

Approved in Open Board Meeting, December 7, 2010

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

October 19, 2010
Tuesday, 9:45 a.m.

MINUTES OF REGULAR MEETING

The School Board of Broward County, Florida, met in regular session at 10:31 a.m., Tuesday, October 19, 2010, in the Board Room of the Kathleen C. Wright Administrative Center, 600 Southeast Third Avenue, Fort Lauderdale, Florida. Present were: Chair Jennifer Leonard Gottlieb; Vice Chair Benjamin J. Williams; Members, Robin Bartleman, Maureen S. Dinnen, Phyllis C. Hope, Ann Murray, Dr. Robert D. Parks, Kevin P. Tynan, Esq., Superintendent James F. Notter, and Edward J. Marko, Esq.

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

Minutes for Approval Motion was made by Mr. Tynan, seconded by Ms. Murray and carried, to approve the official minutes for the following Board Meetings: Mrs. Hope and Dr. Parks had not yet assumed their seats on the dais. (6-0 vote)

September 16, 2010 – Special – Public Hearing – Class Size Amendment Period-by-Period Implementation Strategies & Costs
September 16, 2010 – Special – 2nd Public Hearing – Millage Rates, Critical Needs Millage Rate & Budget
September 21, 2010 – Special – Student Expulsions
October 5, 2010 – Special – Student Expulsions

Added Items – Two speakers

Close Agenda Upon motion by Ms. Dinnen, seconded by Mr. Tynan and carried, the Agenda was approved and declared closed. Mrs. Hope and Dr. Parks had not yet assumed their seats on the dais. (6-0 vote)

REPORTS

Broward Education Foundation – Jorene Jameson

Ms. Jameson reported that the Broward Education Foundation runs the Project opportunity Program, which provides scholarship funds for public school or non-instructional employees who want to become teacher educators. This small program gives \$750 to employees who work in the school system and want to become teachers; help is provided to them to get their certification and degrees so they can teach in the Broward School District. This year, 17 school employees were each awarded \$750. She stated this is a great example of how small dollars can make an impact.

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Ms. Jameson updated the Board on the lease for the Kids in Needs Resource Center, Teacher Supply store, which was approved by the Board in August 2010. She stated that the project is still under renovation and fundraising will be ongoing on the project so that operating costs are available to support the project. Ms. Jameson introduced Mr. Hector Javier, who will be the new full-time store manager at the center, and Mr. Doug Webber, previously involved in fundraising efforts with United Way, will be working for the district to help raise money specifically for the teacher store.

Ms. Jameson thanked Dr. Parks for his many years of support for the Broward Education Foundation; having been a partner with the BEF in supporting the Urban Teacher Academy program. Recently, Dr. Parks donated the balance of his campaign account to the foundation to continue to support this program.

ESE Advisory Council – Robert Mayersohn

Mr. Mayersohn reported that last evening the Legislative Forum ESE meeting was held; thanking Representative Ari Porth and Senator Eleanor Sobel for their participation. Representative Marty Kiar was unable to attend but his legislative aide, Mr. Scott Barrocas was in attendance along with Ms. Lori Kearns, Senator Sobel's legislative aide.

One of the issues discussed was Amendment 8, Class Size Reduction. Representative Porth and Senator Sobel were against the amendment and it was their position that flexibility sought by school boards and superintendents should be addressed by amending state statutes as opposed to seeking to change the state constitution. Senator Sobel expressed that the financial burden of meeting class size is the state's responsibility and should not be placed on local school boards or taxpayers. As regards the impact to ESE students, there is a concern that class size may drive IEP decisions, especially at the high school level when a student's placement in a core curriculum class is locked out due to class size.

Mr. Mayersohn stated that Senator Sobel led a discussion regarding the final version of the Seclusion and Restraint Bill and the need for non-compliance. There was some discussion regarding observation limitation imposed on parents or their advocates. Representative Porth and Senator Sobel said they would be willing to review the Massachusetts "Observation Law" to get a better understanding of how that might apply in Florida.

Additional discussion ensued regarding Senate Bill's 4 revision to high school graduation requirements and requirements to pass End of Course Exams (EOC).

Mr. Mayersohn further reported that approximately 300 participants attended the Transition to Life Summit on September 25, 2010. A large number of parents whose children were near or at the transition stage questioned the meaning of some commonly used acronyms such as Free and Appropriate Public Education (FAPE).

Mr. Mayersohn and the Superintendent attended the “Just do it...I did” ceremony at the Boys and Girls Club at McFatter Technical. On Saturday, October 16, 2010, the Disability Expo was held, a great opportunity for parents to access information. On Thursday, October 21, 2010, the Children’s Services Council is conducting a parent focus group on the LIFT and STEPS programs at 6:00 p.m. The Broward Gold Coast Down Syndrome organization is having their 15th anniversary Buddy Walk in Hollywood on Sunday, October 24, 2010. Mr. Mayersohn thanked all schools who participated in Disability History and Awareness Weeks.

A comprehensive written report was submitted to the Board.

Facilities Task Force – Charlotte Greenberg

Ms. Greenberg reported that a meeting was held with Superintendent Notter on October 15, 2010 regarding the progress of the matrix of Task Force motions and their resolutions. Issues that are going forward are now being tracked with numbers and responses will be given to the Task Force by Mr. Notter.

A discussion ensued on transportation issues and discussion on the term “choice” as it is used in the district as opposed to how it is used with the federal No Child Left Behind. Parents are confused, but in fact “choice” is the No Child Left Behind choice that entitles transportation. She stated that permission slips need to be clarified. The Superintendent will investigate whether the buses carrying students who are provided transportation in the Seminole and Plantation middle schools area are in fact overcrowded.

Ms. Greenberg stated that at the October 7, 2010 Task Force meeting Mr. Thomas Lindner, Acting Deputy Superintendent, Facilities and Construction Management, discussed issues: several hundred projects with verbal NTPs/ATPs, which are not going to be going forward, architects’ objections to cutting projects because there is not enough money to fund them, and ongoing public records requests and forensic audits. Also, the South Broward High School pool issues are being negotiated between the architect and contractor, as well as the large amount of change orders. The Nova pool is being audited; the pool being a re-use should not be a time-consuming and expensive process that takes months.

The QSEC committee is now being provided with accurate information by project managers on separate sheets, unlike previous practice. The present change order process is very strict, unlike previous practice. Ms. Greenberg informed that the department has gone from 52 project managers in June 2010 to 14 project managers at present. Layoffs of 172 maintenance workers occurred, no overtime is authorized, and general contractors are responsible for their subcontractors regarding the Jessica Lunsford Act.

Ms. Greenberg further reported that the Task Force asked for a list of schools that do not have single points of entry and an update on disputes with contractors, which Mr. Lindner advised he would provide. Also, he will come to the schools and discuss the Parkway classroom doors with the community.

The next Task Force meeting will be held on November 4, 2010, 7:00 p.m., at Hortt.

A comprehensive written report was submitted to the Board.

District Advisory Council – Jeanne Jusevic

Ms. Jusevic reported that DAC held its general meeting on Wednesday, October 13, 2010.

A presentation was given of the five calendar options and a discussion of the schedule changes due to class size. Concerns were expressed regarding class size strategies and the effects on students' educations in the middle of a marking period, the migration of grades from one class to another and the concern about the handling of ESE students in this massive change. DAC urges the Board to monitor the efficacy of the variety of methods used at schools to meet class size, pull the data regarding academic achievement at the end of the school year to examine what worked well and what did not work well, and discard those classroom models that did not serve the students well. Gratitude was expressed to Mr. Notter for his participation in the discussion on class size and also to Mrs. Bartleman for her help.

DAC membership discussed their concerns about textbooks or the lack of availability of textbooks at the beginning of the school year. Last year there was a shortage of AP textbooks and it appears that this year there are a wide range of classes with missing textbooks.

There was a concern among parents that the Innovation Zones are systematically pushing parents out of the process by limiting parent meetings to twice a year and there is little parental input from the elected I-zone representatives when planning mega-parent fairs. DAC is calling for some dialogue on this matter.

Ms. Jusevic further reported that DAC is requesting a timeline on the ability of parents to purchase their children's lunches on time. Also, DAC is requesting when staff presents information to the groups that it be free of bias from the presenter as much as possible so that DAC members can independently make decisions about the material presented.

Three motions were made at the meeting. The North Area moved and passed that the district review the policy that allows students to participate in serve learning activities based on a program's merit and not the corporate structure. The discussion centered on the widening of opportunities for student volunteerism.

The South Area moved and passed that BTU go to the table and work with the district to obtain Race to The Top funds. A second motion by the South Area was not approved, regarding the School Board setting aside funds, a stipend, to the school's employee to maintain each school's website.

Ms. Jusevic informed that the next DAC meeting will be held on November 10, 2010, at the K.C. Wright building, beginning at 6:30 p.m.

A comprehensive written report was submitted to the Board.

Responding to Ms. Dinnen's inquiry, Ms. Jusevic informed that a notebook is maintained of the motions made at meetings, how the motions were handled, and whether the goal was accomplished. She stated that a matrix is being compiled of the motions to present to the Board and memberships to illustrate DAC's accomplishments over the last five years.

Mrs. Bartleman requested that DAC collect data from parents regarding the proposed class size schedules and the process, negative and positive practices at the schools. She stated this will provide information for the Board to determine what is the best practice for meeting class size.

Ms. Jusevic informed that the survey is forthcoming on DAC's website.

Broward County Association of Student Councils and Student Advisor to the Board –
Maria Rincon and Graham Rabinowitsch

Ms. Rincon reported that the BCASC successfully completed two of its major projects last week. The Middle School Leaders Day event was held on Monday, October 11, 2010, with over 100 middle school students participating.

The Youth Ethics Forum was held on Friday, October 15, 2010, at Pompano Beach High School which involved student-led discussions. More than 200 students from throughout the county participated. One of the workshops focused on the Broward Schools Integrity report. Graham will present the collected student input to the Ethics Committee.

Ms. Rincon further reported that several high schools have purchased the banner and materials needed for the Destination Diploma project, which focuses on encouraging students to get a diploma at graduation and not just walk on stage and receive a certificate of participation. The project is held under the sponsorship of Herff Jones and BCASC.

The student advisors will host their first Speak Up, Speak Out session of the school year at Deerfield Beach High School on Monday, October 25, 2010.

A comprehensive written report was submitted to the Board.

BOARD MEMBERS

Ms. Dinnen reminded her colleagues that the Broward County Fair will be held in November and stated that over the years the organization has given the school district over \$1 million in scholarships. Ms. Dinnen stated that schools have information on how students can win these scholarships. The group's website is: www.browardfair.org.

Ms. Dinnen announced that she was appointed to the Fort Lauderdale Centennial Committee and she and Mr. Williams met with principals to discuss how they will commemorate the event. Each of the three high schools in Fort Lauderdale will have an art project that will commemorate the 100th anniversary of the City of Fort Lauderdale.

Ms. Dinnen attended the Florida School Boards Association (FSBA) Legislative Committee hearing on October 14, 2010. The Legislative platform "dovetails" nicely with the district's Legislative program.

Ms. Dinnen informed that the budget cuts for the Historic Commission for Broward County resulted in three of their four employees being laid off and a lot of their direction is being turned over to the library division.

Referring to Agenda Item J-6. Reciprocal Use Agreement between The City of Oakland Park and The School Board of Broward County, Florida, Ms. Dinnen stated that this agenda item is a good demonstration of partnership with the district. The City of Oakland Park has been a wonderful participant in school events and they are very proud of their schools.

Mr. Williams informed his colleagues that he and Mr. Notter attended the National School Boards Association Council of Urban Boards of Education in Baltimore, Maryland. An honor was bestowed on the Broward County School District for being selected as a finalists for the Council. Mr. Williams, who presented the award to the Board, stated that the award indicates the district is recognized nationwide as one of the best school districts.

Mrs. Bartleman informed that she attended an LGBT/QIA Call to Prayer event at the Sunshine Cathedral that promotes the safety of all students and to ensure that students are not discriminated and taught to be tolerant. She reminded the community that this School Board was the first to adopt an anti-bullying policy. Mrs. Bartleman stated that the school district will continue to support all students and ensure that all students feel safe in school.

Mrs. Bartleman congratulated the district for receiving the Drop Out Prevention grant, with the Student Services department being awarded \$5.2 million over the next five years from the High School Graduation Initiative through the U.S. Department of Education. The funds will be used to support effective sustainable and coordinated drop-out prevention and re-entry programs at Boyd Anderson High School and Plantation High School. Mrs. Bartleman thanked staff for their efforts in this initiative.

Mrs. Bartleman attended the Kids Voting event, and said that the students are excited and they want to make a difference in Tallahassee, supporting the school district for funding and making education a priority.

Mrs. Bartleman congratulated students who were recognized at the Just Do It event, which she was unable to attend.

Mrs. Bartleman showcased Broward County student Rachel Stief, who was diagnosed with sarcoma in her face. Rachel will participate with hundreds to bring awareness at the Sarcoma Foundation Walk, which will be held in Plantation on Sunday, October 24, 2010, at Central Park. The walk will benefit the Sarcoma Foundation of America, a nonprofit group that advocates increased research to find new and better therapies in which to treat sarcoma patients. Further information can be obtained at www.cure.sarcoma.org.

Dr. Parks informed that teacher Pamela Krause, South Plantation High School, received the 2010 Governor's Reserve Award.

Dr. Parks discussed the Impasse Resolution public hearing between The School Board of Broward County, Florida and the Broward Teachers Union, indicating that teachers need to know the full story of what is occurring with the district's economic situation.

Dr. Parks informed that a fundraiser will be held at the Sicilian Italian Oven in Pompano Beach on November 2, 2010, to benefit a Highland Christian school student so she can have a lung transplant.

Dr. Parks requested a moment of silence for Mr. Art Bross, former City of Margate Commissioner, who recently passed away. (A moment of silence was observed).

Dr. Parks announced that JROTC at Pompano Beach will hold a Fallen Heroes event on November 20, 2010, a ceremony featuring flags for the fallen heroes.

Dr. Parks informed that Student Advisor Maria Rincon was honored at the Pompano Beach Exchange Club as one of Pompano's outstanding students.

Mr. Tynan discussed the BTU Impasse Public Hearing, stating that the district needs to raise the level of public discussion and discourse on the issues. He said that too much focus is being placed on personal attacks and negativity, and ideas are not debated appropriately.

Mrs. Hope informed her colleagues that she attended the Broward Alliance meeting as the Board's appointee. United States Senator George LeMieux from Florida was in attendance and requested the Superintendent to attend the next meeting, as these business partners want to know how they can help the School Board educate students for future jobs.

Mrs. Hope attended the Caribbean-American luncheon and thanked Reverend Heron (sic) and committee members for putting on a wonderful event that was well attended.

Mrs. Hope thanked Cypress Bay High School student Chad Klitzman, one of the C-Span 2009 documentary project winners. This debate team at Falcon Cove has won the C-Span award two years in a row. This year, Mrs. Hope will appear on their project with other elected county officials.

Mrs. Hope requested a moment of silence for Falcon Cove 8th grader Alex Henry, who suddenly passed away. (A moment of silence was observed).

Mrs. Hope visited Everglades Elementary; their student council for 4th and 5th graders was formed.

Mrs. Hope discussed her involvement in anti-bullying policies and safety issues since her tenure on the School Board. She announced that tomorrow evening she will be hosting a safety presentation at Cypress Bay High School. On October 27, 2010, she will discuss safety and prevention at Piper High School.

Mrs. Hope showcased this week's missing child, one year old Gabriel Dom, white female, light brown hair and blue eyes. Anyone with information can contact the local police or the National Center for Missing and Exploited Children.

Speakers

Billy Davison
Andrea Schenck McKinnon
Osdel Fernandez-Larrea
Scott Backman
Rhonda Ward
Abner Burgos-Rodriguez
Shakima Williams

CONSENT AGENDA Following identification of those items Board Members and members of the public indicated they would like considered separately, motion was made by Ms. Murray, seconded by Ms. Dinnen and carried, to approve the Consent Agenda for the remaining items (**identified by ***). Mrs. Hope and Dr. Parks had not yet assumed their seats on the dais. (6-0 vote)

CONSENT ITEMS

A. RESOLUTIONS

- A-1. Resolution in Support of the 2010 Broward County Arts Teacher of the Year (Adopted)

Motion was made by Ms. Dinnen, seconded by Ms. Hope and carried, to adopt Resolution #11-44, in support of the 2010 Broward County Arts Teacher of the Year. Ms. Murray was absent for the vote. (7-0 vote)

Through a video presentation, Mr. Neil Jenkins, was recognized and congratulated as Broward County Arts Teacher of the Year.

Mr. Jenkins thanked the Broward Cultural Commission for the honor and the School Board for their support.

Mrs. Gottlieb read the resolution into the record.

A-2 Resolution in Support of National French Language Week – November 4-10, 2010 (Adopted)

Motion was made by Mr. Tynan, seconded by Ms. Dinnen and carried, to adopt Resolution #11-45, in support of National French Language Week – November 4-10, 2010. Ms. Murray was absent for the vote. (7-0 vote)

Though video conferencing, Beachside Montessori Elementary School was showcased for their French language curriculum.

The following individuals were recognized by the Board:

Monsieur Norber Duffort, Department of Education Consulate General de France; Ms. Blanca Guerra, Curriculum Specialist, World Languages; Madame Martine Johnston, Educational Attaché, Consulat General de France; Madame Martine Buissart, French Culture Coordinator, Consulat General de France.

Dr. Leontine Butler, Deputy Superintendent, Curriculum, stated that this is an exciting opportunity for the Board to integrate the French language and world languages in the curriculum.

Through video conferencing, Beachside Elementary Teacher Myriam Kara and her students presented a “French” demonstration and sang a French song. On hand for the students’ presentation was Principal Joseph Balchunas.

Mrs. Gottlieb, who remarked that the students sang beautifully, read portions of the resolution, stating that boundaries have been extended beyond the borders of the nation and consist of every corner of the globe. She stated that the study of world languages and people has been a bridge to international understanding and cooperation with global society. Mrs. Gottlieb recognized and congratulated the Pre-kindergarten and kindergarten class, Ms. Stephanie Sardelli, PTA, President at Beachside Elementary and Ms. Shari Berger, PTA Board.

- *A-3. Resolution in Support of School Impact Fee Waiver for Parcels "B" and "C" of "Sunnyland Homes No. 1", According to the Plat thereof Recorded in Plat Book 49, Page 49, of Said Public Records, and Located on the Southern Side of NW 9th Street between NW 12th Avenue and NW 13th Terrace in the City of Fort Lauderdale – Proposed for Development by the Housing Authority of the City of Fort Lauderdale
(Adopted)

Adopted Resolution No. 11-46, which states that the School Board does not oppose action by the Broward County Board of Commissioners under provisions of the Broward County Land Development Code, waiving approximately \$26,349, in school impact fees due for the construction of 7 very low-income garden apartment (3 two-bedroom and 4 three-or-more bedroom) units, on parcels "B" and "C" of "Sunnyland Homes No. 1", according to the plat thereof recorded in Plat Book 49, Page 49, of said Public Records.

The proposed development will consist of 7 garden apartment (3 two-bedroom, and 4 three-or-more bedroom) units, which will provide affordable housing for very low-income individuals as defined in Division 6 of the Broward County Land Development Code Definitions. Therefore, as proposed, the 7 very low-income garden apartment (3 two-bedroom, and 4 three-or-more bedroom) units, are eligible for consideration of a school impact fee waiver as cited under Section 5-184(b)(4) of the Broward County Land Development Code. Under this Section, a school impact fee waiver can be granted based on percentages in the following manner: Very Low Income – 100 percent and Low Income – 100 percent.

The Broward County Housing Finance and Community Development Division certified the proposed development as 7 very low-income garden apartment (3 two-bedroom, and 4 three-or-more bedroom) units. Based on the current school impact fee ordinance (Ordinance 2008-11, effective June 2, 2010), the total school impact fee due for the project is approximately \$26,349. Based on criteria cited in Section 5-184(b)(4) of the Broward County Land Development Code, the total \$26,349, qualifies for school impact fee waiver. Schools affected in the 2010-11 school years are Sunland Park Elementary, Arthur Ashe Middle, and Fort Lauderdale High School.

The applicant, the Housing Authority of the City of Fort Lauderdale, is not registered as a 501(C)(3) Not-for-Profit entity, as defined by law. However, the Housing Authority is a Not-for-Profit governmental agency eligible for consideration for the waiver of impact fees.

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

There is a potential loss of approximately \$26,349, in school impact fees. This item does not require a collaboration form from the Capital Budget Department.

- *A-4. Resolution in Support of School Impact Fee Waiver For Lots 7, 8, 9, 10, 11, 12, 13, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47 and 48, Block 27 of "Amended Plat of Lincoln Park, Third Addition", According to the Plat thereof Recorded in Plat Book 7, Page 4, of the Public Records of Broward County, Florida, and Located on the Southern Side of NW 9th Street between NW 13th Avenue and NW 13th Terrace in the City of Fort Lauderdale – Proposed for Development by the Housing Authority of the City of Fort Lauderdale (Adopted)

Adopted Resolution No. 11-47, which states that the School Board does not oppose action by the Broward County Board of Commissioners under provisions of the Broward County Land Development Code, waiving approximately \$26,349, in school impact fees due for the construction of 7 very low-income garden apartment (3 two-bedroom and 4 three-or-more bedroom) units, on lots 7, 8, 9, 10, 11, 12, 13, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47 and 48, Block 27 of "Amended Plat of Lincoln Park, Third Addition", according to the plat thereof recorded in Plat Book 7, Page 4, of the Public Records of Broward County, Florida.

The proposed development will consist of 7 garden apartment (3 two-bedroom, and 4 three-or-more bedroom) units, which will provide affordable housing for very low-income individuals as defined in Division 6 of the Broward County Land Development Code Definitions. Therefore, as proposed, the 7 very low-income garden apartment (3 two-bedroom, and 4 three-or-more bedroom) units, are eligible for consideration of a school impact fee waiver as cited under Section 5-184(b)(4) of the Broward County Land Development Code. Under this Section, a school impact fee waiver can be granted based on percentages in the following manner: Very Low Income – 100 percent and Low Income – 100 percent.

The Broward County Housing Finance and Community Development Division certified the proposed development as 7 very low-income garden apartment (3 two-bedroom, and 4 three-or-more bedroom) units. Based on the current school impact fee ordinance (Ordinance 2008-11, effective June 2, 2010), the total school impact fee due for the project is approximately \$26,349. Based on criteria cited in Section 5-184(b)(4) of the Broward County Land Development Code, the total \$26,349, qualifies for school impact fee waiver. Schools affected in the 2010-11 school years are Sunland Park Elementary, Arthur Ashe Middle, and Fort Lauderdale High School.

The applicant, the Housing Authority of the City of Fort Lauderdale, is not registered as a 501(C)(3) Not-for-Profit entity, as defined by law. However, the Housing Authority is a Not-for-Profit governmental agency eligible for consideration for the waiver of impact fees.

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

There is a potential loss of approximately \$26,349, in school impact fees. This item does not require a collaboration form from the Capital Budget Department.

- *A-5. Resolution in Support of School Impact Fee Waiver for Lots 7, 8, 9, 10, 11, 12, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, and 42, Block 24 of "Amended Plat of Lincoln Park, Third Addition", According to the Plat thereof Recorded in Plat Book 7, Page 4, of the Public Records of Broward County, Florida, and Located on the Southern Side of NW 9th Street between NW 14th Terrace and NW 14th Way in the City of Fort Lauderdale – Proposed for Development by the Housing Authority of the City of Fort Lauderdale
(Adopted)

Adopted Resolution No. 11-48, which states that the School Board does not oppose action by the Broward County Board of Commissioners under provisions of the Broward County Land Development Code, waiving approximately \$9,388, in school impact fees due for the construction of 2 very low-income townhouse (three-or-more bedroom) units, on lots 7, 8, 9, 10, 11, 12, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, and 42, Block 24 of "Amended Plat of Lincoln Park, Third Addition", according to the plat thereof recorded in Plat Book 7, Page 4, of the Public Records of Broward County, Florida.

The proposed development will consist of 2 townhouse (three-or-more bedroom) units, which will provide affordable housing for very low-income individuals as defined in Division 6 of the Broward County Land Development Code Definitions. Therefore, as proposed, the 2 townhouse (three-or-more bedroom) units, are eligible for consideration of a school impact fee waiver as cited under Section 5-184(b)(4) of the Broward County Land Development Code. Under this Section, a school impact fee waiver can be granted based on percentages in the following manner: Very Low Income – 100 percent and Low Income – 100 percent.

The Broward County Housing Finance and Community Development Division certified the proposed development as 2 very low-income townhouse (three-or-more bedroom) units.

Based on the current school impact fee ordinance (Ordinance 2008-11, effective June 2, 2010), the total school impact fee due for the project is approximately \$9,388. Based on criteria cited in Section 5-184(b)(4) of the Broward County Land Development Code, the total \$9,388, qualifies for school impact fee waiver. Schools affected in the 2010-11 school years are Sunland Park Elementary, Arthur Ashe Middle, and Fort Lauderdale High School.

The applicant, the Housing Authority of the City of Fort Lauderdale, is not registered as a 501(C)(3) Not-for-Profit entity, as defined by law. However, the Housing Authority is a Not-for-Profit governmental agency eligible for consideration for the waiver of impact fees.

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

There is a potential loss of approximately \$9,388, in school impact fees. This item does not require a collaboration form from the Capital Budget Department.

- *A-6. Resolution in Support of School Impact Fee Waiver for a Portion of Parcel "B", "Monterra Plat", According to the Plat thereof, as Recorded in Plat Book 175, Page 155, of the Public Records of Broward County, Florida – Located on the North Side of Sheridan Street and the West Side of University Drive in Cooper City – Proposed for Development by Contract Purchaser of the Property, ZOM Monterra, L.P. (Adopted)

Adopted Resolution No. 11-49, which states that the School Board does not oppose action by the Broward County Board of Commissioners under provisions of the Broward County Land Development Code, waiving approximately \$161,870, in school impact fees due for the construction of 60 very low-income garden apartment (25 one-bedroom, 30 two-bedroom, and 5 three-or-more bedroom) units, on a portion of Parcel "B", "Monterra Plat", according to the plat thereof, as recorded in Plat Book 175, Page 155, of the public records of Broward County, Florida.

The proposed development will consist of 60 garden apartment (25 one-bedroom, 30 two-bedroom, and 5 three-or-more bedroom) units, which will provide affordable housing for very low-income individuals as defined in Division 6 of the Broward County Land Development Code Definitions. Therefore, as proposed, the 60 very low-income garden apartment (25 one-bedroom, 30 two-bedroom, and 5 three-or-more bedroom) units, are eligible for consideration of a school impact fee waiver as cited under Section 5-184(b)(4) of the Broward County Land Development Code. Under this Section, a school impact fee waiver can be granted based on percentages in the following manner: Very Low Income – 100 percent and Low Income – 100 percent.

The Broward County Housing Finance and Community Development Division certified the proposed development as 60 very low-income garden apartment (25 one-bedroom, 30 two-bedroom, and 5 three-or-more bedroom) units. Based on the current school impact fee ordinance (Ordinance 2008-11, effective June 2, 2010), the total school impact fee due for the project is approximately \$161,870. Based on criteria cited in Section 5-184(b)(4) of the Broward County Land Development Code, the total \$161,870, qualifies for school impact fee waiver. Schools affected in the 2009-10 and 2010-11 school years are Embassy Creek and Cooper City Elementary, Pioneer Middle, and Cooper City High Schools.

The applicant, ZOM Monterra, L.P., is not registered as a 501(C)(3) Not-for-Profit entity, as defined by law.

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

There is a potential loss of approximately \$161,870, in school impact fees. This item does not require a collaboration form from the Capital Budget Department.

A-7. Resolution in Support of School Psychology Awareness Week – November 8-12, 2010 (Adopted)

Motion was made by Ms. Dinnen, seconded by Mrs. Hope and carried, to adopt Resolution #11-50, in support of School Psychology Awareness Week – November 8-12, 2010. Ms. Murray was absent for the vote. (7-0 vote)

Mrs. Bartleman read the resolution into the record, highlighting the contributions of school psychologists in providing services to students, parents and schools, and their communities.

B. BOARD MEMBERS

D. OFFICE OF THE CHIEF AUDITOR

E. CHIEF OPERATIONS OFFICER

F. CURRICULUM/EDUCATIONAL PROGRAMS & STUDENT SUPPORT

*F-1. Continuation of the Agreement with the Broward County Sheriff's Office for Delivery of Education Services to Incarcerated Youth and Adults (Approved)

Approved the Agreement with the Broward County Sheriff's Office for Delivery of Education Services.

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The agreement provides education services to youth and adults housed at the Broward County Main Jail and adults housed at the North Broward Detention Center, Joseph V. Conte Facility and Paul Rein Facility. The juvenile program is a secondary curriculum program providing intensive classes in language arts, reading, mathematics and science as well as career / post-secondary exploration. The students participate in district testing activities. The Adult General Education program includes: Adult Basic Education (ABE) and General Education Development (GED) preparation. The program is administered by Whiddon-Rogers Education Center, Central Area Office.

Program funding is separate for the youth and adult programs.

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

There is a financial impact of \$1,065, 755 to the district. The source of these funds is through Workforce Development and Florida Education Finance Program (FEFP). The district's contribution to support this item is included in the Whiddon-Rogers Education Center budget. There is no additional financial impact to the district.

G. HUMAN RESOURCES

***G-1. Personnel Recommendations for Instructional Appointments and Leaves for 2010-2011 School Year (Approved)**

Approved the personnel recommendations for the 2010-2011 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 State 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. Substitute Teachers
3. Interim Substitute Teachers
4. Instructional Leaves

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

*G-2. Personnel Recommendations for Instructional Separation of Employment or Discipline for the 2010-2011 School Year (Approved)

Approved the personnel recommendations for separation of employment or discipline as listed in the respective lists for instructional staff. All recommendations are made with the understanding that these individuals will comply with regulations/policies as set forth by the Florida State Department of Education and The School Board of Broward County, Florida.

The Personnel Recommendations for Instructional Employees include the following items:

1. Instructional Resignations/Retirements/Layoffs

There will be no financial impact to the school district.

G-3. Personnel Recommendations for Non-Instructional Appointments and Leaves for the 2010-2011 School Year (Approved)

Motion was made by Ms. Dinnen, seconded by Mrs. Bartleman and carried, to approve the personnel recommendations for appointments and reassignments as listed on the Executive Summary, respective lists and individual appointments for Non-Instructional Employees. All recommendations are made pending security clearance and with the understanding that these individuals will comply with regulations/policies as set forth by the Florida State Department of Education and The School Board of Broward County, Florida. Mrs. Hope and Dr. Parks had not yet assumed their seats on the dais. (6-0 vote)

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

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

Funding has been budgeted in 10-11 fiscal year for all appointments through June 30, 2011.

Ms. Electa Cone, district employee, addressed her years of service to the school district, her reassignment (bumping process) to a Cost Estimator position, and being placed on the layoff list, to displace her from her current position. Ms. Cone stated that she is a black female in a male-dominated industry and feels the layoff is a continued retaliatory act. Also, there have been false claims and statements, including conflicting and misleading information on her evaluation. She urged the Board to reconsider the recommendation of layoff and to review and investigate this matter in more depth.

Mrs. Victoria Kaufman, Director, Noninstructional Staffing, informed the Board that Ms. Cone is a BTU/TSP employee, and in the spring positions were eliminated in the Facilities and Maintenance jobs which caused her to displace an employee in another position with less seniority. The contract provides that employees who are placed in different departments or positions must demonstrate their proficiency to perform the duties of the new position for a period of not less than 30 days and no more than 90 days; and they shall receive appropriate orientation and training. Failure to successfully perform the new job duties will result in being placed in the layoff list for 12 months, starting with the effective date of the layoff. Ms. Cone's supervisor, Mr. Denis Herrmann, has provided documentation as to ongoing assessments reviewed with Ms. Cone to demonstrate that she did not demonstrate proficiency, and a recommendation for layoff.

Additionally, representatives from BTU have met with Ms. Cone and she has met with representatives from Employee Relations to discuss her concerns. A representative from Employee Relations and herself have met with Mr. George Segna from the BTU/TSP to review Mr. Herrmann's documentation and verified that everything was in order and that the recommendation would move forward.

Mrs. Bartleman inquired whether the employee has filed a grievance, whether due process is being followed.

Mrs. Kaufman responded that if the Board approves the recommendation for layoff the grievance will move forward.

Ms. Dorothy Davis, Specialist, Employee Relations, informed that she met with Ms. Cone on an informal basis and she filed an informal grievance with her on the issue of harassment, separate from the evaluation process and the layoff process.

Moving forward, Ms. Davis stated that a review is being made regarding her complaint of harassment in her department. The employee was informed that the process will not stop and has every right to the grievance process as outlined in her union contract.

Ms. Davis, in response to Ms. Dinnen's inquiry, stated that particular action before the Board is to place her on layoff. If her remedy through the grievance process should bear out her particular concerns, the decision will be reversed.

The following individual addressed this item:

Alfremola Martin (sic)

On behalf of the audience, Mrs. Gottlieb requested a clarification of the issues that were brought up during the grievance process.

G-4. Personnel Recommendations for Non-Instructional Separation of Employment or Discipline(s) for the 2010-2011 School Year (Approved)

Motion was made by Ms. Dinnen, seconded by Mrs. Bartleman 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 State Department of Education and The School Board of Broward County, Florida. This motion was superseded by a Motion to Defer (page 19). Mrs. Hope had not yet assumed her seat on the dais. (7-0 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.

Ms. Murray referred to a recommendation of suspension of employee Tirana Tillman, North Area Transportation, a bus driver who was text messaging while driving a school bus. She stated that an agreement was reached with the union on October 4, 2010, the first offense for texting while operating a school bus/vehicle will result in a termination.

Commending the new rule, Ms. Murray stated this incident goes beyond the rule because there was a total disregard to the safety of children and the most severe penalty should be imposed. She requested that the 5-day suspension be set aside and that termination of employment be imposed.

Motion to Terminate (No vote taken)

Motion was made by Ms. Murray, seconded by Mrs. Bartleman, to change the recommendation of a 5-day suspension to termination.

Mrs. Bartleman questioned whether legally the Board can overturn the suspension due to the new rule taking effect after the employee had committed the offense.

Mrs. Kaufman responded that the rules and penalties for bus drivers at the time of the infraction indicated the first offense as a 5-day suspension, under Rule 25. The new rule was effective October 4, 2010.

Concurring that the new rule should be enforced, Ms. Dinnen stated that the rule should not be retroactive despite the seriousness of the offense. She stated the Board could be placed in jeopardy, trying to enforce a rule that did not exist when the offense took place.

Mr. Tynan stated that the most important thing is to keep children safe, besides education. Commenting that bus drivers should know better, Mr. Tynan questioned the due process and whether the Board is following the rules that are set up for disciplining employees. He inquired whether the process has been followed up to this date.

Mr. Marko advised that the Board should stay within the rules. He stated that the district and the state, in many instances, are behind in their rules and regulations as it relates to technology that is in existence. Mr. Marko further stated that the contract language is clear as to what the penalties are and it is a bargained issue.

Mrs. Kaufman confirmed that the language that has been increased, the penalty for termination, is the subject matter of the Memorandum of Understanding (MOU) and the MOU alludes to a provision in the Transportation Department's Rules and Penalties, which is a joint agreement between the department and the union.

Ms. Gracie Diaz, Deputy Superintendent, Human Resources, informed that the rules are not published and adopted as part of a School Board policy.

Mr. Marko reiterated that he could not definitely answer without the facts and would request a deferral of the item pending a review of the item.

Ms. Murray accepted a friendly amendment to defer the item.

Motion to Separate and Defer (Carried)

Motion was made by Ms. Murray, seconded by Mrs. Bartleman and carried, to separate and defer the name of Tirana Tillman from the agenda item, pending further investigation. Mrs. Hope had not yet assumed her seat on the dais. (7-0 vote)

The following individuals addressed this item:

Charlotte Greenbarg
Billy Davison

Mr. Notter ensured that the action was taken and effective on October 4, 2010, under a Memorandum of Understanding. He thanked the Federation of Public Employees for collectively meeting with the school district to write the Memorandum of Understanding, that on the first offense it is immediate termination. The Superintendent supports the deferral so that the right process is followed on this issue that occurred prior to October 4, 2010.

Remarking that she supports the deferral, Ms. Dinnen stated that the item is not specifically spelled out in the contract but when procedures are changed, the union can demand that the impact of the change be bargained. Ms. Dinnen stated that a deferral will be beneficial so the Board can know the circumstances of the issue.

A vote was taken on the deferral.

Mrs. Gottlieb stated that the Board will continue with the item on the table.

Mr. Johnny Larkin, Dispatcher, Northwest Area Transportation, stated that his name has been submitted for termination. He stated that he had several medical problems that has caused his tardiness but he had notified his employer in a timely manner. Mr. Larkin requested a deferral of his case so he can address the Board outside a public forum.

Responding to Mrs. Bartleman's inquiry, Mrs. Kaufman informed that the same process would occur, with the Board approving the termination today and the employee would file a grievance. She informed that she met with Mr. Larkin and his FOPE representative and he was advised as to the process.

Dr. Parks stated that the employee was given a Last Chance agreement in 2007-2008, as he had many years of excessive absenteeism, and he was represented by FOPE.

The following individuals addressed this item:

Billy Davison

Mr. Carter informed that the bus driver has not been driving a school bus and the item will be brought back to the November 9, 2010 Regular School Board meeting.

Special recognition was given to Ms. Gracie Diaz, Associate Superintendent, Human Resources, by Mrs. Gottlieb and Dr. Parks. Dr. Parks stated that Ms. Diaz has been a major asset to the district and he is proud of her success.

Mrs. Bartleman, who noted that she and Ms. Diaz received their Master's degrees at the same time in Educational Leadership, thanked her for putting kids first.

Ms. Dinnen stated that Ms. Diaz has handled the district's difficult economic times and personnel issues with grace and diplomacy.

Mr. Williams expressed his appreciation to Ms. Diaz' handling of the process.

Ms. Murray praised and congratulated Ms. Diaz on her appointment.

In addition, Mrs. Bartleman and Mr. Tynan acknowledged and congratulated newly-appointed district personnel.

*G-5. Supplemental Pay Positions – List #7 (Approved)

Approved the recommended supplemental pay positions of employees for the 2010-2011 school/ fiscal year.

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

The Specific Supplemental Pay Positions include the following type of supplements: Secondary department chairpersons high school; secondary department chairpersons and/or team leaders middle school; elementary grade level chairpersons and/or team leaders; athletic supplements; general supplements; and special supplements for the 2010-2011 school years.

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

Individuals listed meet the requirements for the supplemental positions. The total number of Supplements recommended in this item is **802**.

Funding has been budgeted in 2010-2011 school/fiscal year for all supplements through June 30, 2011.

G-6. Recommendation(s) for Instructional/Noninstructional Discipline for the 2010-2011 School Year (Approved)

Motion was made by Mr. Tynan, seconded by Mrs. Bartleman and carried, to approve the recommendation(s) for discipline as listed on the list for Instructional/ Noninstructional staff. All recommendation(s) are made with the understanding that these individuals will comply with regulations/policies as set forth by the Florida State Department of Education and The School Board of Broward County, Florida. Mrs. Hope had not yet assumed her seat on the dais. (7-0 vote)

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

School Board processes for disciplinary action. The requested action(s) is listed on the attachment.

H. ATTORNEY

I. OFFICE OF THE SUPERINTENDENT

*I-1. 2011 State Legislative Program (Adopted)

Adopted the Proposed 2011 State Legislative Program for The School Board of Broward County, Florida.

The proposed 2011 Legislative Program for The School Board of Broward County, Florida, contains issues discussed by the School Board, Superintendent, and staff, as well as, issues of critical concern to school boards across the state. The program deals with issues of priority concern and additional substantive issues. The Broward program, along with that of the Greater Florida Consortium of School Board's program, will constitute the focus of the Board's 2011 legislative effort. Throughout the 2011 session activities, the Board will continue to have the opportunity to amend its program and take official action on additional issues as they materialize.

There is no financial impact to the district.

*I-2. Educator Certification Program (Approved)

Approved a continuation agreement between The School Board of Broward County, Florida, and WorkForce One, and the Business Associate Addendum appended to the Agreement.

The Teaching and Leadership Center's Educator Certification Program proposal was selected and awarded an Employed Worker Training grant from WorkForce One for the sixth consecutive year. The objective of the grant is to assist employees who must complete required training or coursework to retain their employment.

The goal of the Educator Certification Program is to select fifty (50) educators on temporary certificates who must complete up to 15 semester hours of college coursework to obtain their professional certification. The Teaching and Leadership Center will provide program participants with an individual course outline needed for professional certification and register the participants in the college courses. The courses will be delivered through Florida Atlantic University at no tuition costs to the participants. Preference will be given to teachers in Differentiated Accountability Schools and those in critical shortage areas. The program participants will be required to sign an agreement to complete the program by June 30, 2011, and a promissory note for reimbursement of any college courses that are dropped or in which the participant receives a grade below a "C".

The program has shown promising results from 2005-2010, culminating in providing assistance to 285 contract teachers in their third and final year of their temporary certificate. These participants achieved professional certification and remained employed as a direct result of this program.

As part of the agreement, WorkForce One requires that the School Board approve and execute a Business Associate Addendum to comply with the Health Insurance Portability and Accountability Act of 1996 (HIPAA).

This agreement will be effective on the date that the contract has been executed by both parties. The term of the Agreement shall conclude on June 30, 2011.

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

The positive financial impact is \$65,971.40. The source of funds is WorkForce One – Employed Worker Training Program. There is no additional financial impact to the school district.

*I-3. Greater Florida Consortium of School Boards Proposed 2011 Legislative Program (Adopted)

Adopted the Proposed 2011 Legislative Program for the Greater Florida Consortium of School Boards.

The Greater Florida Consortium of School Boards is an organization comprised of 11 Florida school districts that have joined together to forward mutual legislative issues. The Consortium met on September 24-25, 2010, in Key West, Florida, to draft a proposed 2011 Legislative Program which contains issues that are either unique to the member districts or are of a statewide nature, but have a great deal of impact on these particular districts. Some of the issues will be contained in the Broward School Board's 2011 Legislative Program and all of them will be forwarded by the Broward lobbying team, joined by lobbyists who represent the other Consortium districts.

Under the Consortium's bylaws, all of the issues in the proposed program must have a unanimous approval from every School Board in the Consortium or the item cannot be included in its final program.

There is no financial impact to the school district.

J. FACILITIES AND CONSTRUCTION MANAGEMENT

***J-1. Change Orders (Approved)**

Approved change orders as listed for various school projects.

<u>Anderson, Boyd H. High</u> (IAQ)		Change Order 09	\$10,299
Consultant Error	\$10,299		
<u>Anderson, Boyd H. High</u>		Change Order 22	\$3,015 (CREDIT)
(Kitchen/Cafeteria and Drainage)			
Owner Request	\$3,015 (CREDIT)		
<u>New Elm C (G-1)</u>		Change Order 08	\$68,090
Consultant Omission	\$3,910		
Owner Request	\$22,638		
Unforeseen Condition	\$41,542		
<u>Colbert Elementary</u>		Change Order 03	\$8,786
Consultant Error	\$4,454		
Consultant Omission	\$4,332		
<u>Ely, Blanche High</u>		Change Order 01	\$0
Unforeseen Condition	\$0		
<u>Forman, Blanche (Nova) Elementary</u>		Change Order 03	\$0
Unforeseen Condition	\$0		

All projects have been appropriated in the Adopted District Educational Facilities Plan (September 7, 2010), and in the District's Capital Budget. There is no additional financial impact to the district.

***J-2. Approve Contract Extension – Asbestos Sample Analysis – Group 1 – Bid No. 2007-07-FC (Approved)**

Approved the contract extension for Asbestos Sample Analysis – Group 1, Bid No. 2007-07-FC for one additional year.

The School Board of Broward County, Florida, approved the award of contracts for Asbestos Sample Analysis on November 14, 2007, with a contract period of three (3) years from November 1, 2007 through October 31, 2010, and may, by mutual agreement between The School Board of Broward County, Florida, and the Contractor, upon final School Board approval, be extended for two additional one-year periods.

This action is in accordance with the contract which provides that at the sole discretion of The School Board of Broward County, Florida, as per the Invitation to Bid, Section 4, Special Conditions, Contract Extension, the Board may extend this contract for two additional one-year periods.

Contractor: E.M. Analytical, Inc.

Scope of Work

The purpose of this Bid is to establish a term contract for all associated work for Asbestos Sampling.

The sources of funds for these projects are included in the Adopted District Educational Facilities Plan, Fiscal Years 2010-2011 to 2014-2015. There is no financial impact; therefore this item does not require a collaboration form from the Capital Budget Department.

- *J-3. License Agreement with the Greater Fort Lauderdale/Broward County Convention Center to Hold Showcase 2011 (Magnet Programs)
(Approved)

Approved the license agreement with the Greater Fort Lauderdale/Broward County Convention Center to hold Showcase 2011 (Magnet Programs).

Showcase 2011 will provide parents and students with an overview of the unique educational opportunities available through Magnet Programs.

The Greater Fort Lauderdale/Broward County Convention Center will lease their facility to the School Board to hold the Magnet Program's Showcase 2011. This is a one-day event scheduled for December 8, 2010.

It is the policy of the Convention Center for the licensee to execute the agreement first.

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

The financial impact to the school district is estimated to be \$4,000. The source of funds is the Magnet Programs department budget.

- *J-4. Pre-Qualification of Contractors – Approval of Application and Issuance of Certification
(Approved)

Approved the recommendations of the Superintendent indicated in Exhibit 1.

The Qualification Selection Evaluation Committee (QSEC) convened on October 6, 2010, to review Contractor Pre-Qualification Staff Application Review Executive Summaries received for the following contractors and makes the following recommendations to the Superintendent of Schools:

All-Rite Paving Contractors, Inc. – Issue Recommendation to Not Certify
 **Ampco Electric, Inc. – Approve Appeal to Issue Pre-qualification Re-Certification
 Burke Construction Group, Inc. – Issue Pre-qualification Re-Certification
 Coltec Engineering, Inc. – Issue Pre-qualification Re-Certification
 Comfort Tech Air Conditioning, Inc. – Issue Pre-qualification Re-Certification
 D. Stephenson Construction, Inc. – Issue Recommendation to Not Re-Certify
 Green Construction Technologies Inc. – Issue Recommendation to Not Re-Certify
 **Koldaie, Inc. – Issue Pre-qualification Re-Certification
 Lambert Bros., Inc. – Issue Recommendation to Not Re-Certify
 Lutz Petroleum Equipment Installations, Inc. – Issue Pre-qualification Re-Certification
 **McNeill Signs, Inc. – Issue Pre-qualification Re-Certification
 Moss & Associates, LLC – Issue Pre-qualification Re-Certification
 Tecta America South Florida, Inc. – Issue Pre-qualification Re-Certification
 Walker Design & Construction Co. – Issue Pre-qualification Re-Certification
 Weiss & Woolrich Contracting Co., Inc. – Issue Pre-qualification Re-Certification

*New Certification **Certified M/WBE and/or SBE

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

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

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

- *J-5. Grant of Easement, Affidavit and Bill of Sale to the City of Sunrise for Utility Improvements at Horizon Elementary School (Approved)

Approved the Grant of Easement, Affidavit and Bill of Sale to the City of Sunrise for Utility Improvements at Horizon Elementary School.

The proposed 9' Utility Easement and Affidavit requested by the City of Sunrise to provide installation of a water line at Horizon Elementary School.

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

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

- *J-6. Reciprocal Use Agreement between The City of Oakland Park and The School Board of Broward County, Florida (Approved)

Approved the Reciprocal Use Agreement between The City of Oakland Park and The School Board of Broward County, Florida.

This agreement will allow the City to use School Board facilities and allow the various schools within the City to use City facilities. Without this agreement, each party would be required to provide proof of insurance and indemnification on a case-by-case basis. This agreement provides these items and eliminates the need for this continuing repetitive documentation. The City will also be able to utilize school facilities for summer programs and other activities on non-school days.

The term of the agreement is for five years at no cost to the Board.

The City will execute this agreement after School Board approval.

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

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

- *J-7. Lease Agreement between Carolina Trees, Inc., and The School Board of Broward County, Florida (Approved)

Approved the lease agreement between Carolina Trees, Inc., and The School Board of Broward County, Florida.

Each year, the West Pines Optimist Club hosts a fund raising event selling Christmas trees at the south area portable site on SW 172nd Avenue and Pines Boulevard in Pembroke Pines between November 5 and December 20. Carolina Trees, Inc., handles the sales, arranges and pays electrical service charges and cleans up the site at the end.

A portion of the proceeds raised is donated to the youths of the community and the school occupying the portable site. In addition, Carolina Trees, Inc., will make a donation to the School Board for student activities and programs at Pembroke Pines schools in lieu of a rental fee.

In years past, the agreement was handled through the school and area superintendent under School Board Policy 1341, Use of Broward County School Facilities for Non-School Purposes. The donation to the school was deposited in the school's Internal Accounts Trust Fund. The site is no longer used as a school annex.

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

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

K. OFFICE OF CHIEF FINANCIAL OFFICER

OPEN ITEMS

AA. RESOLUTIONS

BB. BOARD MEMBERS

CC. BOARD POLICIES

CC-1. Revisions to Exceptional Student Education Policies and Procedures (SP&P) (Approved)

Motion was made by Ms. Dinnen, seconded by Mr. Tynan and carried, to approve Revised Policy 6000.4, Exceptional Student Education Policies and Procedures (SP&P), at this first reading. Mrs. Hope had not yet assumed her seat on the dais. Dr. Parks was absent for the vote. (6-0 vote)

This revision includes requirements by the State to align with the Florida State Statutes and State Board of Education. The changes are in **Part 1, General Policies and Procedures, Section A: Legal Requirement**, and to State Board of Education Rule changes during 2009-10, (See Exhibit #1). The language by the State cannot be revised as it provides the policy necessary to comply with the Individuals with Disabilities Education Act 2004 (IDEA).

Federal and Florida State law requires that School Boards adopt, as policy, the **Exceptional Student Education Policies and Procedures (SP&P)**, in order to receive Federal and State funding. This document describes the process for determining eligibility, developing individual education plans (IEPs), for students with disabilities, developing education plans (EPs) for gifted students, and making placement decisions for exceptional students. The School Board previously approved SP&P for 2009-2010 through 2011-2012.

Exhibit #1 is an Amendment Table, August 2010, to the sections and changes required for the district. The district is allowed to enter local policy statements in boxed areas only. Exhibit #2 is the revised SP&P document.

There is no financial impact to the district.

No discussion was held on this item.

- CC-2. Revisions to School Board Policy 5000 – Adequate Educational Facilities, Designation of Schools and Attendance Areas, Development of Positive Alternatives to Accommodate Growth, to Keep Schools Open, and to Eliminate, Consolidate and Re-purpose Schools (Approved)

Motion was made by Mrs. Bartleman, seconded by Ms. Dinnen and carried, to approve revisions to School Board Policy 5000, at this first reading. Mrs. Hope had not yet assumed her seat on the dais. Dr. Parks was absent for the vote. (6-0 vote)

A review of Policy 5000 has been completed. Recommendations have been reviewed and approved by Executive Leadership, District legal counsel, and the School Board. The proposed changes in standards for overcrowded schools and their implications have been presented at the September 14, 2010 Board Workshop.

The recommendations include changes to allow consistency with School Board Policy 1161.

There is no additional financial impact to the school district.

No discussion was held on this item.

- CC-3. Amend Policy 5004.1, for the Purpose of Clarifying Processes for Parental Options (Approved)

Motion was made by Ms. Dinnen, seconded by Ms. Murray and carried, to approve the recommendation to amend Policy 5004.1, for the purpose of clarifying processes for parental options, at this first reading. Ms. Murray was absent for the vote. Mrs. Bartleman voted “no.” (6-1 vote)

At the September 14 and 28, 2010 School Board Workshops, the Board reviewed the above proposed policy for Innovative Programs/Parent Options. As a result of the School Board Workshops, the proposed amendment of current policy is being brought forward for approval. Through this amended Innovative Programs/Parent Options Policy, all components including: timelines, application processes, criteria, priorities, and parent/student notification, will be unified.

This policy has been reviewed by the School Board Attorney.

There is no financial impact to the district.

Discussing reassignments, Mrs. Bartleman stated that she is in support of phasing in any boundary changes into existing schools. She inquired whether the phasing-in portion can be included in the boundary policy.

Dr. Joanne Harrison, Deputy Superintendent, Educational Programs and Student Support Services, responded that the phasing-in is part of the procedural guides. She informed that this is presented to the Board annually but if there are any extenuating circumstances, for any reason there could not be a phase in or would not phase in, there may be a need to submit a policy change. Dr. Harrison stated that with the policies there are procedural guides and the goal is to get Board approval so that it will become part of the procedural guides. Dr. Harrison further stated that staff believes in that process but there are times, if an emergency situation or a school becomes overcrowded and phasing in cannot occur, that it will become a policy issue as compared to a procedural guide.

Mrs. Bartleman stated that after the boundary change at West Broward High School, which was necessary to open a new school, she believes that the impact should be minimized on children. Remarking that the next two years will result in re-boundarying into existing schools, Mrs. Bartleman stated that the Board has always concurred with phasing in, as that is the best for children. She said if that is the belief of the Board it should be put in writing, although emergency issues can arise.

Dr. Harrison informed that a boundary workshop will be held with the Board on October 26, 2010, which will give the Board an opportunity to discuss these issues again, the presentation of phase in.

Referring to the Nova Schools and the magnet schools, Mrs. Bartleman stated that charter school parents have been asked to leave their school because of a child's behavior. Mrs. Bartleman requested language included in the policy regarding the family going through a response intervention, which is what the district is currently doing. She stated that having language in the policy will protect the parent when a child is having an issue at their school.

Dr. Harrison responded that the changes in this policy is to align with other policies. She stated that in practice the district does not move the child to another school if there were issues that were not addressed through collaborative problem-solving.

Mrs. Gottlieb stated that the Board should be provided with the language, its options and what it entails.

Mr. Marko advised that amending the policy consists of presenting the language at the second and final reading; if a substantive change is made at the final reading it would require a third reading.

Remarking that procedures and guidelines were discussed at a Board workshop, Ms. Dinnen stated that the process of going through the action is a guideline and is not necessarily a policy.

Mrs. Bartleman stated she would prefer a similar intervention process, as referred to on page 15/19 of the policy. She stated that even though it is a procedure, it sends the message that the Board does not “kick” children out of school because of a behavior problem.

Motion to Table (Carried)

Motion was made by Mrs. Bartleman, seconded by Dr. Parks and carried, to table the item pending meeting with staff to ascertain the appropriate language for an amendment. Mrs. Hope had not yet assumed her seat on the dais. (7-0 vote)

A vote was taken on the Motion to Table.

Mrs. Gottlieb stated that the item will be further discussed until later in the meeting.

Following the action of Agenda Item A-2, a motion was made by Ms. Dinnen, seconded by Mrs. Bartleman to place the item on the table for further discussion.

Mrs. Bartleman thanked Mrs. Leona Miracola, Director, Innovative Programs, for identifying the language that she also concurred with, and said that no child should be removed from any school for any reason.

CC-4. Approval of Revisions to School Board Policy 1163 – Charter Schools
(Approved)

Motion was made by Ms. Dinnen, seconded by Mr. Tynan and carried, to approve revisions to Policy 1163, at this first reading. Mrs. Hope had not yet assumed her seat on the dais. (7-0 vote)

Policy 1163 – Charter Schools was last updated in 2007. Since that time, there have been statutory changes affecting charter schools, which necessitate that the policy be revised and aligned to current requirements. The proposed changes have been presented to the Charter School Task Force, the Florida Consortium of Public Charter Schools, the Charter School Principals, and have also been reviewed and approved by legal counsel.

There is no financial impact to the district.

No discussion was held on this item.

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

Adjournment This meeting was adjourned at 2:35 p.m.

RT