, Sawgrass Springs Middle, South Broward High, and Taravella High Schools, each serving one or more Innovation Zones. Of those clients who responded to a survey administered 90 days post counseling, 89percent reported improvements made in counseling had remained stable.

The original agreement has been reviewed and approved as to form and legal content by the Office of the General Counsel.

The financial impact for the 2011-12 school year is \$1,043,940 from the BCCPD. Broward County Public Schools provides a cash match in the amount of \$1,386,283, reserved in the District's budget, to fund approved positions.

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Mrs. Korn stated that she previously inquired and received a response regarding the reduction of the funding amount and that the district's level of funding remained the same; reduced in the prior year but remains the same this year at that reduced amount with the same level of service. Mrs. Korn inquired how the same level of service can be offered if the same amount of funding is coming from the district but less money is coming through the contract. She noted that she serves on the Children's Services Board and is very well familiar with the contract.

Mrs. Francis responded that last year when the first reduction was made the School Board's portion had to increase slightly. This year the commitment was the same amount that the School Board would put forward because the amounts are equal again to last year's amount. Ms. Francis stated when the Children's Services Board reduced that amount the district's side increased its input. If the Children's Services Board maintains the same amount this year, the School Board will maintain the same amount.

Dr. Harrison, who provided a historical summary of this service, stated that the Children's Services was not certain they would be able to continue this service. She stated that even though the requirement for a school system is 10 percent, Broward School District gives more than the 10 percent match because of the belief in the need for that service. Dr. Harrison further stated that this year the number of centers are maintained but not all the staff; the dollars will be bringing staff up to that level. The billable hours for staff and the clients seen varies from year to year because the number of students is not known. Dr. Harrison concurred that the reduction is from the initial year and not from the second year.

Mrs. Rupert inquired how services are offered to families.

Mrs. Francis responded that there is the notification of the process; some outside referrals and then immediately at the school and a referral is made at that time to the Family Counseling Center. Mrs. Francis stated that the district also services the community with this funding, and parents are afforded the opportunity to approach someone at the school and discuss an issue, such as bullying.

GG. HUMAN RESOURCES

HH. ATTORNEY

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- HH-1. Third Amendment to Employment Agreements for Deputy General Counsels, Marilyn Batista-McNamara and Robert Paul Vignola; and Assistant General Counsels, Barbara J. Myrick, Thomas C. Cooney, and Ana I. Segura (Approved)

Motion was made by Mrs. Good, seconded by Mrs. Rupert and carried, to approve the Third Amendment to the Employment Agreements for Deputy General Counsels, Marilyn Batista-McNamara and Robert Paul Vignola; and Assistant General Counsels, Barbara J. Myrick, Thomas C. Cooney, and Ana I. Segura. A roll-call vote was taken: Ms. Dinnen, Mrs. Good, Mrs. Rich Levinson, Mrs. Rupert and Mr. Williams voted "yes." Mrs. Bartleman, Mrs. Korn, Mrs. Leach and Ms. Murray voted "no." (5-4 vote)

The current agreements with the two Deputy General Counsels and the three Assistant General Counsels expire on October 31, 2011. The General Counsel recommends the renewal of these agreements and met with the Legal Services Committee on September 26, 2011, to discuss same.

At the meeting, the General Counsel proposed a renewal of the agreements for the period of November 1, 2011 through June 30, 2013. The renewal period is recommended in order to put the Deputy and Assistant General Counsels on a fiscal year renewal cycle with the rest of the employees in the District. In addition, this change to a fiscal year contract will also support the General Counsel's move to implement a formal evaluation system for the Deputies and Assistants. The Board will note that the original agreements contain a without cause termination provision that will continue through this renewal cycle.

The contract renewals for the Deputies and Assistants also include a new provision requiring a formal evaluation by the General Counsel. The evaluation instrument will be designed by the General Counsel.

There are no other changes to the original terms of the agreements with the Deputies and Assistants.

The Third 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.

Approved in Open Board Meeting, January 18, 2012

Mr. Carland regarding the contracts, Mrs. Bartleman stated that the contract indicates that the attorneys are entitled to the health and dental insurance that staff currently has, including Florida Retirement System contributions. She stated that Mr. Carland advised that the state statute supercedes the contract. Remarking that the insurance is renewed on January 1, 2013, Mrs. Bartleman stated that attorneys should have the same benefits as teachers, noting that there may be changes to other employees' health, dental or vision insurance.

Concurring that other employee groups have certain benefits, Mr. Carland stated if the Board was to make a decision in 2013 concerning the benefit packages, the level of funding that is provided to bargaining groups would be an issue on the table for negotiations. Mr. Carland requested that if the Board does make this decision in 2013, that the attorneys' contracts be negotiated, as these are individual contracts with employees, unlike a collective agreement.

Mrs. Bartleman stated it would be prudent to amend the contract language, that the attorneys' benefits will mirror the benefits of employees. She stated it would put the Board in a precarious position if substantial changes were made to the benefits package and then there was an issue with the individuals who have individual contracts.

Mr. Carland stated he would like the same courtesy with his office staff, that no changes are being made this year to the benefits all other employees are receiving, and that they not have changes. If the Board makes a decision on January 2013, before their contracts are up for renewal, he will speak with the attorneys at that time in the same way the other employee groups will come to the table.

Concurring, Mrs. Good noted that the three agreements include the furlough time which is acceptable. Mrs. Good stated that at such time as the contracts with other units are affected with this type of benefit, the Board can make those adjustments. Speaking to the services provided by the Legal department, Mrs. Good stated that there has been a considerable amount of work solicited from the Board on a multitude of important issues and Mr. Carland's staff is to be commended for their professionalism on all issues that have moved forward to the dais. She said it has been a pleasure working with Mr. Carland's staff and how the Board moves forward.

Ms. Dinnen was of the opinion that the attorneys are not going to raise an objection to the two insurance policies, especially since their renewals will occur in late 2013. She stated the attorneys have big contracts and these issues are not "deal breakers."

Remarking that the attorneys are considered in high regard,

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Mrs. Bartleman stated that this is a business practice and they are not part of a Collective Bargaining unit, and when entering into a contract all the bases should be covered. Mrs. Bartleman stated, for the record, that she will be watching for these issues when the district enters into individual contracts. She said it is about equity, and doing things across the board and doing it the right way.

Ms. Murray was of the opinion that there have been too many "gentlemen agreements" in the system and when a binding contract is presented the language needs to be clear. Concurring that the Board will be negotiating the issue of insurance in the future, Ms. Murray stated it is not known what the premium will be and it may turn to the employee. Ms. Murray stated that the attorneys contract will fit into the fiscal year so they can be properly evaluated, as other employees. She stated it needs to be clear to the attorneys that whatever the Board decides will affect them also if any changes are made.

Mrs. Korn concurred that it is a good practice, make a statement to the contracts and to the other employees. Remarking that having equality sends a message, Mrs. Korn inquired whether there is a gap in the contract or is the district facing risk.

Mr. Carland responded that the current agreements expire the end of October 2011 and there is not another voting meeting this month. Mr. Carland stated that the attorneys have individual agreements with the Board and they are negotiated as individuals; the provision regarding the individual paid insurance has been in the contract since they began with the district in 1996, and this trend followed for the Assistant Attorneys when they began with the district.

Mr. Carland advised that comparison data with other peer districts were made, Miami-Dade and Palm Beach counties; Deputy General Counsel are paid less than the Deputy Counsel in Palm Beach, who has less experience. The two Deputy Counsel are Board Certified Education Law Attorneys in the state, and Mrs. Batista-McNamara serves on the committee that writes the test for other attorneys who want to be certified as education lawyers.

Mr. Carland further stated that the insurance has been a part of the contract since they have been in-house attorneys for the district as part of the total compensation. Mr. Carland concurred that in 2013, if the Board is going to seriously change how the district will provide benefits to their employees, it is fair game to go back to his staff and indicate that this provision needs to be reviewed. He indicated that currently the Board has not changed the benefits as they are being paid to other employee groups.

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Ms. Dinnen stated that it is hypothetical at this time that the Board will be making a drastic change to the insurance of other employees.

Mrs. Bartleman stated that she is only seeking language that the Attorneys benefits package will mirror the benefits package of the district employees.

Mr. Carland suggested an amendment that indicates the provision regarding benefits is subject to re-negotiation if the Board changes the benefits package for other employees; it stays the same and it would continue to be the same until such time, if at all, the Board were to change the benefits of other employees.

Noting that the contract is a 1 ½ year contract, Mrs. Good stated that the discussion of employees not being paid health benefits is no where near concluded and she is comfortable with what has been presented to the Board.

Motion to Amend (Failed)

Motion was made by Mrs. Bartleman, seconded by Ms. Murray, to amend language in the Benefits section, subject to renegotiation if the Board changes benefits paid to other employees. A roll-call vote was taken: Mrs. Bartleman, Mrs. Korn, Mrs. Leach and Ms. Murray voted "yes." Ms. Dinnen, Mrs. Good, Mrs. Rich Levinson, Mrs. Rupert and Mr. Williams voted "no." (4-5 vote)

Responding to Ms. Dinnen's inquiry, Mr. Carland stated if the Board adopts the amendment he will meet with the Attorneys for reconsideration of their contract.

Responding to Mrs. Rupert's inquiry, Mr. Carland stated if the Board approves the amendment and the contracts are approved as amended, if the Attorneys agree to the change the contract would not be resubmitted to the Board. If the Attorneys do not agree, he will renegotiate and a counter-proposal would be brought back to the Board.

A roll-call vote was taken on the Motion to Amend, followed by a roll-call vote on the item as presented.

II. OFFICE OF THE SUPERINTENDENT

JJ. FACILITIES AND CONSTRUCTION MANAGEMENT

JJ-1. Change Orders (Approved)

Motion was made by Ms. Dinnen, seconded by Mrs. Rupert and carried, to approve change orders as listed for various school projects. (9-0 vote)

<u>Cypress Elementary</u>		Change Order 01	\$3,449
Consultant Error	\$534		
Owner Request	\$2,915		
<u>Hallandale High</u>		Change Order 01	\$0
Owner Request	\$0		
<u>Palmview Elementary</u>		Change Order 02	\$2,384
Owner Request	\$2,384		

All projects have been included in the Adopted District Educational Facilities Plan (September 8, 2011). There is no additional financial impact to the district.

Mrs. Rich Levinson inquired why there was a change of the signage manufacturer and why the existing manufacturer could not meet the requirements.

Mr. Lindner responded that the change was due to students peeling off the original signs at the elementary school and Maintenance repairing them. Mr. Lindner stated that the specifications were changed to a heavier and sturdier sign that cannot be peeled off, and the supplier and the specifications are being changed to provide the signage. Noting that the signs have to be Braille as well in elementary school and they have to be at a level where they can be touched, Mr. Lindner said that all the contracts going forward will have these specifications.

KK. OFFICE OF CHIEF FINANCIAL OFFICER

Following the action of Agenda Item G-3, the following Attorney-Client Session commenced at 11:30 a.m.

Announcement by Chair

“The School Board of Broward County, Florida, will meet in an Attorney-Client Private Session in accordance with Florida Statutes, Section 286.011(8), today October 18, 2011, 11:30 a.m. The Attorney-Client Session will be held in the Board Room of the first floor of the Kathleen C. Wright Administration Center, 600 Southeast Third Avenue, Fort Lauderdale, Florida 33301.

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"The purpose of this Attorney-Client Session is for the School Board and Counsel to discuss pending litigation relative to the following case: Hilda Gotay, Individually, and as Parent and Natural Guardian for Jose Ratley vs. The School Board of Broward County, Florida, Case No. 11-002150 (03), before the Circuit Court of the 17th Judicial Circuit in and for Broward County, Florida. A Certified Court Reporter will record the entire session.

"The following persons will attend the Attorney-Client Session: Chair Benjamin J. Williams; Vice Chair Ann Murray; Members, Robin Bartleman, (Maureen S. Dinnen was absent), Patricia Good, Donna P. Korn, Katherine P. Leach, Laurie Rich Levinson, Nora Rupert;; Superintendent Robert W. Runcie, Debra P. Klauber, Esq., Eugene K. Pettis, Esq.; Marilyn Batista-McNamara, Esq.; and J. Paul Carland, II., 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."

The Attorney-Client Session recessed at 12:15 p.m. The Regular School Board meeting reconvened at 1:00 p.m.

Adjournment This meeting was adjourned at 4:25 p.m.

RT