

Approved in Open Board Meeting, November 12, 2008

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

October 21, 2008  
Tuesday, 10:15 a.m.

MINUTES OF REGULAR MEETING

The School Board of Broward County, Florida, met in regular session at 10:18 a.m., Tuesday, October 21, 2008, in the Board Room of the Kathleen C. Wright Administrative Center, 600 Southeast Third Avenue, Fort Lauderdale, Florida. Present were Chair Robin Bartleman; Vice Chair Maureen S. Dinnen; Members, (Beverly A. Gallagher was absent), Jennifer Leonard Gottlieb, Phyllis C. Hope, Stephanie Arma Kraft, Esq., Dr. Robert D. Parks, Eleanor Sobel, Benjamin J. Williams, Superintendent James F. Notter, and Edward J. Marko, Esq.

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

**Minutes for Approval** Motion was made by Ms. Dinnen, seconded by Mrs. Hope and carried, to approve the official minutes for the following Board Meetings: Ms. Gallagher was absent. Mrs. Kraft had not yet assumed her seat on the dais. (7-0 vote)

September 23, 2008 – Regular School Board Meeting  
October 7, 2008 – Special – Student Expulsions

**Added Items** Four (4) speakers

**Close Agenda** Upon motion by Dr. Parks, seconded by Ms. Dinnen and carried, the Agenda was approved and declared closed. Ms. Gallagher was absent. Mrs. Kraft had not yet assumed her seat on the dais. (7-0 vote)

**SPECIAL PRESENTATION**

Recognition of Hector Varas, Crystal Lake Community Middle School World Languages Teacher

Mrs. Bartleman announced that Mr. Varas was recognized for receiving Governor Charlie Crist's Hispanic Heritage Month Excellence in Education Award this month.

Mrs. Bartleman stated that for the past eleven years, Mr. Varas has taught over 1,500 students in Teenagers Education in English and Spanish (TEENS) Magnet program at the middle school level. The program is designed for students of Hispanic culture who speak Spanish fluently but do not read Spanish and have limited understanding of their Hispanic culture. Mr. Varas works with these students to help them become truly bilingual by strengthening their reading and writing skills in Spanish and English as well as providing activities based on learning experiences that promote cultural awareness and pride.

Mrs. Bartleman further stated that students have learned pride and respect for their heritage, culture, family, classmates and themselves. Cultural pride and respect has brought out the best in students who previously faced obstacles in their personal, social and academic development. Mr. Varas removes barriers for success by teaching his students to rely on their own inner strengths by creatively demonstrating the historical resilience of their Hispanic heritage. Mr. Varas humbly presents himself as a role model combining cultural pride as well as professional success as a master teacher in America.

Appearing via teleconference, Mr. Varas, who stated it is an honor to introduce Spanish to Florida students, thanked his brother Roberto and his wife, Ana Varas, for having the vision to introduce him to teaching, beginning at Markham Elementary, Broadview Elementary, and currently at his home, Crystal Lake, with Principal James Neer. Mr. Varas thanked the School Board for honoring him today.

Mr. Carl Quanstrom, Magnet Coordinator, thanked the School Board for honoring Senior Varas, for he has worked very hard for 11 years through the support of administration and staff. He noted that it was very fitting that Dr. Frances Haithcock, Florida Public Schools Chancellor, initially assisted the school in starting this program when she was a Deputy Superintendent with the School Board. Mr. Quanstrom further stated the award is very well deserved and Crystal Lake is honored that Senior Varas has chosen Crystal Lake as his home.

Mrs. Bartleman stated that the School Board is very proud of Mr. Varas.

Mrs. Gottlieb congratulated Hector and expressed gratitude for all he has done. She stated that she and Hector worked together for a long time and considers him a friend for even a longer time. Mrs. Gottlieb further stated that Hector's dedication and work ethic is an excellent example and he truly deserves this recognition and award today.

Ms. Dinnen congratulated Hector for this honor. She stated that Hector is an example of the well-rounded person that works in the district; being dedicated to children in the district and representing fellow colleagues. Ms. Dinnen stated the Board appreciates Hector's hard work and celebrates this honor which is well deserved.

## **REPORTS**

### **District Advisory Council** – Jeanne Jusevic

Ms. Jusevic reported that DAC met on October 15, 2008. The topic of discussion was the budget and guest speaker was Board Member Mrs. Eleanor Sobel.

The Gifted Advisory Council was added to the membership of the DAC bylaws. This change will be submitted to the Board on November 12, 2008.

The Legislative subcommittee addressed the membership, indicating that they are producing a short advocacy handbook for parents. It will contain how-to instructions on how to write a letter, make a phone call and to advocate for or against a bill. It will also contain the addresses and phone numbers of the legislators that will be in the 2009 State Legislature.

Mrs. Jusevic also reported that the Strategic Goals subcommittee met and asked the general council for more guidance. The subcommittee will meet next week to begin formulating discussion questions for the next general meeting. The topic will be the direction DAC should be taking and how to better assist the district in re-engaging parents. Mr. Notter has been invited to attend, as well as a standing invitation to Board Members.

Other highlights of the meeting included reading Board Member Mrs. Hope's letter regarding her former appointee, John Labriola; and a discussion on the Attendance Committee minutes. This information will be brought back to Area Chair groups for further discussion.

DAC Steering Committee met with Mr. Notter on October 17, 2008. Topics of discussion included a strong message of objection by DAC regarding the change in the state law relating to the SAC composition and Mr. Marko's interpretation of what constitutes an employee. In addition, there was discussion regarding the need for training, and Mr. Notter indicated he will arrange for parliamentary and Sunshine training for November. The Superintendent said he is also looking at a parent academy model for the development of district-wide parent leader training.

The DAC SAF Resource manual is being distributed by the Area Chairs. There are plans to transition to a web site. The current web site being utilized is: <http://sites.google.com/site/browarddistrictadvisorycouncil/>. This will allow access by parents to DAC information.

The next DAC meeting is scheduled for November 12, 2008, at the South Area office, beginning at 6:30 p.m.

A comprehensive written report was submitted to the Board.

#### Broward County Council PTAs/PTSAs

Mrs. Bartleman stated that a Special Presentation will be made at 2:00 p.m., with the PTAs/PTSAs Site Visitation team.

#### Broward County Association of Student Councils and Student Advisor to the Board - Eric Kazmierczak

Eric reported that BCASC met on October 15, 2008, at Cooper City High School. Consensus was reached that each school will create a project in support of Anti-Bullying Week.

On Friday, October 17, 2008, Kids Voting Broward was held at Pompano Beach High School, with over 200 students from schools around the county supporting students voting and to learn about different elected officials from their area.

Speak Up and Speak Out sessions were conducted throughout the day, gathering opinions of students on topics the School Board will be talking about in upcoming workshops.

A comprehensive written report was submitted to the Board.

#### Employee Unions – Bernie Schultz

Ms. Schultz, on behalf of Broward Teachers Union, congratulated Mr. Hector Varas, Teacher, Crystal Lake Community Middle School, for receiving Governor Crist's Hispanic Heritage Month Excellence in Teaching Award. Mr. Varas, who will be recognized by the School Board this morning, has been an active member of BTU's Executive Board for many years.

Ms. Schultz stated that Mr. Varas exemplifies the dedication and love of teaching that education professionals perform every day on a day-to-day basis. BTU extended a "job well done" to Mr. Varas and Broward County teachers.

#### Diversity Committee – Roland Foulkes

Mr. Foulkes informed the Board that he is calling an emergency forum moderated by a former U.S. Department of Justice official for Tuesday, November 11, 2008, 6:00 p.m., at the KC Wright Administration Center Board Room. Invited will be the Anti-Defamation League (ADL), The Council on American-Islamic Relations (CAIR), Americans Against Hate (AAH), Jewish-Arab Dialogue Associations (JADA), Jews, Muslims, Christians and All (JAM); American-Muslim Association of North America (AMANA); the National Association for the Advancement of Colored People (NAACP); and others.

Mr. Foulkes thanked Mr. Notter for his positive comments about the Diversity Committee during the Broad Foundation event in New York City. The Superintendent cited the Diversity Committee for helping the district with minority student achievement. The Diversity Committee looks forward to seeing Mr. Notter at their November 6, 2008.

Mr. Foulkes informed the public about the Diversity Committee website, which is listed in the School Board's website. He stated that the Diversity Committee was established on August 6, 1996, to assist the Superintendent and the School Board in meeting their commitment to promoting diversity. The committee members have diverse backgrounds and represent the various geographic areas of the county. The primary responsibility of the committee is to make recommendations to promote diversity through the Superintendent, to the School Board, while maintaining a unitary system.

Mr. Foulkes stated that since 2000, the Diversity Committee has been monitoring equity in the district. He noted that diversity and equity do not equal one another. As a part of this equity focus the Diversity Committee monitors nine conditions of the Citizens Concerned for Our Children (CCC) lawsuit settlement agreement, the School Board's performance: technology, textbooks, standards of service, advanced placement, athletics and activities, student discipline, capital plan for five years, student assignment and reassignment, and media centers. The court order also required the Superintendent to release an annual status report, and a formal written response will now be provided by the Diversity Committee, as it has not done so in the past.

Mr. Foulkes informed the Board that a visit was made to Boyd Anderson High School, and after numerous meetings all of the concerns the Diversity Committee had in February 2008 have been completed regarding projects at the school. Mr. Foulkes recognized district staff for providing their help to the Diversity Committee.

Mr. Notter noted that the district's committees function the way the Board believes they should function, in a check and balance model.

Mr. Foulkes stated that this model will be introduced to other schools where there are severe problems, structurally and academically.

A comprehensive written report was submitted to the Board.

Mr. Foulkes discussed the issue of Americans Against Hate and the ADL, and provided the Board with highlights of correspondence and news articles related to the organizations, included memorandum by Dr. Joseph Melita, Executive Director, Special Investigative Unit, indicating there is no record on either Mr. Ali or CAIR, and no reason to question the credibility of Mr. Ali.

Mr. Foulkes further discussed Mr. Jawhar "Joe" Badran, and extended gratitude to Dr. Parks for appointing Mr. Badran, a Palestinian Muslim-American, a diverse and committed individual to present and future Broward students.

Mr. Foulkes clarified misinformation and lies that have been circulated via e-mail to School Board Members and staff, questioning his commitment to the Diversity Committee, the district, and the United States.

A comprehensive written report was submitted to the Board.

## **BOARD MEMBERS**

Mrs. Gottlieb congratulated everyone for assisting the School Board in becoming a finalist in the Broad Foundation and to be a part of the ceremony in New York. She congratulated Mr. Notter for representing the district.

Mrs. Gottlieb recognized the Broward Education Foundation last week. The City Success Fund grants were given out and the city organization handed out several scholarships to several teachers, provided by the mentorship program.

Mrs. Gottlieb participated in the Kids Voting Forum at Pompano Beach High School with Mrs. Hope, Mrs. Kraft, Mrs. Bartleman and Ms. Dinnen. She said this was a great opportunity for students to ask questions of local elected officials, including School Board Members.

Mrs. Gottlieb visited Kids in Distress, an organization that cares for infants and children who are Broward students.

Mrs. Gottlieb congratulated Ms. Dinnen for receiving the First Ladies of Broward award.

Mrs. Hope thanked the Broad Foundation for the \$250,000 award to the district for scholarship money for its students. She said it was an honor for the district to be selected as one of five finalists out of the top 100 urban schools.

Mrs. Hope attended the Kids Voting political forum at Pompano Beach High School with School Board colleagues.

Mrs. Hope stated that Sawgrass Elementary School hosted the current National PTA President and the President-Elect for the National PTA office yesterday. Sunrise City Commissioner Donald Rosen also attended the visitation. Mrs. Hope thanked Principal Mr. Charles Radkowski; Florida PTA President Michael Ryan and Marlene Valise for hosting the event and showcasing Sawgrass Elementary.

Mrs. Hope shared pictures of the Women and Minority Community Forum held on September 25, 2008, in the Board Room.

Mrs. Hope showcased missing student Dredon Edward, date of birth August 3, 1995, from Fort Lauderdale. Anyone having information can contact local authorities or the National Center for Missing and Exploited Children.

Mrs. Hope congratulated Ms. Dinnen for receiving the First Ladies of Broward award.

Dr. Parks informed his colleagues that he attended the Environmentalist of the Year Award at the International Fishing Hall of Fame. Dr. Parks stated that several groups were represented and students from elementary, middle and high school received environmental awards. Ms. Sue Whiting was recognized as Administrator of the Year, as recognized by the Environmental Coalition Council. Dr. Parks stated that the Council is made up of every environmental group, such as the Sierra Club and Wildlife Habitat.

Dr. Parks requested that a special presentation be held at a future Board meeting for the three teachers and three students from elementary, middle and high school, and Ms. Whiting for recognition in the environmental event.

Mrs. Kraft discussed Agenda Item A-4, Resolution in Support of National Breast Cancer Awareness Month – October 2008. She stated that breast cancer is very important for everyone to be aware of and discuss. Mrs. Kraft suggested, at the discretion of the Superintendent and school personnel, that age-appropriate students encourage their family members to have appropriate screenings.

Mrs. Kraft referred to Agenda Item A-3, Resolution in Support of Anti-Bullying Week. She stated there will be a number of activities that will be scheduled for Anti-Bullying Week, and that schools should take advantage of this resolution and plan appropriate activities. Mrs. Kraft noted that this is the first year that the district is having an Anti-Bullying policy and an Anti-Bullying Week.

Mrs. Kraft thanked all members of the Insurance Committee, including Dr. Parks and Mrs. Bartleman, for their hard work this past month. Mrs. Kraft stated that a recommendation was made which will be presented to the Board on October 28, 2008.

Mrs. Kraft stated that the Kids Voting Forum was an amazing success. Mrs. Kraft stated there was a continuing theme that take-home books is still an issue. She said when new sections of Advanced Placement (AP) classes have been opened there has not been a purchase of additional AP books. Mrs. Kraft requested a follow-up regarding the take-home books and to have a general discussion or update about AP classes. She said that schools are encouraged to offer more AP courses so that more students can take AP courses. Mrs. Kraft acknowledged that budget cuts are causing a constraint on schools in ordering additional books and there are some AP courses that may have been cut or curtailed. She requested that staff address how to increase involvement in AP courses when there is no funding from the state to pay for the AP courses.

Mrs. Kraft advised her colleagues that over the weekend she and Representative Ari Porth, Dr. Louise Ball, Curriculum Specialist, Secondary Social Studies, and staff members reviewed 17 proposed bills that students submitted. Interviews for finalists will be reviewed next week.

Student Advisor Scott Schwartz informed the Board that all schools are supporting having one project during Anti-Bullying Week, and a report with pictures will be sent to the Broward County Association of Student Councils.

Scott stated that many students were concerned about not having books for AP courses, and having to carry four or five books throughout the day, including having lockers for these students. He suggested that many books are online, or a CD, which could save the district funds.

Mr. Williams informed his colleagues that the Million Father March dinner will be held tomorrow evening at the Blanche Ely Innovation Zone, one of the largest dinners for dads. Gratitude was extended to the special committee, principals and district staff for their involvement in this event.

Mr. Williams acknowledged Ms. Dinnen for receiving her outstanding awards, and to Mr. Notter for receiving the Gentlemen of Broward award.

Mr. Williams stated that the Kids Voting Forum was fantastic. He stated that Broward students are very concerned and are keeping informed on the political aspects of our society. Mr. Williams stated it was very rewarding to have representatives from all schools involved in this event.

Mr. Williams stated that high school students have registered over 9,000 students ages 16-18, and 3,600 students will be voting for the first time in this election. Mr. Williams thanked district staff for getting students involved. Mr. Williams, who praised Supervisor of Elections Brenda Snipes, stated that Dr. Snipes' office has received the Stars and Stripes Award for Best Partnerships, a national award. Broward County students have been more involved in this political process than any other school district in the United States.

Mrs. Bartleman congratulated Ms. Dinnen for receiving the First Ladies of Broward award and Mr. Notter for receiving the First Gentlemen of Broward award.

Mrs. Bartleman thanked Team Broward for the Broad Foundation recognition and thanked everyone for doing an excellent job, and thanked teachers and staff for their hard work.

Mrs. Bartleman attended Cypress Bay High School and visited the Philosophy II honors class taught and created by Mr. Ralph Cannizzaro. The class uses a textbook that is utilized in graduate schools across the country and Canada, and in undergraduate programs. The author of the book, Professor Richard Tarnis, spoke to the class, and indicated that the questions he received from students were the most intelligent, thought-out questions he had ever received.

Mrs. Bartleman thanked Ms. Latha Krishnaiyer, Florida PTA Consultant, and everyone who was part of the Kids Voting Forum and for getting students involved. She voiced concern over the questions regarding books and access to AP books. Mrs. Bartleman voiced concern over books at Hallandale High School, in addition to construction at the building, though they have been informed that a new A/C system is being installed.

Mrs. Bartleman discussed the article in the Sun-Sentinel, Schools Seek Way to Increase Funding. She stated there were many rumors and questions that students had at the Kids Voting session regarding the different program cuts. She stated students want to know how this will impact their day-to-day activities. Mrs. Bartleman suggested staff to engage the public and students in the process.

Mrs. Bartleman visited West Hollywood Elementary School and their Tribes program, a proactive program that promotes a climate of mutual respect and character building within a school, including learning respect for different abilities, cultures, gender and dreams. Mrs. Bartleman, who noted that a certified trainer of this program is on staff to train teachers and students, stated that this program is offered at a lot of schools throughout the county.

Mrs. Bartleman visited Sawgrass Elementary to meet with PTA officials, and thanked Mr. Ryan who was showcased in the news for his appointment as Florida PTA president.

Ms. Dinnen thanked her colleagues and members of the Broward County Fair for their awards, First Ladies and First Gentlemen of Broward. She said she was very pleased and honored. Ms. Dinnen said she was also pleased to receive the Florida Education Legacy Award, and other individuals also received this award.

Ms. Dinnen informed her colleagues about the climate of education in Broward County in 1967-68 and the under-funding that was occurring during this time. She stated that many of the things that are happening in education today are very reminiscent of what was occurring in 1967-68. Ms. Dinnen stated that Broward County educators went out in 1967 with resignations when there was no collective bargaining, and the state of Florida did the same thing the following year. She said that as a result of this action there was an infusion of money into the system.

Ms. Dinnen stated that she met with residents of Shady Banks, the community that will bring their concerns to the Board regarding the Hortt facility.

Ms. Dinnen attended the Downtown Council of the Greater Fort Lauderdale Chamber of Commerce meeting held at the Florida Atlantic University building. Ms. Dinnen stated they discussed the different architecture programs and praised the students that were recruited from the Broward school system.

Ms. Dinnen met with representatives of all five educational organizations in Tallahassee to discuss concerns about the educational system in Florida. Ms. Dinnen discussed a Sun-Sentinel article regarding vouchers and a Michigan group, All Children Matter, that is contributing to the campaigns of Florida legislators who are pro-voucher. She said there will be volunteers at the polls to hand out literature in support of education. Further information can be obtained through the Floridians for Quality Education website: [www.makeeducationapriority.com](http://www.makeeducationapriority.com).

Ms. Dinnen visited Plantation High School and had lunch with students in their new cafeteria.

Mrs. Sobel congratulated Ms. Dinnen for receiving her two awards.

Mrs. Sobel visited South Broward High School and stated the new cafeteria and preparation area is state of the art.

Mrs. Sobel praised the School Board for closing schools on Election Day, which has become a nationwide event and helps people get out to vote.

Mrs. Sobel, who informed that this will be her last School Board meeting to give a Board report, expressed gratitude to the School Board and the district for being helpful during her tenure on the Board. She expressed gratitude to staff and to Maureen Cory, her Administrative Assistant. Mrs. Sobel stated that the past two years the district made a smooth transition with the new Superintendent, Mr. Notter, and the Board focused on many issues that are very important, such as graduation rates, eastern schools, technical education, transportation, anti-bullying, reformation of merit pay for teachers and improving teacher and student morale, and wellness and Green school campaigns.

Mrs. Sobel stated that she is presenting to her colleagues a book she received while in the House of Representatives, Getting to Yes which she reads often. The book deals with compromising, and listening and learning from both sides. Mrs. Sobel stated that she looks forward to the future, working with all Board Members and coming to Tallahassee.

Mrs. Hope stated it was a pleasure to work with Mrs. Sobel and that she will be missed.

### **Miscellaneous Discussion**

Following the luncheon recess, Mrs. Sobel introduced members of her family who were present at the Board meeting.

Following the action of Agenda Item A-6, Mrs. Bartleman recognized and welcomed back Specialist Larry Mackey, Former Student Advisor to the School Board, 2005-2006. Larry addressed the Board, informing them of his active duty in the United States Army as a military policeman in Iraq. He stated he has completed one tour of duty and will be returning soon to Iraq to complete his service, and upon return he would like to continue his career in law enforcement.

Board Members and the Superintendent acknowledged and commended Larry for his accomplishments, and for serving as a fine example to youth and his country.

### **SUPERINTENDENT**

Mr. Notter voiced tremendous “kudos” to the School District organization, a great team. He stated that teachers and support staff have absolutely done a phenomenal job of accelerating the closing of the achievement gap, with close to 250,000 students attending school each day, and closing the gap between whites and African-Americans and whites and Hispanics. The Superintendent thanked administrative staff, teachers, and support staff – custodians to bus drivers, to cafeteria workers that voluntarily mentor and help students achieve at accelerated rates, not just at traditional rates.

Mr. Notter expressed gratitude to the School Board who sets the standard of high achievement, who sets the standard of excellence through policy making, individuals that truly drive an excellent company and an excellent organization. Mr. Notter stated there are a lot of great people in the “trenches” working hard but unless there is a quality governance piece in place that expects excellence, the district would not get to be a Broad Foundation finalist. The Superintendent said that he and administrative staff are proud to work with the School Board in terms of continuing to accelerate student achievement in a large urban school system.

Mr. Notter announced that Mr. I. Benjamin Leong, Chief Financial Officer, will be going to Houston, Texas for the Council of Great City Schools first-ever award in Excellence in Finance. Over 2,200 benchmarks are part of this rigorous evaluation and Broward County Schools – crediting Mr. Leong and his leadership in the Finance division, is the first to be noticed, and it will be the gold standard for any other awardees for the Council of Great City Schools.

**Speakers**

Sofian Zakkout  
Roland Foulkes  
Jack Lieberman  
Cedric Douglas  
Joe Badran  
Altaf Ali  
Nezar Hamze  
Ernestine Price  
Reverend Marguerite Luster

**CONSENT AGENDA** Following identification of those items Board Members and members of the public indicated they would like considered separately, motion was made by Ms. Dinnen, seconded by Mrs. Hope and carried, to approve the Consent Agenda for the remaining items. Ms. Gallagher was absent. Mrs. Kraft had not yet assumed her seat on the dais. (7-0 vote)

**CONSENT ITEMS**

**A. RESOLUTIONS**

- A-1. Resolution in Support of National Family Literacy Month – November 2008 (Adopted)

Adopted Resolution #09-37, in support of National Family Literacy Month, November 2008.

- A-2. Resolution in Support of School Psychology Week – November 10 - 14, 2008 (Adopted)

Motion was made by Ms. Dinnen, seconded by Mr. Williams, and carried, to adopt Resolution #09-38, in support of School Psychology Week – November 10 - 14, 2008. Ms. Gallagher was absent. Mrs. Kraft had not yet assumed her seat on the dais. (7-0 vote)

Following the reading of the resolution into the record, Mrs. Bartleman congratulated all district school psychologists.

- A-3. Resolution in Support of Anti-Bullying Week – November 9 - 16, 2008 (Adopted)

Adopted Resolution #09-39, in support of Anti-Bullying Week – November 9 - 16, 2008. In addition, declare November 16, 2008, as Thousand Youth March for Humanity Day.

- A-4. Resolution in Support of National Breast Cancer Awareness Month – October 2008 (Adopted)

Adopted Resolution #09-40, in support of National Breast Cancer Awareness Month – October 2008.

- A-5. Resolution in Recognition of the National Parent Teachers Association (PTA) (Adopted)

Motion was made by Ms. Dinnen, seconded by Mrs. Hope and carried, to adopt Resolution #09-41, in recognition of the National Parent Teachers Association (PTA), and the PTA's National Convention in Fort Lauderdale, Florida in June 26-29, 2009. Ms. Gallagher was absent. (8-0 vote)

Following the reading of the resolution, Mrs. Krishnaiyer introduced Mrs. Jan Domene, National PTA President, who thanked the School Board for honoring PTA. Ms. Domene stated that Florida's PTAs are strong and the leadership is fabulous. She introduced National PTA President-elect Mr. Chuck Saylor and Secretary-Treasurer Betsy Landers, and praised the work of Broward PTA President Shirley Lewis. Mrs. Domene, who stated that PTA has worked for children for 111 years, stated that work for children will continue and the Broward PTA will continue its strong roots. She stated the district should be proud of the commitment in its strategic plan of reaching out to parents, something that is not matched in many school districts throughout the country.

Mrs. Domene stated that PTA will continue to advocate for the needs of children in all areas, as PTA is not only just for education but for the whole child. Mrs. Domene discussed the PTA convention events that will be held in June 2009.

Mrs. Lewis thanked and welcomed state and national PTA members to Broward County and acknowledged Broward County PTA Leadership Board.

Mrs. Domene informed the Board that during the PTA Convention the first male president of the National PTA will be installed, Mr. Saylor.

Remarking that the Board is delighted that PTA will hold its convention in Fort Lauderdale, Ms. Dinnen stated that parent involvement is a very important element of the Broward County school system.

Mrs. Hope welcomed the PTA to Fort Lauderdale and to the School Board meeting. Informing her colleagues that she spent time with PTA members at Sawgrass Elementary, Mrs. Hope stated that PTA is a fabulous group of people who are very dedicated to children's issues, including disabled children.

Dr. Parks stated that PTA has good leaders in Broward County and throughout the country, and they advocate for the entire child.

Concurring, Mr. Williams stated that this is an opportunity for PTA and the district to engage parents and to make sure that they are moving in the right direction.

Mrs. Sobel thanked PTA for their good work and recognizing that parents need to be involved with the schools and help with the whole child. Mrs. Sobel stated that PTA's agenda is very important to her and to the Legislature. She praised Mrs. Krishnaiyer's work in Tallahassee and nationwide.

A-6. Resolution Adopting the Oversight Committee's Interpretation of Subsections 8.11(a)(1), 8.11 (a)(2) and 8.11(b)(3) of the Amended Interlocal Agreement for Public School Facility Planning (Deferred)

Motion was made by Ms. Dinnen, seconded by Mr. Williams, to adopt School Board Resolution #09-42 which, states that the School Board concurs with and adopts the interpretations made by the Oversight Committee for the Implementation of the Amended Interlocal Agreement pertaining to Subsections 8.11(a)(1), 8.11(a)(2) and 8.11(b)(3) of the Amended ILA. This motion was superseded by a Motion to Defer (page 14). Ms. Gallagher was absent. Mrs. Kraft had not yet assumed her seat on the dais. (7-0 vote).

In compliance with Florida Statutes, the Interlocal Agreement for Public School Facility Planning between The School Board of Broward County, Florida, (SBBC), Broward County and 27 Municipalities in Broward County was amended (the "Amended ILA") to incorporate public school concurrency provisions. On January 15, 2008, the School Board adopted the Amended ILA, and subsequently in late spring of 2008, Broward County and the 27 Municipalities also adopted the Amended ILA, which is now effective. Also, School Board Policy 1161 was amended to incorporate pertinent provisions of the Amended ILA and public school concurrency, effective on January 15, 2008. Furthermore, on February 1, 2008, the SBBC staff commenced the implementation of public school concurrency.

During the implementation of public school concurrency, differences arose between the SBBC, Broward County and several Municipal staff members in their interpretation of Subsections 8.11(a)(1), 8.11(a)(2), and 8.11(b)(3) of the Amended ILA. Subsections 8.11(a)(1) and 8.11(a)(2) states that when a proposed residential plat, site plan (or functional equivalent) application generates less than one student, the development will be considered exempt from public school concurrency requirements.

The SBBC staff routinely rounds at point five (.5) and above to the nearest whole number to determine the generation of student(s). Broward County and several Municipal staff members disagreed with this position.

Section 8.11(b)(3) states that any residential site plan (or functional equivalent) which is a component of a residential plat or development agreement for which school impacts have been satisfied is vested from public school concurrency requirements. SBBC staff believed that such applications, while vested for public school concurrency, should be subject to the SBBC's public school concurrency review process to ensure that seats needed by students anticipated from the development are reserved. Broward County and several Municipal staff members disagreed.

The Oversight Committee considered these differences at their August 13, 2008 meeting, and voted by a majority to interpret these Subsections. Their interpretations and conclusions are articulated in the Resolution (Exhibit No. 1), and in the Committee's letter to the signatories of the Amended ILA (Exhibit No.2). Therefore, it is recommended that the School Board adopt the Oversight Committee's interpretation and conclusions, and transmit Resolution #09-42 to the Broward County Commission and the 27 Municipal Signatories to the Amended ILA.

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

Ms. Dinnen stated she would like to defer the agenda item so that clarification can be made with the Superintendent, Mr. Marko and Mr. Chris Akagbosu, Director, Growth Management.

Motion to Defer (Carried)

Motion was made by Ms. Dinnen, seconded by Mr. Williams and carried, to defer the agenda item to the November 12, 2008 Regular School Board meeting. Ms. Gallagher was absent. Mrs. Kraft had not yet assumed her seat on the dais. (7-0 vote)

A vote was taken on the Motion to Defer.

- B. **BOARD MEMBERS**
- D. **OFFICE OF THE CHIEF AUDITOR**
- E. **CHIEF OPERATIONS OFFICER**

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

- F-1. Amendment to 2008-09 AVID (Advancement Via Individual Determination) Contract (Approved)

Approved the proposed addendum to the 2008-09 AVID Contract.

Advancement Via Individual Determination (AVID) is a program to support middle and high school students who might not otherwise enroll in advanced courses or other college-preparatory experiences. The program's goal is for AVID students to ultimately complete a four-year university program. AVID is integrated into the school structure and includes (1) an elective class that directly addresses skills necessary for academic success taught by an AVID teacher, (2) trained tutors, and (3) a site team of teachers.

This addendum adds Coral Glades High School to the District's existing AVID contract. The amended 2008-09 contract will include eight high schools (Coral Glades, Fort Lauderdale, Hallandale, Hollywood Hills, McArthur, Northeast, Plantation, Taravella) and two middle schools (McNicol, Millennium) bringing the total number of AVID schools to ten. The Department of Advanced Academic Programs allocates funding from the general budget to support the AVID program.

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

There is a financial impact of \$12,485 to the district. The source of these funds is \$5,005 from Coral Glades High School's budget and \$7,480 from the Department of Advanced Academic Programs. There is no additional financial impact to the district.

- F-2. New Agreements with Various Health Care Facilities (Approved)

Approved the new agreements between The School Board of Broward County, Florida, Whitehall Boca Management Company, Covenant Village of Florida, Inc., ACTS Retirement-Life Communities, Inc., and Kindred Hospital-South Florida.

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

The new agreements with Whitehall Boca Management Company, Covenant Village of Florida, Inc., ACTS Retirement-Life Communities, Inc., and Kindred Hospital-South Florida, will provide clinical experiences to Broward County Schools' Health Science Education students.

On-site clinical experiences are necessary to meet curriculum frameworks, student performance standards, and requirements of regulatory agencies for students to qualify for certification/licensure examinations upon program completion.

The Health Science Education programs that are located at 24 high schools are: Allied Health Assisting, First Responder and Practical Nursing.

The Health Science Education programs that are located at the technical centers are: Central Service Technology, Dental Assisting, Medical Coder/Biller, Electrocardiograph (Cardiovascular) Technology, Health Unit Coordinator, Hemodialysis Technician, Massage Therapy, Medical Assistant, Medical Records Transcribing, Medical Lab Technology, Optometric Technician, Patient Care Technician, Pharmacy Technician, Practical Nursing, Emergency Medical Technician and Surgical Technology. Currently, The School Board of Broward County, Florida, has 43 School Board approved agreements with various health care facilities.

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

There is no financial impact to the district.

F-3. New Agreement with the Play It Smart, Inc. (Approved)

Approved a new agreement with Play It Smart, Inc.

The agreement from Play It Smart, Inc., a subsidiary of the National Football Foundation and College Hall of Fame, Inc., will award \$27,000 in grant funds to Boyd Anderson High and Blanche Ely High schools to conduct a mentoring program for student football players.

Play It Smart project funds will be used to support an Academic Coach for the student football players at Boyd Anderson Blanche Ely High. The selection of the Academic Coaches will be made from qualified candidates by the school principal and football coach, and be approved by Play It Smart, Inc. The Academic Coaches will participate in Play It Smart training, use Play It Smart materials, and track and report the academic progress of student football players in the program to Play It Smart, Inc. The purpose of the program is to ensure positive academic outcomes for student athletes by helping them to improve their grades, graduate, perform community service and pursue higher education or a career.

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

This agreement will be executed after School Board approval.

The positive financial impact is \$27,000. The source of funds is Play It Smart, Inc. There is no additional financial impact to the school district.

**G. HUMAN RESOURCES**

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

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

The Personnel Recommendations for Instructional Employees include the following items:

1. Teacher Approvals
2. Substitute Teacher Approvals
3. Interim Substitute Teachers
4. Temporary Hourly Teacher Approvals
5. Teacher Extension of Calendar
6. 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 2008-2009 School Year (Approved)

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

The Personnel Recommendations for Instructional Employees include the following items:

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

There will be no financial impact to the school district.

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

Approved the personnel recommendations for appointments and reassignments as listed on the Executive Summary, respective lists and individual appointments for Non-Instructional Employees. All recommendations are made pending security clearance and with the understanding that these individuals will comply with regulations/policies as set forth by the Florida State Department of Education and The School Board of Broward County, Florida.

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

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

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

Mrs. Hope recognized and congratulated newly-appointed district employee, Mr. Andre Jones, Interim Assistant Principal, Bair Middle School.

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

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

The Personnel Recommendations include the following items:

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

There is no financial impact to the school district.

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

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

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

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

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

Individuals listed meet the requirements for the supplemental positions. The total number of Supplements recommended in this item is 531.

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

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

Approved the recommendation(s) for discipline as listed for Instructional/Noninstructional staff. All recommendation(s) are made with the understanding that these individuals will comply with regulations/policies as set forth by the Florida State Department of Education and The School Board of Broward County, Florida.

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

There is no financial impact to the school district.

#### H. ATTORNEY

H-1. Broward County School Board, Petitioner vs. Isabel Beach, Respondent  
(Approved)

Approved the Recommended Order, rendered on July 24, 2008, by Errol H. Powell, Administrative Law Judge, in the matter of Broward County School Board, Petitioner, vs. Isabel Beach, Respondent, Case No. 07-3452, before the State of Florida Division of Administrative Hearings; and approve the Final Order in this cause.

On July 24, 2007, The School Board voted to suspend and terminate Isabel Beach, a teacher at Oriole Elementary School, for misconduct in office and immorality. Subsequently, Isabel Beach requested an administrative hearing. Following the administrative hearing, the Administrative Law Judge issued a Recommended Order, recommending that The School Board issue a final order upholding the suspension of Isabel Beach, without pay, and terminating her employment. No exceptions to the Recommended Order were filed by any party.

The School Board of Broward County, Florida is required to take final agency action in this matter. Attached hereto as Exhibit 3 is a Final Order that has been approved as to form and legal content by The School Board Attorney's office.

There is no financial impact to the district.

H-2. Settlement Agreement between The School Board of Broward County, Florida; National Fire Insurance Company of Hartford; and Danville-Findorff, Inc.  
(Approved)

Approved the Settlement Agreement between The School Board of Broward County, Florida; National Fire Insurance Company of Hartford; and Danville-Findorff, Inc.

The School Board entered into a design build contract with Danville-Findorff, Inc., for the design and construction of Park Lakes Elementary School, Project No. 3761-99-01. National Fire Insurance Company of Hartford ("National Fire"), the surety for Danville-Findorff, filed an action against The School Board for alleged retainage, unpaid change orders, interest, and attorney's fees and costs, for a total claim of \$1,047,088.49. The School Board counterclaimed against National Fire for breach of performance bond and filed a third party complaint against Danville-Findorff for breach of contract.

Pending School Board approval, National Fire has agreed to accept the total sum of Four Hundred Forty Thousand & 00/100 (\$440,000.00) Dollars in full and final settlement of the litigation. In exchange, The School Board agrees to release National Fire and Danville-Findorff from any further claims, however, reserving the right for any causes or claims for any latent defects.

Once the Settlement Agreement has been approved by The School Board and all documents referenced therein have been exchanged, The School Board will pay the settlement sums to National Fire in accordance with the Settlement Agreement.

District staff, the School Board Attorney, and The School Board's cadre counsel, David J. Valdini, Esq. recommend approval of the Settlement Agreement as a fair and reasonable cost-effective resolution of the claim.

The financial impact to the district is \$440,000. The source of funds is the remaining project retainage in the amount of \$284,145 and the capital outlay funds budget reserve for legal in the amount of \$155,855.

## **I. OFFICE OF THE SUPERINTENDENT**

### **I-1. Consultant Agreement with Dr. R. William Mathis** (Approved as amended)

Approved the proposed Agreement between Dr. R. William Mathis and The School Board of Broward County, Florida, for consultant services. (This item was amended to reflect the reduction of the amount of services from \$100,000 to \$50,000.)

In 2006, the Southern Association of Colleges and Schools (SACS) conducted a Quality Assurance Review of Broward. SACS indicated that the Board needed to commit to professional development. To that end, the Board entered into an Agreement on February 20, 2007, with Dr. R. William Mathis, an industrial psychologist, experienced in working with the public sector in the areas of leadership, team building, organizational analysis, and performance evaluations.

This Agreement provides for the continuation of professional learning and development for School Board members and Executive Leadership staff and the facilitation of the Superintendent's yearly performance evaluation. The term of the Agreement is from October 1, 2008 through September 30, 2009. The consultant fees and costs for this time period shall not exceed \$100,000.

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

Funds will come from the unappropriated general fund balance into the Superintendent's budget not to exceed \$100,000.

**J. FACILITIES AND CONSTRUCTION MANAGEMENT**

J-1. Change Orders (Approved)

Approved change orders as listed for various school projects. Approve an additional appropriation of \$110,529 from the Capital Projects Reserve, and approve an additional appropriation of \$7,400 from the Capital Projects IAQ Reserve.

<b><u>Anderson, Boyd H. High</u></b>		Change Order 04	\$101,971
Consultant Error	\$11,173		
Owner Request	\$90,798		
<b><u>Bair Middle</u></b>		Change Order 02	\$19,308
Owner Request	\$19,308		
<b><u>Hollywood Hills Elementary</u></b>		Change Order 07	\$7,379
Unforeseen Condition	\$7,379		
<b><u>Hunt, James S. Elementary</u></b>		Change Order 02	\$-4051(CREDIT)
Consultant Error	\$-4051 (CREDIT)		
<b><u>King, Martin Luther Elementary</u></b>		Change Order 04	\$1,316
Unforeseen Condition	\$1,316		
<b><u>Larkdale Elementary</u></b>		Change Order 04	\$2,857
Unforeseen Condition	\$2,857		
<b><u>Norcrest Elementary</u></b>		Change Order 01	\$82,655
Consultant Error	\$82,655		
<b><u>Orange Brook Elementary</u></b>		Change Order 08	\$-781,694 (CREDIT)
Owner Request	\$-781,694 (CREDIT)		
<b><u>Pines Middle</u></b>		Change Order 14	\$-2,556 (CREDIT)
Owner Request	\$-2,556 (CREDIT)		

<u>Sanders Park Elementary</u>		Change Order 01	\$32,400
Owner Request	\$32,400		
<u>West Central Bus Complex</u>		Change Order 32	\$8,558
Owner Request	\$8,558		

Financial Impact: Anderson, Boyd H. High – Project No.: P.000326 \$101,971; Sanders Park Elementary – Project No.: \$7,400; West Central Bus Complex – Project No.: P.000699 \$8,558. An additional financial impact of \$110,529 will come from Capital Projects Reserve. An additional financial impact of \$7,400 will come from Capital Projects IAQ Reserve. There is no additional financial impact to the district for the remaining projects.

J-2. Award of Contract – Thornton Construction Company – ADA Restroom Renovation – Embassy Creek Elementary School, Cooper City – Project No. P.000580 (f.k.a.3191-24-04) (Approved)

Approved Award of Construction Contract for Embassy Creek Elementary School, ADA Restroom Renovation, Project No. P.000580 to the low bidder meeting the bid specifications, Thornton Construction Company in the amount of \$316,138. Based on the PFA, the funds in the Adopted District Educational Facilities Plan are over budgeted by \$427,474 and will be placed in the Capital Projects Reserve.

Contractor: Thornton Construction Company  
 Consultant: Vaughn, Wunsch, Masullo Architects, P.A.  
 Scope of Work: Renovation and remodeling of existing restroom facilities for compliance to Americans with Disabilities Act.

The amount of the contract shall be \$316,138. The sources of funds are identified in the Adopted District Educational Facilities Plan, Fiscal Years 2008-2009 to 2012-2013, page 62. Based on the PFA, the funds in the Adopted District Educational Facilities Plan are over budgeted by \$427,474 and will be placed in the Capital Projects Reserve.

J-3. Authorize Negotiations of Professional Services Contracts for Continuing Contracts Architectural ADA Services (Approved)

Approved the selection and authorize negotiations for Professional Services for Continuing Contracts Architectural ADA Services for various projects.

In accordance with Board Policy 7003 and RFQ No. 2008-33-FC, the Qualification Selection Evaluation Committee shortlisted, interviewed and has selected for Continuing Contracts Architectural ADA Services for Various Projects for approval by the Board as follows:

- North Area – Harvard Jolly, Inc.
- North Central Area – Cubellis/sgr
- South Area – Brown & Brown Architects
- South Central Area – ACAI Associates, Inc.

The Division will process the Contracts and recommend award for the continuing contracts at a future School Board meeting.

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

The funds for this item are included in the Adopted District Educational Facilities Plan, Fiscal Years 2008-2009 to 2012-2013. There is no additional financial impact; therefore, a collaboration form is not required from the Capital Budget Department.

- J-4. Final Acceptance and Release of Retainage – Turner Construction Company – Roof Replacement – Taravella High School, Coral Springs – Project No. P.000487 (f.k.a. 2701-24-01) (Approved)

Approved the Final Acceptance for Taravella High School, Roof Replacement, Project No. P.000487, and release the balance of retainage in the amount of \$115,064.

The contractor, Turner Construction Company, has completed the project within the contract time limits.

The funds being released totaling \$115,064 are included in the Adopted District Educational Facilities Plan, Fiscal Years 2008-2009 to 2012-2013, page 199.

- J-5. Rejection of All Bids – Renovations, Remodeling, & Additions – Western High School, Davie – Project No. P.000505 (f.k.a.2831-99-02) (Withdrawn)

- J-6. Renew Partnership Agreement with Broward County Board of Commissioners (Water Resources Division) (Approved)

Approved renewal of the partnership agreement with Broward County Board of Commissioners (Water Resources Division) for an extended period of 12 months commencing January 1, 2009, and approve an additional appropriation of \$199,968, 50% to be funded from Capital Projects Reserve and 50% from General Fund Unappropriated Fund Balance.

Broward County's water conservation education and outreach program, Water Matters, is part of a Broward County Integrated Water Resource Plan (IWRP). The goals of the IWRP are to coordinate the sources and users of water in Broward County for effective and efficient local water management, minimize dependence on the regional water system, and meet future consumptive use and the natural system's water needs.

The proposed scope of work outlined in the agreement builds upon these achievements and seeks to expand the outreach efforts within the facilities owned and operated by The School Board of Broward County, Florida. The scope of work for consulting services is submitted to provide the delivery of environmental programs and facility improvements within the Broward County school system. This scope of work covers one year of implementation. This is the first of four extensions included in the agreement and it may be extended year to year for an additional three years.

The financial impact is \$199,968 to be funded 50% from Capital Projects Reserve and 50% from General Fund Unappropriated Fund Balance. Funds for this item are included in the Adopted District Educational Facilities Plan, Fiscal Years 2008-2009 to 2012-2013 for any projects utilizing this service.

J-7. Lease Agreement between Atrium Executive Plaza, LLC and The School Board of Broward County, Florida, for Use by the Employee Assistance Program (EAP) (Approved)

Approved the Lease Agreement between Atrium Executive Plaza, LLC, and The School Board of Broward County, Florida, for use by the Employee Assistance Program (EAP).

The Employee Assistance Program desires to relocate its offices from 4100 South Hospital Drive, Suite 205, Plantation, Florida, to the Atrium Executive Plaza located at 499 NW 70th Avenue, Suite 112, Plantation, Florida. The reason for the relocation is continuing problems with maintenance and repairs at the existing location which has caused damage to the office and equipment and has, therefore, caused the office to be temporarily relocated while repairs were made. The existing lease may be terminated with 90 days written notice.

The new lease is for a period of five (5) years and one month, commencing December 1, 2008. The first month will be rent free with rental obligation to commence on January 1, 2009. The expiration date shall be December 31, 2013. There is an option to terminate with 90-day notice.

The Landlord has requested that the School Board execute the Lease Agreement first.

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

The annual cost of the lease is \$34,308. The source of funds will be the general operating budget.

- J-8. Termination of Lease Agreement between GUTS, LLC and The School Board of Broward County, Florida, for Use by the Employee Assistance Program (EAP) (Approved)

Approved the authorization to terminate the Lease Agreement between GUTS, LLC, and The School Board of Broward County, Florida, for use by the Employee Assistance Program (EAP).

The School Board of Broward County, Florida, has leased office space for the Employee Assistance Program (EAP) since December 1, 2001, at 4100 South Hospital Drive, Suite 205, Plantation, Florida. There has been continuing repair and maintenance problems at this location, recently resulting in flooding and damage to the office and equipment. Despite repeated repairs, the problems have persisted and the EAP now desires to relocate to a new property to alleviate the problem. The EAP will relocate to the Atrium Executive Plaza, located at 499 NW 70th Ave., Suite 112, Plantation, Florida.

Under the provision of Paragraph 4 of the First Amendment to Lease, the school district may terminate the Lease Agreement with a ninety (90) day written notice to the Landlord. There are no penalties or charges to the School Board to terminate this lease.

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

- J-9. Award of Contract – Grace & Naeem Uddin, Inc. – Fire Sprinkler Protection and Fire Alarm System Replacement – Dania Elementary School, Dania, FL – Project No. P.000012 (f.k.a.0101-25-25) (Approved)

Approved Award of Construction Contract for Dania Elementary School, Fire Sprinkler Protection and Fire Alarm System Replacement, Dania Elementary School, Project No. P.000012 to the low bidder meeting the bid specifications, Grace & Naeem Uddin, Inc., in the amount of \$624,238 and approve the acceleration of funds from the Fiscal year 2011-12 to 2008-09.

Contractor: Grace & Naeem Uddin, Inc.

Consultant: Vaughn, Wunsch, Masullo Architects, P.A.

Scope of Work: This project is planned to replace the existing Fire Sprinkler Protection System as well as the replacement of the facility's existing Fire Alarm System.

The amount of the contract shall be \$624,238. The sources of funds are identified in the Adopted District Educational Facilities Plan, Fiscal Years 2008-2009 to 2012-2013, page 54 in Fiscal Year 2011-12. The funds will be accelerated from the Fiscal Year 2011-12 to the current Fiscal Year.

- J-10. Grant of Water and Sewer Utility Easement for Four Separate Locations at Village Elementary School and a Bill of Sale to the City of Sunrise  
(Approved)

Approved the grant of water and sewer utility easement for four separate locations at Village Elementary School and a bill of sale to the City of Sunrise.

The proposed utility easement for four separate locations on site, and bill of sale is required by the City of Sunrise prior to the installation of the first permanent water meter at the newly constructed kitchen cafeteria at Village Elementary School.

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

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

**K. OFFICE OF CHIEF FINANCIAL OFFICER**

- K-1. Bank Resolutions (Approved)

Approved bank resolutions for school internal accounts.

<u>School</u>	<u>Name of Bank</u>
Bair Middle	Wachovia Bank, N.A.
Banyan Elementary	Wachovia Bank, N.A.
Blanche Ely High	Bank of America, N.A.
Castle Hill Elementary	Wachovia Bank, N.A.
Coral Glades High	Bank of America, N.A.
Cresthaven Elementary	Wachovia Bank, N.A.
Crystal Lake Middle	Wachovia Bank, N.A.
Coconut Creek High	Wachovia Bank, N.A.
Eagle Point Elementary	Wachovia Bank, N.A.
Fox Trail Elementary	Wachovia Bank, N.A.

<u>School</u>	<u>Name of Bank</u>
Glades Middle	Bank of America, N.A.
Larkdale Elementary	Wachovia Bank, N.A.
McNab Elementary	Wachovia Bank, N.A.
Meadowbrook Elementary	Wachovia Bank, N.A.
New Renaissance Middle	Wachovia Bank, N.A.
New River Middle	Wachovia Bank, N.A.
Olsen Middle	Wachovia Bank, N.A.
Piper High	Wachovia Bank, N.A.
Plantation Middle	Wachovia Bank, N.A.
Rickards Middle	Wachovia Bank, N.A.
Riverside Elementary	Wachovia Bank, N.A.
Sanders Park Elementary	Wachovia Bank, N.A.
Sawgrass Springs Middle	Wachovia Bank, N.A.
Silver Shores Elementary	Wachovia Bank, N.A.
Silver Lakes Elementary	Wachovia Bank, N.A.
Sunrise Middle	Bank of America, N.A.
Sunland Park Elementary	Wachovia Bank, N.A.
Sunshine Elementary	Wachovia Bank, N.A.
Virginia Shuman Young	Bank of America, N.A.
Welleby Elementary	Wachovia Bank, N.A.
Westpine Middle	Wachovia Bank, N.A.
Whiddon-Rogers Education Center	Wachovia Bank, N.A.
Whispering Pines School	Wachovia Bank, N.A.

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

There is no financial impact to the district.

## **OPEN ITEMS**

### **AA. RESOLUTIONS**

### **BB. BOARD MEMBERS**

### **CC. BOARD POLICIES**

- CC-1. Revisions to School Board Policies 4003.1; 4107.1; 4107.2 – Alternative Certification for Career, Technical and Adult/Community Education Teachers (Approved)

Motion was made by Mrs. Hope, seconded by Ms. Dinnen and carried, to approve revisions to School Board Policies: 4003.1; 4107.1; 4107.2 – Alternative Certification for Career, Technical and Adult/Community Education Teachers, at the first reading. Ms. Gallagher was absent. (8-0 vote)

The School Board of Broward County, Florida, (SBBC) policies 4003.1, 4107.1, and 4107.2 define educator certification guidelines for full-time and temporary hourly career, technical and adult community education personnel. These SBBC certification policies were first approved in 1991 to address a Florida Department of Education mandate, which transferred vocational and adult/ community education certification to local school districts to meet the changing economic trends of the community.

The existing policies do not accurately define current certification requirements. The revisions to the policies address new program name changes and terminology made by the Florida Department of Education. The policy changes clarify language, correct spelling and punctuation errors and indicate specific rules listing eligibility requirements. Descriptive language defining required occupational expertise and statements mandating appropriate industry credentialing for career and technical education instructors has been added.

District committees have approved the policy revisions. Board approval of changes to policies 4003.1, 4107.1, and 4107.2 will reflect current local teacher certification requirements. School-based and district administration require these changes to evaluate potential educator credentials and occupational experience.

The policies align with the No Child Left Behind legislation, requiring highly qualified teachers.

There is no financial impact to the district.

Ms. Schultz requested clarification of the Policy Review Committee. She stated that previously all the policies were viewed in advance with all stakeholders.

Mrs. Bartleman stated that the final policy has not been approved by the Board, but the stakeholders will be involved and the policies will be looped. Mrs. Bartleman said that the policies will first come to the Board for discussion and the Board will decide which policies are going to go out and how the looping will occur. Mrs. Bartleman further stated that at the last workshop there was discussion that a public meeting might be held on the policy, prior to Board approval. There will no longer be a Policy Review Committee as it exist today, but there will be stakeholder input.

CC-2. Extension of Policy 6000.4 for Exceptional Students (Approved)

Motion was made by Ms. Dinnen, seconded by Mrs. Hope and carried, to approve extension of Policies and Procedures for the Provision of Specially Designed Instruction and Related Services for Exceptional Students (SP&P), formerly known as Special Programs and Procedures for Exceptional Students (Policy 6000.4) for the 2008-09 school year. Ms. Gallagher was absent. (8-0 vote)

Approval of this extension by The School Board of Broward County, Florida, is required by the Florida Department of Education. Until such time as the State Board of Education (SBE) rules are adopted, the current rules remain in effect.

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**

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

Motion was made by Ms. Dinnen, seconded by Mr. Williams and carried, to approve the following Bid / RFP and other financial recommendations \$500,000 or greater: Ms. Gallagher was absent. (8-0 vote)

<u>BID/RFP</u>	<u>Title – Location – Amount</u>
29-062B	Custodial Maintenance and Basic Cleaning Supplies – Various – Amount: \$1,200,000
29-066X	Grass Seed, Sprigs and Sod – Physical Plant Operations – Amount: \$1,500,000

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

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

No discussion was held on this item.

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

Motion was made by Mrs. Gottlieb, seconded by Mrs. Hope and carried, to approve additional expenditures on previously approved term contracts as shown below. The recommendations are requests for additional expenditures only and do not require any changes to the district budget. Ms. Gallagher was absent. (8-0 vote)

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

1. 26-123N (RFP) – General Consultant for District Scheduling and Support Services (additional expenditure of \$1,400,000 requested; \$1,400,000 previously approved on 5/08/07; \$600,000 originally approved on 12/13/05)

It is recommended that the contract with Post, Buckley, Schuh & Jernigan, Inc., be renewed for an additional year from September 1, 2008, through August 1, 2009, in accordance with the Florida Department of Transportation Supplement #18, Contract #C-8F59. This recommendation is based on an evaluation of "very good", and it provides for continuity of services with the company that designed and implemented the web-based Project Management and Control System for construction projects. This contract provides ongoing support for the Project Management and Control System (PMCS) for Facilities and Construction Management.

The scope of work is composed of four elements that represent an estimated 13,400 consultant hours for completion. The four elements are: 1) support of newly developed systems, 2) technical knowledge transfer/training for future systems support and development by SBBC staff, 3) business process capture and assessment to determine best practices for road mapping future system integration, 4) and updating existing internal data systems and access based on business process capture. Since the date of award, the Consumer Price Index (CPI) reflects an increase of 12% for similar types of services, and is, therefore, in the Board's best interest to renew at existing prices. Furthermore, it is recommended that the School Board authorize an additional expenditure of \$1,400,000 to continue the services included in the subject contract. The amount of the recommended spending authority is available from funds already included in the District budget. This recommendation will allow the Facilities and Construction Management Department to continue purchasing consulting services as required through August 1, 2009, and will provide for an approximate total expenditure of \$3,400,000 for the award period.

Items submitted for renewal approval have been evaluated by user departments and schools, and determined that satisfactory service is being provided, and that the contract prices are based on the State of Florida Department of Transportation Supplement #18, Contract #C-8F59. Recommendations are being made for additional expenditures on previously approved term contracts. These recommendations are requests for additional expenditures only, and the amount is available from funds already included in the District budget. These recommendations authorize additional expenditures until the expiration date of each contract, at which time the contract will be re-bid according to Board Policy unless the contract is renewed per the terms and conditions of the bidding documents.

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

No discussion was held on this item.

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

**GG. HUMAN RESOURCES**

**HH. ATTORNEY**

**II. OFFICE OF THE SUPERINTENDENT**

**JJ. FACILITIES AND CONSTRUCTION MANAGEMENT**

- JJ-1. Award of Contract – Weiss & Woolrich Southern Enterprises, Inc. – Roof Replacement – Coconut Creek High School – Project No. P.000304 (f.k.a.1681-23-05) (Approved)

Motion was made by Mrs. Gottlieb, seconded by Mr. Williams and carried, to approve Award of Construction Contract for Coconut Creek High School, Roof Replacement, Project No. P.000304 to the low bidder meeting the bid specifications, Weiss & Woolrich Southern Enterprises, Inc., in the amount of \$2,499,500. Ms. Gallagher was absent. (8-0 vote)

Contractor: Weiss & Woolrich Southern Enterprises, Inc.

Consultant: Edward Lewis Architects, Inc.

Scope of Work: Re-roof buildings 1, 2, and auditorium.

**Alternate 1** Extended Roof Warranty – Total System Warranty by manufacturer: Provide manufacturer’s Non-Pro Rated 30 year written full warranty.

October 21, 2008

Minutes of Regular Meeting  
Page 32 of 38

**Alternate 2:** Extended Roof Warranty – Total System Warranty by installer: Provide installer’s ten (10) year warranty, in which installer agrees to repair or replace components of roofing system that fail in materials or workmanship with the specified warranty period.

**Alternate 3:** Increase roof R value from R20 to R30.

The amount of the contract shall be \$2,499,500. The sources of funds are identified in the Adopted District Educational Facilities Plan, Fiscal Years 2008-2009 to 2012-2013, Appendix E, Pg. 30, District Wide Roofing Replacement.

Dr. Parks thanked staff for moving forward with this item, as it was a much needed project.

Mr. Garretson stated that the entire school will be painted once the roof has been completed.

JJ-2. Professional Services Agreement – Construction Management at Risk Project – Perez & Perez Architects Planners, Inc. – Phased Replacement – Cooper City High School – Project No. P.000386 (f.k.a. 1931-99-02)  
(Approved)

Motion was made by Mrs. Gottlieb, seconded by Mrs. Hope and carried, to approve the Agreement with Perez & Perez Architects Planners, Inc., for Phased Replacement, Cooper City High School, Project No. P.000386, in the form of the Professional Services Agreement, and authorize the Deputy Superintendent to reimburse the Project Consultant for costs pursuant to the Professional Services Agreement. Ms. Gallagher was absent. (8-0 vote)

**Scope of Work:**

Phase I Construct a 3-story administration/classroom building of 74,753 gross square feet to include an administrative suite, 14 science labs and related storage, 2 business technology labs, 2 marketing education labs, 5 general classrooms, a resource room, custodial spaces, textbook storage, and student, staff, and public restrooms; construct a new automotive technology building and custodial storage/receiving of 15,090 gross square feet; construct bus loop, staff/visitor parking, and student parking.

Phase II Construct a 2-story PE facility of 49,973 gross square feet to include: male and female locker rooms and related spaces, gymnasium, mini gym, 2 resource rooms, weight room, gymnastic/dance studio, laundry and towel distribution, first aid/training room, and student, staff, and public restrooms.

Phase III Construct a 3-story technical classroom building of 85,548 gross square feet to include: music suite, 4 business labs, a health occupations lab, 2 family and consumer science labs, 2 technology education labs, 17 general classrooms, a 4-classroom ESE suite, a TV production lab, resource rooms, teacher planning spaces, custodial spaces, textbook storage, and student and staff restrooms; remodel Building 18 to child development lab; demolish Buildings 1, 2, 3, 4, 5, 7, 8, 9, 10, 11, 12, 13, 14, 15, and 17; construct softball and baseball fields, tennis and basketball courts.

The Qualification Selection Evaluation Committee selected Perez & Perez Architects Planners, Inc., and The School Board of Broward County, Florida approved the selection on December 11, 2007. The Superintendent's Negotiating Committee met with Perez & Perez Architects Planners, Inc., and negotiated a fixed fee in accordance with Article 5 of the Professional Services Agreement.

The Architectural/Professional Liability Insurance has been agreed upon pursuant to Article 9 of the Professional Services Agreement based upon the Project Contract Cost. The Office of the Chief Auditor and Risk Management departments have reviewed this Agreement, and the School Board Attorney has approved it as to form and legal content.

The Agreement Form for Architectural/Engineering services was approved by the Board on April 10, 2007.

The funds for this item totaling \$50,757,547 are included in the Adopted District Educational Facilities Plan, Fiscal Years 2008-2009 to 2012-2013, page 175. The total fees included in this item are \$4,114,564. They include a Fixed Design Fee of \$4,014,564 and Supplemental, Reimbursable Services of \$100,000. Based on the PFA, construction for Phase I is allocated in the Adopted District Educational Facilities Plan, but Phases II and III are not fully funded. Ms. Gallagher was absent. (8-0 vote)

No discussion was held on this item.

JJ-3. Award Total Program Manager Agreement – Weiss & Woolrich Contracting Co., Inc. – Miscellaneous Repair – Deerfield Beach High School – Project No. P.000888 (Approved)

Motion was made by Dr. Parks, seconded by Ms. Dinnen and carried, to approve the award of the agreement for Total Program Manager services to Weiss & Woolrich Contracting Co., Inc., and Total Program Manager fees of \$1,707,090. Ms. Gallagher was absent. (8-0 vote)

According to School Board Policy 7003, Selection of Engineers and Architects, and RFP No. 2007-33-FC, and pursuant to the Consultants' Competitive Negotiation Act (Chapter 287.055 F.S.), the Qualification Selection Evaluation Committee selected Weiss & Woolrich Contracting Co., Inc., and fees were negotiated in accordance with Article 2.07 of the Total Program Management Agreement. The Professional Liability Insurance has been agreed upon pursuant to Article 2.12 of the Total Program Management Agreement.

The Office of the Chief Auditor and Risk Management departments have reviewed this agreement, and the School Board Attorney has approved it as to form and legal content.

Scope: Deerfield Beach High School - Re-roof Buildings 1, 2, 3, 6, 8, 9, 10, and 13, approximately 187,000 square feet. Install wheel chair lift to projection room and renovate dressing/toilet in auditorium behind the stage. Install fire sprinkler system approximately 267,000 square feet, fire alarm system approximately 278,000 square feet and upgrade intercom system. Replace 270-ton chiller. Replace 21 Air Handling Units.

The estimated Cost of Work is \$6,744,510; the TPM Fees are \$1,707,090, resulting with a Total Construction Budget (FLCC) of \$8,451,600.

Total Fees for this item are \$1,707,090. Funds are identified in the Adopted District Educational Facilities Plan, Fiscal Years 2008-2009 to 2012-2013, page 179.

Dr. Park thanked Mr. Garretson for his efforts on the QSEC committee and the selection process. He voiced his appreciation to Mr. Garretson's staff for their efforts in trying to speed up these projects.

- JJ-4. Total Program Management – Classroom Addition Program – James B. Pirtle Construction Co., Inc. – Final Guaranteed Maximum Price – Parkside Elementary School (Group 2), Coral Springs – Project No. P.000680 (f.k.a. 3631-27-01) (Approved)

Motion was made by Ms. Dinnen, seconded by Mrs. Gottlieb and carried, to approve the Final Guaranteed Maximum Price (GMP) in the amount of \$2,693,433 for James B. Pirtle Construction Co., Inc., Parkside Elementary School, 8 classrooms, Project No. P.000680. Approve an additional appropriation in the amount of \$789,433 which will come from the Capital Projects Reserve. The scope of this GMP includes the construction of 8 classrooms. Ms. Gallagher was absent. (8-0 vote)

The Board previously approved TPM fees of \$728,400 and a Construction Budget of \$2,000,000.

The Final GMP Manual is available for review at the Facilities and Construction Management Division.

The financial impact is \$2,693,433 including Cost of Work of \$1,965,033 and TPM fees of \$728,400. This project is included in the District Educational Facilities Plan, Fiscal Years 2008-2009 to 2012-2013 for \$2,000,000. There is an additional financial impact in the amount of \$789,433 which will come from the Capital Projects Reserve.

No discussion was held on this item.

- JJ-5. Total Program Management – Classroom Addition Program – James A. Cummings, Inc. – Final Guaranteed Maximum Price – Blanche Ely High School (Group 1), Pompano Beach – Project No. P.000068 (f.k.a. 0361-27-01) (Approved)

Motion was made by Mr. Hope, seconded by Mr. Williams and carried, to approve the Final Guaranteed Maximum Price (GMP) in the amount of \$16,268,266 and additional TPM fees of \$273,923 for James A. Cummings, Inc. for Blanche Ely High School, 30 Classrooms, Project No. P.000068. The total cost of this project is \$17,748,266. Based on the Project Funds Allocation (PFA), there is a financial impact in the amount of \$4,258,266 which will come from the Capital Projects Reserve. Ms. Gallagher was absent. (8-0 vote)

The scope of this GMP is the construction of a 30 classroom addition including administration suite, custodial, teacher planning suite, food production lab, 2 art labs, 22 general classrooms, 5 ESE classrooms, and parking. The Board previously approved TPM fees of \$2,349,160 and a Construction Budget of \$12,600,000. This item results in TPM fees of \$2,623,083 and a Construction Budget of \$16,268,266.

The GMP Manual is available for review at the Facilities and Construction Management Division.

The financial impact is \$13,919,106 including the Cost of Work of \$13,645,183 and TPM fees of \$273,923. This project is included in the District Educational Facilities Plan, Fiscal Years 2008-2009 to 2012-2013 for \$13,490,000. The total cost of this project is \$17,748,266. Based on the PFA, there is a financial impact in the amount of \$4,258,266 which will come from the Capital Projects Reserve.

No discussion was held on this item.

- JJ-6. Total Program Management – Classroom Addition Program – James A. Cummings, Inc. – Second Partial Guaranteed Maximum Price – Harbordale Elementary School (Group 5), Ft. Lauderdale – Project No. P.000093 (f.k.a. 0491-24-01) (Approved)

Motion was made by Ms. Dinnen, seconded by Mr. Williams and carried, to approve the second Partial Guaranteed Maximum Price (PGMP) in the amount of \$6,481,931 for James A. Cummings, Inc., for Harbordale Elementary School, 16 Classrooms (Phase 2), and additional TPM fees of \$288,174; Project No. P.000093. The total cost of this project is \$8,507,058. Based on the Project Funds Allocation (PFA), there is a financial impact in the amount of \$2,285,177 which will come from the Capital Projects Reserve. Ms. Gallagher was absent. (8-0 vote)

The scope of this second PGMP includes the construction of a 16 classroom addition, custodial, and teacher planning suite (Phase 2) for \$6,481,931. The first PGMP for Phase 1 included the demolition of the existing cafeteria and the re-routing of the electrical supply to the mechanical system for the existing classrooms for \$591,127. The final GMP for Phase 3 will include the demolition of three existing classrooms and the construction of a new parent drop-off and parking lot, for an estimated additional cost of \$1,000,000.

The Board previously approved the first PGMP for \$591,127, including Cost of Work of \$99,469 and TPM fees of \$491,658. This item results with TPM fees of \$1,597,074, Cost of Work of \$5,475,985, and construction budget of \$8,073,058.

The Partial GMP Manual is available for review at the Facilities and Construction Management Division.

The financial impact is \$5,664,690 including Cost of Work of \$5,376,516 and TPM fees of \$288,174 for Phase 2. This project is included in the District Educational Facilities Plan, Fiscal Years 2008-2009 to 2012-2013 for \$6,221,881. The total cost of this project is \$8,507,058. Based on the PFA, there is a financial impact in the amount of \$2,285,177 which will come from the Capital Projects Reserve.

Ms. Dinnen, on behalf of Harbordale Elementary School and the community, thanked Mr. Garretson and staff for the completion of the work.

Mr. Garretson stated this is the final phase of the project.

**KK. OFFICE OF CHIEF FINANCIAL OFFICER**

**ADJOURNMENT**

**Adjournment** This meeting was adjourned at 2:16 p.m.

RT