

Approved in Open Board Meeting, January 13, 2009

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

December 9, 2008
Tuesday, 10:15 a.m.

MINUTES OF REGULAR MEETING

The School Board of Broward County, Florida, met in regular session at 10:17 a.m., Tuesday, December 9, 2008, in the Board Room of the Kathleen C. Wright Administrative Center, 600 Southeast Third Avenue, Fort Lauderdale, Florida. Present were: Chair Maureen S. Dinnen; Vice Chair Jennifer Leonard Gottlieb; Members, Robin Bartleman, Beverly A. Gallagher, Phyllis C. Hope, Stephanie Arma Kraft, Esq., Ann Murray, Dr. Robert D. Parks, Benjamin J. Williams, Superintendent James F. Notter, and Edward J. Marko, Esq.

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

Minutes for Approval Motion was made by Mrs. Hope, seconded by Mrs. Gottlieb and carried, to approve the official minutes for the following Board Meetings: Mrs. Kraft had not yet assumed her seat on the dais. (8-0 vote)

November 12, 2008 – Special – Student Expulsions
November 12, 2008 – Regular School Board Meeting
November 18, 2008 – Annual Meeting – Organizational Meeting
November 18, 2008 – Annual Meeting – The Broward School Board Leasing Corporation

Close Agenda Upon motion by Ms. Gallagher, seconded by Mrs. Hope and carried, the Agenda was approved and declared closed. Mrs. Kraft had not yet assumed her seat on the dais. (8-0 vote)

SPECIAL PRESENTATION

Environmental Council Awards

Dr. Parks reported on his attendance at the Environmental Council Awards event whereby winners were presented to administrators, students and teachers in Broward County who have exhibited innovation and support for environmental issues in schools. Dr. Parks informed that environmental groups throughout the county attended this event.

Via teleconference, award winners were recognized: Administrator of the Year, Dr. Susan Whiting, Tradewinds Elementary; students: Kiara Weir, Parks Lakes Elementary, with teacher Marquette James and Principal Jeannie Floyd; Allison Guzman, Nova Middle, with teacher Michael Kelly and Principal Dr. Ricardo Garcia; Aliza Karim, Deerfield Beach High, with teacher Janet Andrade and Principal Jon Marlow.

Educators: Karen Gonzalez, Silver Ridge Elementary, with Principal Marion Gundling; Lisa Dos Santos, Forest Glen Middle, with Principal Jim McDermott; Marilyn Zaragoza, Everglades High, with Principal Dr. Paul Fetscher.

Award winners were congratulated for their environmental efforts.

REPORTS

District Advisory Council – Jeanne Jusevic

Ms. Jusevic thanked Mrs. Bartleman for serving as Chair and Ms. Dinnen for serving as Vice-Chair on The School Board of Broward County for the 2007-2008 school year. Congratulations was extended to Ms. Dinnen for being elected Chair and Mrs. Gottlieb for being elected Vice-Chair for the 2008-2009 school year. Ms. Murray was welcomed by DAC.

Ms. Jusevic informed the Board that DAC will hold its meeting on December 10, 2008, beginning at 6:30 p.m., at the K.C. Wright Administration Center Board Room. Boundaries staff will make a presentation regarding the impact on local service, Class Size and Plant Survey regarding the boundaries process.

The Legislative subcommittee will be submitting the Legislative Guide for parents and DAC staff will meet with Government Relations staff to visit different Florida Legislators to discuss the state of education in Florida and funding. Additional information can be obtained by visiting DAC's website: google.com/site/browarddistrictadvisorycouncil.

The Strategic Planning subcommittee has met to consider feedback its members gave at the last meeting on various concerns. There is ongoing discussion on improving DAC and its ability to meet members' needs, and a review of bylaws is ongoing.

Ms. Jusevic stated there is increased parent participation in all areas and on district committees. A training event will be held in January or February 2009 for district parents.

Ms. Jusevic, on behalf of the DAC, extended safe holiday wishes to the School Board and the district.

Ms. Dinnen welcomed Ms. Murray to her first meeting as School Board Member.

Broward County Council PTAs/PTSAs

Ms. Dinnen informed that a written report has been submitted to the Board by PTA President Shirley Lewis.

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

Eric welcomed Ms. Murray to the School Board. BCASC will hold a meeting on Thursday, December 11, 2008.

Employee Unions – Bernie Schultz

Ms. Schultz, on behalf of Broward Teachers Union, congratulated Ms. Dinnen, Mrs. Gottlieb, Ms. Murray and School Board Members on their appointments and re-appointments to the School Board.

Facilities Task Force - Nick Sakhnovsky

Mr. Sakhnovsky welcomed Ms. Murray to the School Board and extended congratulations to Ms. Dinnen, newly-elected Chair.

Mr. Sakhnovsky informed that the Facilities Task Force met on December 4, 2008. Several topics of discussion were held, with the major item being a report by Mr. Omar Shim, Director, Capital Budget, regarding the impact of the quarter-mill carve out, which was moved by the Legislature last year into operating the Florida Education Financing Plan. Mr. Sakhnovsky stated that a discussion is being held to have another quarter mill in 2009, one strategy included pointing out the impact of unfunded mandates to the Legislature and the potential of local decision making by districts.

Mr. Sakhnovsky further reported that the Task Force discussed the installation of metal detectors in schools, but no position was taken on this issue. Information regarding the impact of transportation on facilities will be provided at a future Board report.

Mr. Sakhnovsky informed the Board that the Tools for Schools Committee and the Environmental Design Subcommittee have had an excellent year; both reporting that the district is doing well in this regard and they are mentoring other districts.

The next Facilities Task Force meeting will be held the first Thursday in February 2009.

Diversity Committee – Roland Foulkes

Mr. Foulkes congratulated Ms. Dinnen on her election as Chair, Mrs. Gottlieb on her election as Vice-Chair, re-elected School Board Members, and welcomed Ms. Murray to the Board.

On December 4, 2009, the Diversity Committee held its first meeting of the new 2008-2009 school year. Two motions were presented and a special presentation/workshop was held by Ms. Mildred de Robles of the Miami office of the U.S. Department of Justice on the topic of Cultural Professionalism.

Mr. Foulkes reported that a motion was made, and passed unanimously, that the response report of the Diversity Committee be adopted with the necessary adjustments and appropriate amendments for inclusions. This is the first written report the Committee has prepared in response to the Superintendent's CCC Annual update. The Committee looks forward to continuing toward 100 percent compliance for the benefit of all students, K-adult, with the Superintendent, CCC, and the community. A final report will be submitted to the Board in January 2009.

A second motion was made that the Diversity Committee recommend to Vice-Chair Mrs. Gottlieb that she appoint Jawhar "Joe" Badran to the Diversity Committee. This is the logical outcome of a unanimously passed motion made by two of her appointees – Randy Fleischer and Michael Rajner, to recognize the positive contributions of Mr. Badran to the committee and to have Dr. Parks re-appoint him to this committee.

Mr. Foulkes attended a prayer breakfast sponsored by the Urban League, with prayers sent to the School Board by various ministers who prayed for leaders locally, statewide, nationally and globally.

An invitation was submitted to the Board from Mount Olive Baptist Church for their annual Black Noel presentation, held on December 12 through December 14, 2008.

The First Baptist Church Piney Grove will host A New Beginning, the Inauguration Luncheon on January 20, 2009, 11:00 a.m., at the Hilton Deerfield Beach Hotel. The inauguration of President Barack Obama will be televised via a live feed from Washington, D.C.

BOARD MEMBERS

Ms. Murray informed her colleagues that she visited Sheridan Park Elementary School, who honored Robin Maya, Teacher, as founder of Excellence in Education for 2008 Excellence in Award for reading. Ms. Debra Kalitan, Autistic Coach at Tequesta Trace Elementary School, received a grant from the Center for Autistic and Related Disabilities to fund instructional activity in the community for students with autism.

Congratulations was extended to Hollywood Park Elementary School and proactive teacher, Ms. Wendy Hernandez, who received a \$1,100 donation from the Community Bank to purchase equipment and material for her students.

Recognition was extended to Hollywood Hills High School contest participants, four Hollywood Hills students who were invited to the U.S. Army All American Combo football training. This exclusive event is open to the top 500 high school football players in the United States.

Ms. Murray stated that Sterling Elementary held a Jump Rope for Hearts event in November, and they raised almost \$4,000.

Ms. Murray informed her colleagues that an anonymous donor gave \$2,000 to Davie Elementary School for supplies. She praised individuals who understand the needs of the school district and reach out to students without the need for accolades.

Ms. Murray visited Apollo Elementary School who announced three of their teachers earned National Board Certification: Ms. Traci Aveni, Reading; Mr. Eamonn Small, Art; and Mrs. Sonja Sherman, Language Arts.

Ms. Dinnen thanked her colleagues for their confidence in electing her Chair of the School Board, and said she looked forward to working with everyone and Mr. Notter. She said she was hopeful that the Board will not lose its momentum from last year, winning several awards last year. Ms. Dinnen stated that the Board will work on non-money issues and make the public aware of the district's problems. Additionally, the Board will continue their professionalism and team work.

Ms. Dinnen requested her colleagues to discuss any suggestions regarding the School Board "routine," how to make meetings more streamlined and expeditiously at the December 11, 2008, School Board Workshop.

Ms. Dinnen stated that she met with the Broward Delegation to discuss upcoming events regarding economics and district budget cuts. She stated that a special session will be held with the Delegation to explain education funding to individuals that may not be familiar with the issues.

Ms. Dinnen visited Seminole Middle School who showcased the environment on a recent Saturday, with attendance by the principal and community members. The event showcased the use of native plants and agricultural techniques used by the district for the school.

Ms. Dinnen stated there is not a Planning Council report for this month because there were no new residential projects presented at the November meeting.

Ms. Dinnen attended the Broward Education Coalition meeting, a group that helps the district present issues to the Legislative Delegation. They will go to Tallahassee in March 2009 during Broward Days to present the needs of the district.

Ms. Dinnen attended the Mayor's gala for Broward County and met with community members, and she swore in the new Wilton Manors City Commissioner, Professor Thomas Green.

Mr. Williams announced that U.S. News and World Report identified more than 21,000 public high schools in 48 states to find the very best. The top schools in Broward County placed in the Gold, Silver, Bronze, and Honorably Mentioned categories. Stranahan High School was designated a Silver Medal school; other schools were Atlantic Technical Center, McFatter Technical Center, Nova High School, and Pompano Beach High School.

Wilton Manors Elementary School was one of 11 winners of the 2008 National School of Character Award, a prestigious honor that recognizes schools and districts for their outstanding work in character education.

Mr. Williams announced that a breakfast/training program was held with over 30 engineering and architectural contractors attending, including DeVry University and Florida Atlantic University representatives, who met with Blanche Ely and Stranahan high school students in their partnership program. Mr. Williams stated this is one of the best partnership programs in the school system.

Mr. Williams acknowledged and recognized the Magnet Showcase that was held on December 3, 2008 at the Broward Convention Center, with over 24,000 individuals in attendance. Over 87 applications were collected at this event and the next day, 519 applications were completed online. Mr. Williams thanked the Magnet Department for their hard work at this event.

Dr. Parks informed his colleagues that a report released by the National Board of Professional Teaching Standards indicated that Broward County is the number one district in the country with the most nationally board certified teachers, 1,629. This is a significant increase of nationally board certified teachers in non-Title I schools and Title I schools.

Dr. Parks discussed the Urban Academies in Broward County, stating that the district was awarded \$430,000 in federal appropriated dollars from Representative Robert Wexler for three years, and the funds will be used to develop strong teachers for secondary critical shortage areas of math, science and reading. Dr. Parks reported that two ambitious web-based math tutoring programs have been introduced at the five Utah Technology Awareness Project (UTAP) high school schools: Deerfield Beach, Flanagan, Hallandale, Nova and Stranahan. These programs have the potential to strengthen the math skills of students and enabling them to become great teachers for the future. Dr. Parks noted that UTAP has grown from 44 students in 2000 to 349 this school year; presently there are 84 Broward teaching fellows on full scholarships at various stages of their college careers.

Dr. Parks further reported that first year students who were 9th graders in 2000-2001 will be doing their student teaching in the spring at the district's hard-to-staff schools next year. He stated that even in these hard economic times, 65 Urban Academy trained teachers from local higher education partners have been hired for this school year, with many selected to teach in A+++ schools, including Sunland Park Elementary, Martin Luther King Elementary, Lauderdale Lakes Middle, and others.

Mrs. Bartleman informed her colleagues that she attended the Anti-bullying March before Thanksgiving with Mrs. Gottlieb and Mr. Notter, which was attended by thousands of students in support of this cause. Acknowledgement and gratitude was extended to the Office of Prevention staff for their efforts and assistance in supporting this event.

Gratitude was extended to the following schools who offered their support at the march: Westwood Heights, Park Trails, Riverglades and Sterling elementary schools; Indian Ridge, Sunrise, Pines, Lyons Creek, Lauderdale Lakes, Bair, and Nova middle schools; Cypress Bay, Taravella, Piper, Hollywood Hills, and Cooper City high schools.

Mrs. Bartleman, who indicated she attended the Transgender Equality Rights Day of Remembrance, stated that the hate crime of Broward student Simmie Williams who was killed last year has not been solved. Mrs. Bartleman stated that the event recognizes tolerance and respect for others.

Mrs. Bartleman, reported that this week is designated National Inclusive School Week, and a memorandum was sent to principals and schools to celebrate this event which emphasizes learning together and that inclusive schools benefit all children.

Mrs. Bartleman indicated that responsible inclusion is doing what is best for the child and offer them the best setting on the Continuum of Services model. A best practices is being developed and principals are being asked to submit their schools' events during this week's celebration.

Mrs. Bartleman congratulated Dr. Joanne Harrison, Deputy Superintendent, Educational Programs and Student Support, for receiving the March of Dimes Humanitarian Award for Education.

Mrs. Bartleman stated that on Sunday, December 14, 2008, the memorial of Tyler Scott Goldberg was unveiled. Tyler was a Falcon Cove student who was killed last year on a jet-ski. A foundation has been set up to raise awareness of the dangers of jet-skis, the lack of safety training and lack of guidelines and restrictions.

Mrs. Bartleman reported that she will work with Ms. Sayra Velez Hughes, Executive Director, Multicultural, ESOL and Program Services, at the Early Coalition meeting with regard to changing the testing procedures of kindergarten students after the first 30 days of school. Mrs. Bartleman stated that a pre and post-test is being advocated to measure the quality of Voluntary Pre-Kindergarten (VPK) programs.

Mrs. Bartleman informed that she and staff attended a meeting with individuals from the construction industry in Broward County. Remarking that the district has lost \$250 million from the Capital Plan, Mrs. Bartleman stated this loss impacts the economy, construction jobs are lost, including sub-contractors, renovations to schools, ADA projects, and individuals who have children that attend the school system. She said if the state Legislature continues to "touch" the district's 2 mill money and transfer it to the operational side or they do not sunset the provision, this will impact the district's borrowing capacity. She stated that the companies will assist the district by lobbying this issue in Tallahassee.

Mrs. Bartleman attended the Florida School Boards Association meeting, who discussed budget cuts for districts throughout the state.

Mrs. Bartleman discussed a lawsuit that St. Lucie County lost regarding an individual who asked for information of employees' addresses and phone numbers regarding health insurance.

Mr. Marko responded that a request was submitted to his office and the issue was discussed at the Florida School Board Attorneys Association meeting. Mr. Marko stated that the Legislature has been unreceptive to the limitation of information.

Mrs. Bartleman thanked Country Isles Elementary School for hosting the Harvest Food Drive during Thanksgiving, in coordination with other schools who provided food and clothing to families in Broward County. Gratitude was extended to all schools for their worthy events to benefit the less fortunate.

Mrs. Bartleman extended holiday wishes to everyone.

Ms. Gallagher informed her colleagues that two of six finalists for the 2008-2009 School Related Employee of the Year from District 2 were Cheryl Mutnick, Media Clerk, Pioneer Middle School and John Richardson, Security Specialist, Cooper City High School. Congratulations was extended to all finalists, with the award ceremony scheduled for December 17, 2008.

Ms. Gallagher informed that students are asking for guidance and counseling because of the incidents that are occurring in our schools. Ms. Gallagher requested that staff implement an informational campaign on the Silence Hurts and Peer Counseling programs, in addition to ensure that all schools post the Silence Hurts poster, make morning announcements with different adults on camera from school communities talking about the programs. Ms Gallagher inquired about the pilot project, morning announcements, at Walter C. Young.

Highlighting the discussion from the FSBA meeting, Ms. Gallagher stated that all charter school boards and principals must be trained in Ethics, Rules and Governance by December 31, 2008, which is a 4-hour training course. Ms. Gallagher inquired whether the district's charter schools are getting their directors and principals trained the same way that Board Members are trained. She requested that staff provide the Board with an update.

Ms. Gallagher stated that FSBA is requesting that the district share its Virtual School information with them, since it has done so well.

Ms. Gallagher stated that 25 counties have settled their union contracts, 8 are at impasse, and two of the districts in impasse over changing their school calendar were told by mediators that they have to change their calendar to 6th period to save money.

Ms. Gallagher informed her colleagues that PICO funding is going to be 57 percent less this year than what was expected. Ms. Gallagher stated that the district is being put in a position where the district will have to decide whether to balance the budget or adhere to some of these laws, unfunded mandates and Class Size Amendment. She requested the Superintendent to weigh some of these unfunded mandates and ensure that there is no financial penalty or something else that will happen to the district.

Mrs. Kraft informed her colleagues that Taravella High School is the only high school in the state of Florida to be invited to the Presidential Inauguration, and Florida A & M University is the only university in the state to be invited, the two Florida representative schools to play at the Inauguration. Remarking that approximately \$150,000 is needed to send the high school to Washington, D.C., Mrs. Kraft stated if there are any leftover campaign funds the school would appreciate this donation.

Mrs. Kraft reported that Ramblewood Middle School student Vincent Medina, last year's top speller in Broward County, has completed the first round of the Broward County spelling bee and has advanced to the nationwide event in Washington, D.C., in March 2009.

Mrs. Kraft stated that Mr. Mark Nerenhausen, President, Broward Center for the Performing Arts, has accepted a new position in Dallas, Texas. Gratitude was extended for his efforts in the (Student Enrichment in the Arts and Science Program (SEAS) that has resulted in a "awesome" partnership with the school district. Mrs. Kraft stated that the Superintendent can work with Dr. Abe Fischler to ensure that whoever replaces Mark is like-minded and will continue the strong partnership with the district.

Mrs. Hope participated in the City of Plantation's festive holiday parade and the Davie holiday parade.

Mrs. Hope thanked the Weston Club for inviting her to speak to the community about issues concerning Weston, including boundaries issues. Mrs. Hope attended the City of Sunrise Commission meeting and said she will attend the City of Lauderhill meeting this evening.

Mrs. Hope discussed her attendance at the Florida School Boards Association conference in Tampa. She attended the "How to Market your Schools workshop which was very informative, and she will forward these initiatives so that the district can apply their success.

Mrs. Hope discussed her attendance at the Broward Legislators Delegation meeting.

Mrs. Hope showcased student Angelo Lombardo, date of birth January 19, 1995, age 13, who has been missing from Plantation, last seen October 31, 2008. Please contact your local authorities or the National Center for Missing and Exploited Children if you have any information.

Mrs. Hope extended holiday greetings to everyone.

Mrs. Gottlieb informed her colleagues that on November 15, 2008 she attended the Lego League for Robotics competition at Crystal Lake Middle School. She stated it was exciting to have elementary students involved in the program, with middle and high school participation in mentoring and judging.

Mrs. Gottlieb thanked the Central Area Transportation office for inviting her to the Thanksgiving luncheon.

Mrs. Gottlieb attended a JROTC inspection this morning with Colonel Armstrong and an inspector from the Army. She said students worked very hard to learn the skills to be a part of the JROTC program.

Mrs. Gottlieb recognized Agenda Item A-2 Resolution in Support of Jewish History Month – January 2009, a time to focus on the tremendous contribution Broward County Jews have made in every area of the development of the county.

Mrs. Gottlieb stated that her Diversity Committee appointee has requested the announcement of a resource fair on December 16, 2008, 6:15 p.m., by the Gay and Lesbian Domestic Coalition, on dating and dating violence, 1717 North Andrews Avenue, Fort Lauderdale.

SUPERINTENDENT

Speakers

Barney Schlesinger
Mark Hansen
Dr. Michelle Westfort
Melanie Devito
Joshua Schlinsky
Tom Jenkins

Mr. Hansen was referred to staff to discuss his concerns about his daughter's school and victimization of bullying.

CONSENT AGENDA Following identification of those items Board Members and members of the public indicated they would like considered separately, motion was made by Mrs. Gottlieb, seconded by Mrs. Hope and carried, to approve the Consent Agenda for the remaining items.

CONSENT ITEMS

A. RESOLUTIONS

- A-1. Resolution in Support of National Magnet Schools of America Month
(Adopted)

Motion was made by Ms. Gallagher, seconded by Mrs. Gottlieb and carried, to adopt Resolution #09-51, in support of the 2009 National Magnet Schools of America Month.

Mr. Williams read the resolution into the record.

Ms. Gallagher suggested that staff develop a traveling Magnet showcase to ensure all students in elementary, middle and high schools have the opportunity to understand the Magnet programs.

Mrs. Kraft requested that she be provided a response regarding where the majority of the magnet students come from, and whether students could be recruited from other areas and market the program. Mrs. Kraft, who inquired how many students attended the Magnet Showcase at the Fort Lauderdale Convention Center, questioned whether that large size of a venue is needed. She said that other venues might be centrally located; for example, the Signature Grand.

Mr. Williams stated that the presentation at the Magnet Showcase was the first time there was a large number of individuals attending, over 5,400. Mr. Williams further stated that in order to increase enrollment in eastern county schools, magnet programs must be provided. Mr. Williams discussed the success of the International Baccalaureate program at Boyd Anderson High School, stating that most of the students came from the western part of the county to attend the program.

Ms. Dinnen commended the Magnet Program and staff.

- A-2. Resolution in Support of Jewish History Month – January 2009
(Adopted)

Adopted Resolution #09-52, in support of Jewish History Month, January 2009.

- A-3. Resolution in Support of School Impact Fee Waiver for Lot 16, Block 7, MEEKINS ADDITION NO. 1 AMENDED, According to the Plat Thereof, Recorded in Plat Book 26, Page 50 of the Public Records of Broward County, Florida; Located at 1038 NW 8th Street in the City of Hallandale Beach, Florida; Proposed by David Bethel (Adopted)

Adopted Resolution #09-53, 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 \$3,235 school impact fees due for the construction of one very low income single family home, on Lot 16, Block 7, MEEKINS ADDITION NO. 1 AMENDED, according to the plat thereof, recorded in Plat Book 26, Page 50 of the Public Records of Broward County, Florida.

The proposed development will consist of one very low income single family home, which will provide affordable housing for a very low income individual as defined in Division 6 of the Broward County Land Development Code Definitions. Therefore, as proposed, the one very low income single family home is 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 Community Development Division certified the proposed development as one very low income single family home. Based on the current school impact fee ordinance (Ordinance 97-40, effective October 1, 2007), the total school impact fee due for the project is approximately \$3,235. Based on criteria cited in Section 5-184(b)(4) of the Broward County Land Development Code, the total \$3,235 qualifies for school impact fee waiver. Schools affected in the 2008/09 school year are Colbert Elementary, McNicol Middle, and Hallandale High Schools.

David Bethel is the owner of the property, and Delmar Construction Group is the developer and is not registered as a 501 (c)(3) Not for Profit entity, as defined by law. In individual homeowner cases, the Board has previously approved individuals, who are not corporations, for this fee waiver.

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

There is a potential loss of approximately \$3,235 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 Lot 7, Block 2, of OCEAN PARK, According to the Plat Thereof, as Recorded in Plat Book 5, Page 6, of the Public Records of Broward County, Florida; Located at 500 NW 7th Court in the City of Hallandale Beach, Florida; Proposed by Rebecca Hardemon (Adopted)

Adopted Resolution #09-54, 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 \$3,235 school impact fees due for the construction of one very low income single family home, on Lot 7, Block 2, of OCEAN PARK, according to the plat thereof, as recorded in Plat Book 5, Page 6, of the Public Records of Broward County, Florida.

The proposed development will consist of one very low income single family home, which will provide affordable housing for a very low income individual as defined in Division 6 of the Broward County Land Development Code Definitions. Therefore, as proposed, the one very low income single family home is 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 Community Development Division certified the proposed development as one very low income single family home.

Based on the current school impact fee ordinance (Ordinance 97-40, effective October 1, 2007), the total school impact fee due for the project is approximately \$3,235. Based on criteria cited in Section 5-184(b)(4) of the Broward County Land Development Code, the total \$3,235 qualifies for school impact fee waiver. Schools affected in the 2008/09 school year are Colbert Elementary, McNicol Middle, and Hallandale High Schools.

Rebecca Hardemon is the owner of the property, and JO-C Builders, Inc., is the developer and is not registered as a 501(c)(3) not for profit entity, as defined by law. In individual homeowner cases, the Board has previously approved individuals, who are not corporations, for this fee waiver.

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

There is a potential loss of approximately \$3,235 in school impact fees. This item does not require a collaboration form from the Capital Budget Department.

B. BOARD MEMBERS

D. OFFICE OF THE CHIEF AUDITOR

D-1. Audit Reports for Internal Funds at 7 Schools in the North Area
(Received)

Received Audit Reports for Internal Funds at 7 Schools in the North Area.

Audited the Internal Funds of the schools listed below for the fiscal years ended June 30, 2007 and 2008 as authorized by the State Board of Education Rule 6A-1.087(2), Florida Administrative Code and School Board Policy 1002.1.

<u>Schools</u>	<u>Fiscal Year(s)</u>
*Crystal Lake Middle School	2007 and 2008
*Cypress Elementary School	2008
*Margate Elementary School	2007
Monarch High School	2007 and 2008
Stoneman Douglas High School	2007
*Taravella, J.P. High School	2007 and 2008
*Westglades Middle School	2007 and 2008

*Denotes Schools With No Audit Exceptions

The Audit Committee reviewed and approved this report for transmittal to the School Board during the Committee's October 30, 2008 meeting.

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The source of funds to perform the Internal Audit Reports was the General Fund budget allocation for the Office of the Chief Auditor. There is no additional financial impact to the school district.

D-2. Audit Reports for Internal Funds at 4 Schools in the North Central Area
(Received)

Received Audit Reports for Internal Funds at 4 Schools in the North Central Area.

Audited the Internal Funds of the schools listed below for the fiscal years ended June 30, 2007 as authorized by the State Board of Education Rule 6A-1.087(2), Florida Administrative Code and School Board Policy 1002.1.

<u>Schools</u>	<u>Fiscal Year(s)</u>
Castle Hill Elementary School	2007
*Dave Thomas Education Center	2007
Lauderdale Lakes Middle School	2007
Seagull Alternative High School	2007

*Denotes Schools With No Audit Exceptions

The Audit Committee reviewed and approved this report for transmittal to the School Board during the Committee's October 30, 2008 meeting.

The source of funds to perform the Internal Audit Reports was the General Fund budget allocation for the Office of the Chief Auditor. There is no additional financial impact to the school district.

D-3. Audit Reports for Internal Funds at 8 Schools in the South Area
(Received)

Received Audit Reports for Internal Funds at 8 Schools in the South Area.

Audited the Internal Funds of the schools listed below for the fiscal years ended June 30, 2007 and 2008 as authorized by the State Board of Education Rule 6A-1.087(2), Florida Administrative Code and School Policy 1002.1.

<u>Schools</u>	<u>Fiscal Year(s)</u>
*Attucks Middle School	2007
*Embassy Creek Elementary School	2007 and 2008
*Griffin Elementary School	2007 and 2008
*Hollywood Park Elementary School	2007

<u>Schools</u>	<u>Fiscal Year(s)</u>
*Lake Forest Elementary School	2007 and 2008
*Lakeside Elementary School	2007 and 2008
*Miramar High School	2007
*Palm Cove Elementary School	2007 and 2008

*Denotes Schools With No Audit Exceptions

The Audit Committee reviewed and approved this report for transmittal to the School Board during the Committee's October 30, 2008 meeting.

The source of funds to perform the Internal Audit Reports was the General Fund budget allocation for the Office of the Chief Auditor. There is no additional financial impact to the school district.

D-4. Audit Reports for Internal Funds at 12 Schools in the South Central Area
(Received)

Received Audit Reports for Internal Funds at 12 Schools in the South Central Area.

Audited the Internal Funds of the schools listed below for the fiscal years ended June 30, 2007 and 2008 as authorized by the State Board of Education Rule 6A-1.087(2), Florida Administrative Code and School Board Policy 1002.1.

<u>Schools</u>	<u>Fiscal Year(s)</u>
*Dillard Elementary School	2008
Dillard High School	2007
*Fort Lauderdale High School	2008
Lauderdale Manors Elementary School	2007
North Side Elementary School	2007
Parkway Middle School	2007
*Peters Elementary School	2008
Riverland Elementary School	2007
Stranahan High School	2007 and 2008
Sunrise Middle School	2007
*Walker Elementary School	2007 and 2008
*Western High School	2007

*Denotes Schools With No Audit Exceptions

The Audit Committee reviewed and approved this report for transmittal to the School Board during the Committee's October 30, 2008 meeting. The source of funds to perform the Internal Audit Reports was the General Fund budget allocation for the Office of the Chief Auditor. There is no additional financial impact to the school district.

D-5. Internal Property Audit Report – Property and Inventory Audits of Selected Locations 2008-2009 (Received)

Received Internal Property Audit Report – Property and Inventory Audits of Selected Locations 2008-2009.

Property and Inventory Audits of Selected Locations were performed, as authorized by the Florida Statute 2740.02(2), School Board Policy 1002.1 and School Board Policy 3204.

The Audit report represents 32 locations in which a total of 21 locations had no exceptions and 11 locations had exceptions.

The Audit Committee reviewed and approved this report for transmittal to the School Board during the Committee's October 30, 2008 meeting.

The source of funds to perform the Internal Property Audit Reports was the General Fund budget allocation for the Office of the Chief Auditor. There is no additional financial impact to the school district.

E. CHIEF OPERATIONS OFFICER

E-1. Additional Recommendations on Existing Contracts Less Than \$500,000 (Approved)

Approved finding Clean View, LLC in default on the following contract: 29-010R – Pressure Cleaning Service.

It is recommended the School Board find Clean View, L.L.C., in default of ITB 29-010R Pressure Cleaning Service for failure to comply with the bid conditions of the subject bid. Clean View, L.L.C., has failed to respond with correct written estimates within the time frames established, will not communicate by phone, fax or e-mail. The vendor refuses to honor their bid prices and will not correct their grossly mismeasured cleaning estimates, inflated 6-7 times the total area to be cleaned. It is further recommended their company name be removed from the bid list for two years, and during this period of time no recommendations for award be considered from this vendor or purchase orders be released to this vendor. This additional recommendation is in accordance with General Conditions 22, 23 and 53 of the bid.

There is no financial impact to the district.

E-2. Vending Machine Agreement(s) (Approved)

Motion was made by Dr. Parks, seconded by Mrs. Kraft and carried, to approve the following Vending Machine Agreement(s) for the school(s) listed.

On August 1, 2006, The School Board of Broward County, Florida, approved Bid 27-002B: *Furnish, Install, Stock and Maintain Campus Vending Machines.*

The bid provides a pool of approved vendors with whom agreements could be negotiated for services at individual schools and centers. The agreement(s) includes any income fees/ commission rates that were obtained through the bid proposals or negotiated pursuant to Section 19 of the Bid's general specifications.

Agreement(s) for the following school(s):
Apollo Middle School, New Renaissance Middle School, Piper High School, Hallandale High School,

The agreement(s) have been approved as to form and legal content by the School Board Attorney.

There is no financial impact to the district. Agreements provide revenue to schools to support programs and activities for students and staff.

Dr. Parks stated that half of the snacks in vending machines are unhealthy and they make the most money for the school. Dr. Parks requested that staff review the money generated from the outside vending machines and how the schools use those dollars.

F. CURRICULUM/EDUCATIONAL PROGRAMS & STUDENT SUPPORT

F-1. New Agreement with HCR Manor Care d/b/a Heartland Health Care & Rehabilitation Center (Approved)

Motion was made by Mrs. Hope, seconded by Mrs. Gottlieb and carried, to approve the new agreement between The School Board of Broward County, Florida, and HCR Manor Care. Mrs. Kraft was absent for the vote. (8-0 vote)

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

The new agreement with HCR Manor Care 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.

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

There is no financial impact to the district.

Mrs. Bartleman inquired how the nurses are selected for this program, and whether they model appropriate behavior; what benchmarks are used to make sure children are being sent to the best places.

Mr. Notter responded that criteria must be followed according to state and national standards. The ability of the facility is reviewed to ascertain that students are getting the full benefit of their practicum so that they can ultimately sit for their exams.

Dr. Earlean Smiley, Deputy Superintendent, Curriculum, who remarked there is a critical shortage for field experiences for students, stated that the process in place involves a periodic review and site evaluation by staff; feedback is provided and decisions are made within the context of this process. Dr. Smiley further stated that data collection is readily available via a matrix and in collaboration with health inspectors district staff will review their data. Dr. Smiley said that as a result of the Jessica Lunsford Act, the district does not take chances with students who are getting the experiences of their work off-site.

F-2. Grant Applications (Approved)

Approved the submission of grant applications to:

- A. Airborne Teacher Trust Fund
- B. Best Buy Children's Foundation Te@ch Grant Program
- C. CVS Community Grant for Public Schools
- D. Florida Humanities Council Teacher Grant
- E. Lowe's Toolbox for Education
- F. Mary Turner and Nancy France Fund Grant Applications
- G. NEA Foundation Learning and Leadership Grants
- H. Target Community Giving Grants Program
- I. Target Field Trip Grant Program

Copies of the full grant applications are available at the public stand in the lobby of the KC Wright Building and at the Board Members' Office on the 14th Floor of the KC Wright Building.

The positive financial impact is \$76,307 from various sources. 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)

Motion was made by Ms. Gallagher, seconded by Mrs. Hope 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. Dr. Parks was absent for the vote. (8-0 vote)

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

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

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

Ms. Dinnen stated that she had previously requested a rationale for the positions to be filled due to the current economic times.

Newly-appointed district personnel were recognized and congratulated.

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

Motion was made by Ms. Gallagher, seconded by Mrs. Gottlieb and carried, to approve the personnel recommendations for separation of employment or discipline as listed on the respective lists for Non-Instructional staff. Mrs. Hope and Ms. Murray voted "no." (6-2 vote)

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. Dr. Parks was absent for the 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.

Employee Colwyn Charles stated he objected to the recommendation of suspension for the accusation of not taking care of students on his bus route. Mr. Charles discussed his problems with his supervisor who has accused him of being a racist, and the unruly students who have used profanity on the bus.

Ms. Dinnen responded that the Superintendent's staff will address the employee's concerns following the Board meeting.

Mrs. Hope inquired whether a copy of the complaint could be provided.

Mrs. Bartleman suggested that the employee contact his bargaining unit so that due process can be implemented.

Ms. Dinnen stated that Mrs. Lynn Strong, Associate Superintendent, Human Resources, will provide additional information to Mrs. Hope.

Mrs. Hope stated she will vote "no" on the item because the information is not readily available.

G-5. Supplemental Pay Positions – List #9

(Approved)

Motion was made by Mrs. Bartleman, seconded by Mrs. Hope and carried, to approve the recommended supplemental pay positions of employees for the 2008-2009 school/fiscal year. Dr. Parks was absent for the vote. (8-0 vote)

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

The Specific Supplemental Pay Positions include the following type of supplements: Secondary department chairpersons high school; secondary department chairpersons and/or team leaders middle school; elementary grade level chairpersons and/or team leaders; athletic supplements; general supplements; and special supplements for the 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 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 290.

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

Mrs. Bartleman inquired whether the Supplemental positions are being reviewed by staff and that the requirements of the positions are being fulfilled, especially during these budget times. Mrs. Bartleman stated that during the last year a list of schools has been provided regarding their issues with textbooks or students not having textbooks. She stated, if an individual is being paid a supplement to monitor those textbooks they should be held accountable.

Mrs. Strong responded that an analysis is being conducted at this time, and data has been requested on all district textbook coordinators. This information will be provided to the Board in writing.

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

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 item was amended to delete one name.

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

I. OFFICE OF THE SUPERINTENDENT

I-1. 2008-09 School Improvement Plans (Approved)

- 1) Approved the District Assistance and Intervention Plan, Corrective Action Plans, and Restructure Plans .
- 2) Approved the School Improvement Plans required by No Child Left Behind (NCLB) and the Florida's Differentiated Accountability Plan.
- 3) Approved the School Improvement Plans submitted by schools/centers as required by the State of Florida and SB Policy 1403.

Schools in Florida are required to submit an annual School Improvement Plan (SIP) for School Board approval. Each School Advisory Council (SAC), representing all stakeholder groups, has developed objectives that address Florida's Educational Goals and Broward's District Strategic Plan Goals. Plans reflect the District Comprehensive Reading Plan and the District's "Effective Schools Program: 7-8-9." Secondary school SIPs reflect the principles of secondary redesign as required by Florida statute 1003.413. Schools that were not required by the State to complete a state School Improvement Plan used the State SIP template to complete their plans, but were not required to complete all sections of the template.

No Child Left Behind (NCLB) designates Title I schools that have not made adequate yearly progress for 2 or more years as "Schools in Need of Improvement." Under Florida's Differentiated Accountability Plan, these schools are required to submit a State School Improvement Plan. In addition, schools with a performance grade of "F" or "D" are required to complete State SIPs regardless of Title I status.

The State requires each District to develop an Assistance & Intervention Plan that addresses the needs of schools with performance grades of "D" and "F" as well as Title I schools that are designated "Schools in Need of Improvement."

The District Assistance & Intervention Plan was developed collaboratively with Area Offices, District Departments and school-based personnel; it is designed to deliver a single voice of support services to the District's most needy schools and reflects the requirements under Differentiated Accountability.

The school improvement plans were developed with input from all stakeholder groups through the School Advisory Council and reflect Differentiated Accountability as well as the District Comprehensive Reading Plan. All SIP plans were reviewed by a District Review Team or A++/NCLB support staff as well as the Area Superintendents' Offices.

A set of SIPs and the District Assistance and Intervention Plan, Corrective Action Plans, and the Restructure Plans are available at: <http://www.broward.k12.fl.us/schoolimprove>, Official School Board Records, 2nd Floor, K.C. Wright Administration Center and eAgenda at <http://eagenda.broward.k12.fl.us>.

There is no financial impact to the district.

- I-2. Petition for Formal Proceedings (Withdrawn)
- I-3. The School Board of Broward County, Florida Request for Federal Financial Assistance to Fund School Operating and Construction Costs (Approved)

Motion was made by Ms. Gallagher, seconded by Mrs. Hope and carried, to approve to recommend that The School Board of Broward County, Florida, request federal financial assistance to fund school operating and construction costs.

The State of Florida is in an economic and financial crisis, with a projected state revenue shortfall of roughly \$6 billion for the current and next fiscal year (source: Governor Charlie Crist E-Mail Letter).

This will have a devastating impact on public education in the State of Florida. The latest prediction for our district is a loss of \$160 million for the 2009-10 school year. The U. S. census data indicates that Florida is 50 out of 50 in per capita educational spending. President-elect Obama has asked Congressional leaders to consider a new economic stimulus package. Congress has indicated that it is interested in including school facilities as part of that legislation. It is critical that the federal government include public schools in any financial relief efforts in order to ensure economic recovery in the State of Florida and throughout the nation. The financial assistance is for school construction and operating costs, including but not limited to: maintenance, technology, and other essential services.

The Council of Great City Schools is supporting the inclusion of public schools in President-elect Obama's economic stimulus package. Staff is working on a specific budget request for this item, and is seeking School Board approval to move forward with this request.

There is no financial impact to the district.

Ms. Gallagher thanked Miami-Dade Superintendent Alberto Carvalho for initiating a lawsuit against the state for this initiative, in an effort to recoup funding for school districts. She stated that last week, following the Florida School Boards Association meeting and the Greater Florida Consortium meeting, many school boards throughout the state are requesting Broward's resolution so that they may pass it in their own school districts.

Ms. Gallagher, who discussed the importance of financial assistance, stated that without a good education system there is not a good work force and a good sound economy. Ms. Gallagher stated that federal assistance will be needed to retrain the work force and to re-tool technical centers, providing a 21-century education to students. Ms. Gallagher thanked Broward School Board Members for their support.

Mrs. Bartleman stated that the best way to invest in the future of America is by investing in public education. Mrs. Bartleman said that the district has lost over \$128 million the last few years and a \$40 million reduction is expected in February 2009, for a total loss of \$168 million. She said that the resolution is to ask the federal government to preserve public education.

Mrs. Bartleman informed her colleagues that she has requested from Congressmen and Congresswomen and their staff to place a moratorium on all federal No Child Left Behind sanctions. She said this is important because every year the district sets aside \$12 million from Title I funds to pay for transportation for students to non-Title I schools and transporting students who are successful and pass the FCAT.

In addition, private providers are paid to tutor students, providers who have no accountability and do not use highly-qualified teachers.

Ms. Dinnen suggested the addition of a resolution regarding this issue for the December 16, 2008 School Board meeting.

Mrs. Hope voiced concern over the use of the term "bailout," and it is hopeful that there will be support for the infrastructure portion of a proposed stimulus package by the President-elect. Mrs. Hope stated she would support the item, an economic stimulus package, rather than a bailout. Mrs. Hope stated that the school system needs to be included in the stimulus package for building new schools or remodeling schools.

Ms. Dinnen, who reminded her colleagues that the agenda item indicates an economic stimulus package, stated that Congress has indicated an interest in spending funds on school facilities as well as common areas of infrastructure such as roads and bridges.

Concurring, Mrs. Kraft stated that a clarification is important because a bailout for the district would indicate a "hand-out" rather than a solution that is needed to fund schools. Mrs. Kraft stated that an economic stimulus for school construction will not be given unless the state and federal liaisons work with the federal government to have the two legislations aligned. She stated that changing the law will free up funds that the district has already budgeted but is unable to use.

Concurring, Mr. Williams stated it is critical that the federal government include public schools in any financial relief efforts in order to ensure economic recovery in the state of Florida and throughout the nation. He stated that No Child Left Behind needs to be revived in a manner that will help public schools move to the next level.

Dr. Parks stated that state support is needed and assurance needs to be given that the funds will go to local school districts. Dr. Parks stated that solutions need to be submitted along with the item, to establish a template that the Florida school districts and education organizations can use.

Ms. Murray requested that the district reach out to all counties in the state of Florida to make certain that all issues are incorporated that will enhance education.

Thanking her colleagues for supporting the item, Ms. Gallagher stated this will be the first step in making education whole. Discussing the difference between federal spending and state spending on education, Ms. Gallagher stated that the district may be able to get things done through the federal government than what is being attempted at the local level.

Mr. Notter, who praised the School Board for their leadership on this issue, stated that Florida is the first economy to suffer and the last economy to recover.

Ms. Dinnen stated it is the duty of the district to indicate to the federal government that infrastructure includes building schools or refurbishing schools so that children can have adequate facilities.

The following individual addressed this item:

Jeanne Jusevic

J. FACILITIES AND CONSTRUCTION MANAGEMENT

- J-1. Grant of Utility Easement to Florida Power and Light (FPL) for Electrical Service at Meadowbrook Elementary School (Approved)

Approved the grant of a utility easement to Florida Power and Light (FPL) for electrical service at Meadowbrook Elementary School.

The proposed 10' utility easement was requested by FPL to provide an underground service line for power to a new FPL vault at Meadowbrook Elementary School.

The School Board Attorney has approved the easement agreement 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.

- J-2. Grant of a Bill of Sale to the City of Sunrise for Water System Improvements at Piper High School (Approved)

Approved the grant of a Bill of Sale to the City of Sunrise for water system improvements at Piper High School. The proposed Bill of Sale is required by the City of Sunrise as part of the certification package for the traffic flow improvements project completed at Piper High School. The School Board Attorney has approved this Bill of Sale 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.

- J-3. Award of Contract – Thornton Construction Company, Inc. – ADA Restroom Renovations – Whispering Pines Center, Miramar – Project No. P.000341 (f.k.a.1752-99-04) (Approved)

Approved Award of Construction Contract for Whispering Pines Center, ADA Restroom Renovations, Project No. P.000341, to the low bidder meeting bid specifications, Thornton Construction Company, Inc., in the amount of \$183,498. Based on the PFA, the funds in the Adopted District Educational Facilities plan are over budget by \$443,776 and will be placed in the Capital Projects Reserve.

Contractor: Thornton Construction Company, Inc.
Consultant: Crain Atlantis Engineering, Inc.
Scope of Work: ADA restroom renovation of rooms 201A, 201B, 308A, 308B, 315A, 315B, 315C, 404D, and 407B.

The amount of the contract shall be \$183,498. The sources of funds are identified in the Adopted District Educational Facilities Plan, Fiscal Years 2008-2009 to 2012-2013, Page 216. Based on the PFA, the funds in the Adopted District Educational Facilities plan are over budget by \$443,776 and will be placed in the Capital Projects Reserve.

- J-4. Reduction of Retainage – Padula & Wadsworth Construction, Inc. – Cafeteria Replacement, Administration Building, Re-Roofing Building #1 – Hollywood Hills Elementary School, Hollywood – Project No. P.000015 (f.k.a. 0111-23-01) (Approved)

Approved the recommendation to reduce retainage now being held on Hollywood Hills Elementary School, Project No. P.000015 from the CM at Risk Contractor, Padula & Wadsworth Construction, Inc., from \$272,112 to \$108,845.

In accordance with School Board Policy 7005, the Facilities and Construction Management Division is recommending that the retainage be reduced from \$272,112 to \$108,845.

The amount of \$108,845 is being withheld at this time pending completion of this project.

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

The funds being released totaling \$163,267 are included in the Adopted District Educational Facilities Plan, Fiscal Years 2008-2009 to 2012-2013, page 71.

J-5. Change Orders

(Approved)

Approved change orders as listed for various school projects. Approve an additional appropriation of \$652,351 from Capital Projects Reserve. Approve an additional appropriation of \$421,508 will come from Capital Districtwide portables.

<u>Anderson, Boyd H. High</u>		Change Order 03	\$5,205
Unforeseen Condition	\$5,205		
<u>Anderson, Boyd H. High</u>		Change Order 06	\$4,421
Consultant Error	\$1,006		
Unforeseen Condition	\$3,415		
<u>Banyan Elementary</u>		Change Order 01	\$1,711
Unforeseen Condition	\$1,711		
<u>Coconut Creek High</u>		Change Order 06	\$76,706
Unforeseen Condition	\$76,706		
<u>Cooper City High</u>		Change Order 04	\$61,035
Unforeseen Condition	\$61,035		
<u>Coral Park Elementary</u>		Change Order 01	\$13,996
Owner Request	\$11,168		
Unforeseen Condition	\$2,828		
<u>Crystal Lake Middle</u>		Change Order 02	\$4,310
Consultant Error	\$2,566		
Owner Request	\$1,744		
<u>Dania Elementary</u>		Change Order 05	\$-491,795 (CREDIT)
Owner Request	\$-491,795 (CREDIT)		
<u>Deerfield Beach Elementary</u>		Change Order 03	\$18,879
Consultant Error	\$4,478		
Owner Request	\$14,401		
<u>Fort Lauderdale High</u>		Change Order 32	\$107,69
Consultant Error	\$53,282		
Owner Request	\$52,208		
Unforeseen Condition	\$2,200		
<u>Hollywood Hills Elementary</u>		Change Order 08	\$1,329
Unforeseen Condition	\$1,329		
<u>Margate Elementary</u>		Change Order 13	\$835
Consultant Error	\$835		
<u>Margate Middle</u>		Change Order 02	\$12,740
Unforeseen Condition	\$12,740		
<u>Miramar High</u>		Change Order 01	\$0
Unforeseen Condition	\$0		

<u>Orange Brook Elementary</u>		Change Order 09	\$2,282
Consultant Error	\$2,282		
<u>Ramblewood Elementary</u>		Change Order 02	\$4,110
Unforeseen Condition	\$4,110		
<u>Ramblewood Middle</u>		Change Order 03	\$5,923
Unforeseen Condition	\$5,923		
<u>Sandpiper Elementary</u>		Change Order 01	\$42,545
Unforeseen Condition	\$42,545		
<u>Sheridan Park Elementary</u>		Change Order 27	\$3,399
Consultant Error	\$3,399		
<u>Southwest Area Bus Facility</u>		Change Order 19	\$465,101
Owner Request	\$457,419		
Unforeseen Condition	\$7,682		
<u>Taravella, J.P. High</u>		Change Order 01	\$-80,314 (CREDIT)
Consultant Error	\$44,686		
Owner Request	\$-125,000 (CREDIT)		
<u>Tradewinds Elementary</u>		Change Order 01	\$421,508
Owner Request	\$421,508		
<u>West Central Bus Complex</u>		Change Order 33	\$10,705
Unforeseen Condition	\$10,705		

Financial Impact: Anderson, Boyd H. High – Project No.: P.000326 \$4,421; Cooper City High – Project No.: P.000387 \$61,035; Fort Lauderdale High – Project No.: P.000179 \$107,690; Sheridan Park Elementary – Project No.: P.000266 \$3,399; Southwest Area Bus Facility – Project No.: P.000673 \$465,101; Tradewinds Elementary – Project No.: P.000682 \$421,508; West Central Bus Complex – Project No.: P.000699 \$10,705.

An additional financial impact of \$652,351 will come from Capital Projects Reserve. An additional financial impact of \$421,508 will come from Capital Districtwide portables. There is no additional financial impact to the district for the remaining projects.

- J-6. Amend Professional Services Agreement – BRPH Architects Engineers, Inc. – New Elementary School – Elementary School “C”, Hollywood – Project No. P. 000400 (f.k.a. 2041-25-01) (Approved)

Approved this First Amendment to the Professional Services Agreement with BRPH Architects Engineers, Inc., for Elementary School “C” /New Elementary School, Project No. P. 000400 dated December 21, 2007.

Scope of Work:

Original: The existing property presently has multi-family condo that under the scope are to be demolished. Construct a two-story elementary school on existing site located in Hollywood, Florida to include: athletic fields, bus drive, parking lots, parent drop-off, sidewalks, and playgrounds.

Amended: Design a private wastewater lift station.

BRPH Architects Engineers, Inc., and the Superintendent's Negotiations Committee negotiated an increase in fees totaling \$21,260, which includes an increase in fee for Phase I by \$1,063, Phase II by \$1,063, Phase III by \$10,630, Phase IV by \$1,063, Phase V by \$7,016, and Phase VI by \$425.

The Schedule is amended to revise the final completion date from July, 2006 to February, 2010.

The Risk Management Department has reviewed this First Amendment and the School Board Attorney has approved this Amendment as to form and legal content.

The financial impact for this item is \$21,260 for Basic Services. Funds for this item are identified in the Adopted District Educational Facilities Plan, Fiscal Years 2008-2009 to 2012-2013, page 34.

J-7. Pre-Qualification of Contractors – Approval of Application and Issuance of Certificates (Approved)

Approved the recommendations of the Superintendent indicated in Exhibit 1.

The Qualification Selection Evaluation Committee (QSEC) convened on November 19, 2008, 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:

* **Century Structurs Co. – Issue Pre-Qualification Certification

* **Crowther Roofing & Sheet Metal of Florida, Inc. – Issue Pre-Qualification Certification

D. Stephenson Construction, Inc. – Issue Pre-Qualification Re-Certification

**E.H. Hosback Plumbing Service, Inc. – Issue Recommendation to Reject Application

FPL Services, LLC – Issue Pre-Qualification Re-Certification

*Koldaire, Inc. – Issue Pre-Qualification Certification

* **Lambert Bros., Inc. – Issue Pre-Qualification Certification

* **Play/Space Services, Inc. – Issue Pre-Qualification Certification

* **Rick Hamann and Son Demolition, Inc. – Issue Pre-Qualification Certification

**R. P. Technologies, Inc. – Issue Pre-Qualification Re-Certification
S&D Engineering and Construction Inc. – Issue Recommendation to Reject Application

*T & S Roofing Systems, Inc. – Issue Pre-Qualification Certification
Walker Design & Construction Co. – Issue Pre-Qualification Re-Certification

*New Certification **Certified M/WBE +/-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.

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

- J-8. Increase Purchase Order Amount – Kailan International Consultant's Inc. – Modular Storage Building – Lauderhill Middle School – Project No. 1331-03-14 (P. #TBA) (Approved)

Motion was made by Mrs. Kraft, seconded by Ms. Gallagher and carried, to approve increase of \$20,036 to the purchase order dated April 7, 2006, originally issued in the amount of \$71,168 to Kailan International Consultant's Inc., for completion of the Modular Storage Building at Lauderhill Middle School, Project No. 1331-03-14.

The project entails placement of a storage unit at Lauderhill Middle School. The original Purchase Order for the storage unit, including installation is \$71,168. Additional work is required to bring the storage unit into compliance with Safety and ADA standards. The cost of the additional work is \$45,035 of which \$24,999 has been provided via Bid Waiver. We are requesting an additional allocation of \$20,036 to complete funding of the \$45,035 required to cover the cost of additional work. The bid for this service has been fully utilized, requiring Board approval for additional work.

There is a financial impact of \$20,036. Funds will come from District wide Storage Buildings.

Mrs. Hope stated that staff has addressed her concerns on this item.

J-9. Reappointment of School District Representatives to the Oversight Committee (Deferred)

Motion was made by Ms. Gallagher, seconded by Mrs. Hope, to approve the reappointment of School Board Members Robin Bartleman, Maureen S. Dinnen and Lew Naylor a member of the District Advisory Council as School Board Representatives to the Oversight Committee for the Implementation of the Interlocal Agreement for Public School Facility Planning, to comply with the provisions of the Amended Interlocal Agreement. This motion was superseded by a Motion to Defer (page 34).

The Amended Interlocal Agreement for the Implementation of Public School Facility Planning (ILA) addresses the coordination of growth management issues and the provision and availability of public school facilities in Broward County.

The Amended ILA between The School Board of Broward County, Florida, Broward County, and 27 Broward County Municipalities requires the establishment of a fifteen (15) member Oversight Committee (OC), five each appointed by the School Board, the Broward County Commission, and the 27 Municipalities, to monitor implementation of the Agreement.

Through a mutually agreeable process, the 27 Municipalities elected to have the Broward League of Cities appoint the five Municipal representatives to the Committee.

Also, the Amended ILA requires the Committee to meet at least annually to conduct a public hearing and issue a report to the parties to the Agreement and the general public regarding the successes and failures of implementation of the Agreement in the preceding calendar year. However, the Committee By-Laws requires the Committee to meet quarterly during each calendar year and conduct public hearings.

Section 1, Article II-Membership, of the Oversight Committee By-Laws, states that "Each appointing body shall appoint/reappoint their members for two year terms. Each member's two year term shall begin on the date of their official appointment by their appointing body". Mrs. Bartleman, Ms. Dinnen and Mr. Naylor were initially appointed by the Board on December 12, 2006, as three of the current five School Board representatives on the Committee, and as such, their terms on the Committee will expire on December 12, 2008.

Mrs. Bartleman, Ms. Dinnen and Mr. Naylor have indicated that they would like to continue to serve as School Board representatives on the Committee. Therefore, staff recommends that Mrs. Bartleman, Ms. Dinnen and Mr. Naylor should be reappointed to the Oversight Committee.

There is no financial impact to the school district. However, the Amended ILA requires the Superintendent to organize and staff the meetings of the Oversight Committee. This item does not require a collaboration form from the Capital Budget Department.

Mrs. Kraft requested a deferral of the item so that Mr. Notter can speak to Mrs. Jeanne Jusevic, Chair, District Advisory Council, regarding the process for the appointment of the DAC representatives.

Ms. Gallagher, who stated she is on the Oversight Committee and her name was not on the Board item, inquired whether she was reappointed at a different time. She requested that staff provide a response to her.

Motion to Defer (Carried)

Motion was made by Mrs. Kraft, seconded by Mrs. Hope and carried, to defer the agenda item to the December 16, 2008 Regular School Board meeting.

- J-10. Reduction of Retainage – HYVAC, Inc. – HVAC Additions and Alterations to HVAC Equipment – Nova Middle School, Davie – Project No. P.000263 (f.k.a. 1311-99-05) (Approved)

Approved the recommendation to reduce retainage now being held on Nova Middle School, Project No. P.000263 from the Contractor, HYVAC, Inc., from \$52,589 to \$2,500.

In accordance with School Board Policy 7005, the Facilities and Construction Management Division is recommending that the retainage be reduced from \$52,589 to \$2,500.

The amount of \$2,500 is being withheld at this time pending completion of this project.

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

The funds being released totaling \$50,089 are included in the Adopted District Educational Facilities Plan, Fiscal Years 2008-2009 to 2012-2013, page 153.

J-11. Amend Professional Services Agreement – Construction Management at Risk A/E Provisions – M. C. Harry and Associates, Inc. – Cafeteria Replacement/ Multipurpose Building Replacement and Miscellaneous Improvements – Boulevard Heights Elementary School, Hollywood – Project No. P. 000180 (f.k.a. 0971-21-01) (Approved)

Approved the Fifth Amendment of the Professional Services Agreement with M. C. Harry and Associates, Inc., for Cafeteria Replacement, Multipurpose Building Replacement and Site Improvements, Boulevard Heights Elementary School, Project No. P. 000180, approved by the Board on June 5, 2001, previously amended on July 16, 2002, February 17, 2004, May 18, 2004, and May 2, 2006.

The original Scope for this item is amended to provide professional contract administration, value engineering, and architectural, engineering services for the following: provide construction documents for a new P. E. shelter/basketball cover, and include negotiating with Construction Manager to amend contract for additional costs to the project; revise construction documents to reflect changes to the reconfiguration of the baseball field and irrigation; provide construction documents to upgrade existing fire alarm system to a new school wide state of the art addressable fire alarm system; revise construction documents to reflect changes to the roofing from a waterproof membrane system to a built-up roofing system for the concrete canopy; provide construction documents to add two (2) floor recessed power outlets and data jacks for cafeteria point of sale; revise construction documents to reflect changes to the restroom layout in Building 320.

M. C. Harry and Associates, Inc., and the Superintendent's Negotiations Committee negotiated an increase in fees from \$273,695 to \$330,085, resulting with a total increase of \$56,390 for the amended Scope.

The fees in Article 5 are amended as follows: increase Phase I by \$8,459, Phase II by \$11,278, Phase III by \$19,737, Phase IV by \$2,820, Phase V by \$12,970, and Phase VI by \$1,128. The fees are amended for the following additional services: new PE shelter: \$17,000, revision of ball fields: \$3,990, fire alarm upgrade: \$28,000, change roofing at canopy: \$2,195, addition of 2 POS outlets: \$1,730; revision of CD for restroom layout in Building 320: \$3,475.

The Architectural/Professional Liability Insurance has been revised according to the insurance requirements outlined in Attachment 6 of this Fifth Amendment. The Risk Management department has reviewed this Fifth Amendment, and the School Board Attorney has approved the Fifth Amendment as to form and legal content.

The financial impact is \$56,390. The funds for this item are included in the District Educational Facilities Plan, Fiscal Years 2008-2009 to 2012-2013, page 39.

J-12. Termination of Declaration of Restrictive Covenants Regarding Voluntary Mitigation Commitment for Land Use Plan Amendment PC 04-13 (Approved)

Approved the termination of the Declaration of Restrictive Covenants regarding the voluntary mitigation commitment for Land Use Plan Amendment PC 04-13.

In early spring 2004, School District staff reviewed land use plan amendment application (LUPA) PC 04-13, proposed by WCI Communities Inc., to change the then land use designation of a 15.7 acres property ("WCI Parcel") in the City of Coral Springs from Commercial to Irregular (10.3) Residential to enable the development of 145 residential garden apartment units. The review determined that the development would generate a total of 86 (41 elementary, 25 middle and 20 high school) students, and impact Eagle Ridge Elementary, Westglades Middle and Stoneman Douglas High Schools. To address the anticipated student impact, WCI Communities Inc., proposed to pay for four modular classroom additions. On November 9, 2004, the School Board accepted the proposed voluntary mitigation, and on December 14, 2004, the Broward County Commission approved the application recognizing the voluntary commitment.

On June 24, 2005, WCI Communities Inc., executed and recorded the required Declaration of Restrictive Covenants (Declaration) to enable the legal enforcement of the voluntary mitigation, and provisions of the Declaration required that payment for the four modular classrooms would be made prior to the issuance of the first building permit for the development. However, in 2008, the new owners (Wiles-Coral Ridge LLC) of the WCI Parcel filed an application with the Broward County Planning Council requesting a change of the land use designation from Irregular (10.3) Residential back to Commercial, citing as one reason for the request, the declining real estate market and lack of demand for housing. Pursuant to Ordinance No. 2008-30, effective July 7, 2008, Broward County Commission approved the proposed land use change, and as such, the WCI Parcel has reverted back to a Commercial land use designation, and subsequently, would not cause the generation of students into Broward County Public Schools.

Therefore, (Wiles-Coral Ridge LLC) is requesting the termination of the Declaration regarding the voluntary mitigation commitment made pertaining to the mitigation of the anticipated 86 students.

Therefore, it is recommended that the School Board terminate the Declaration of Restrictive Covenants regarding the voluntary mitigation commitment for Land Use Plan Amendment PC 04-13.

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

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

- J-13. Award of Contract – T&G Constructors, Inc. – ADA Restroom Renovations – Sheridan Hills Elementary School, Hollywood – Project No. P.000351 (f.k.a. 1811-24-04) – Davie Elementary School – Project No. P.000493 (f.k.a. 2801-25-04) (Approved)

Approved Award of Construction Contract for Sheridan Hills Elementary and Davie Elementary, ADA Restroom Renovations, Project No(s). P.000493 and P.000351 to the low bidder meeting the bid specifications, T&G Constructors, Inc., in the amount of \$267,800 and accelerate funding in the Adopted District Education Facilities Plan for Sheridan Hills Elementary ADA Restroom project from 2012-13 to 2008-09 and Davie Elementary ADA Restroom project from 2009-10 to 2008-09 and approve an additional appropriation of \$262,229 from the capital projects reserve.

Contractor: T&G Constructors, Inc.
Consultant: Cubellis sgr
Scope of Work: One restroom to be renovated at Sheridan Hills Elementary and nine at Davie Elementary School.

The funding in the Adopted District Education Facilities Plan will be accelerated and aligned according to the PFAs.

The amount of the contract shall be \$267,800. The sources of funds are identified in Adopted District Educational Facilities Plan, Fiscal Years 2008-2009 to 2012-2013, pg. 117 and 55. Based on the PFA Sheridan Hills Elementary ADA Restroom project needs \$57,500 this fiscal year and Davie Elementary ADA Restroom project needs an additional \$204,729 this fiscal year totaling \$262,229 which will come from the capital projects reserve. Funding in the Adopted District Education Facilities Plan will be accelerated and aligned according to the PFAs.

- J-14. Reduction of Retainage – Hyvac, Inc. – Additions & Alterations to HVAC – Ramblewood Middle School, Coral Springs – Project No. P.000477 (f.k.a. 2711-21-05) (Approved)

Approved the recommendation to reduce retainage now being held on Ramblewood Middle School, Project No. P.000477 from the prime contractor, Hyvac, Inc., from \$98,894 to \$40,000. Exhibit 3 was revised.

In accordance with School Board Policy 7005, the Facilities and Construction Management Division is recommending that the retainage be reduced from \$98,894 to \$40,000.

The amount of \$40,000 is being withheld at this time pending completion of this project. Page 4 of Exhibit 3, itemizes the cost to complete the pending punch list.

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

The funds being released totaling \$58,894 are included in the Adopted District Educational Facilities Plan, Fiscal Years 2008-2009 to 2012-2013, Page 159.

K. OFFICE OF CHIEF FINANCIAL OFFICER

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 (Adopted)

Motion was made by Ms. Gallagher, seconded by Mrs. Gottlieb and carried, to adopt School Board Policies: 4003.1; 4107.1; 4107.2 – Alternative Certification for Career, Technical and Adult/Community Education Teachers, at the final reading.

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.

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 Mrs. Gottlieb, seconded by Ms. Gallagher and carried, to approve the following Bid/RFP and other financial recommendations \$500,000 or greater:

<u>BID/RFP</u>	<u>Title – Location – Amount</u>
29-078B	Custodial Chemicals – Material Logistics – Amount: \$4,500,000
29-083H	Football Helmet and Shoulder Pad Purchase and/or Reconditioning – Various – Amount: \$1,000,000

Board approval of these Bid/RFP recommendations does not mean 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.

FF. CURRICULUM/EDUCATIONAL PROGRAMS & STUDENT SUPPORT

GG. HUMAN RESOURCES

GG-1. Re-Opener for the Third Year of the Collective Bargaining Agreement between The School Board of Broward County, Florida, and the Federation of Public Employees (Food Service) Effective August 15, 2008 – August 14, 2009 (Adopted)

Motion was made by Mrs. Gottlieb, seconded by Mrs. Kraft and carried, to adopt the amendments to the Collective Bargaining Agreement between The School Board of Broward County, Florida, and the Federation of Public Employees (Food Service) effective August 15, 2008 – August 14, 2009.

This Agreement provides for a 3.25% increase for the 2008-2009 school year effective July 1, 2008.

The salary adjustment of 3.25% for this bargaining unit will generate a total payroll increase of approximately \$1,036,973 for the 2008-2009 school year, including fringe benefits. The increase in funds required for this Agreement are in reserve in the Food Service Fund.

Mrs. Strong presented the Collective Bargaining Agreements, Agenda Items GG-1 through GG-4 for the Board's approval. These items have been ratified by the bargaining units.

Mr. Dan Reynolds, President, Federation of Public Employees (FOPE), informed that the employees FOPE represents are not in the classroom but the classroom would not be able to run without the employees who work on maintenance, bus drivers, food service and clerical assistance. Gratitude was extended to the Superintendent and staff for providing an equitable distribution during these economic times.

Mr. Jim Silvernale, Business Representative, FOPE, extended his appreciation to the Board for continuing good employer relations and good labor management.

Mrs. Strong recognized Ms. Dorothy Davis, Chief Negotiator on this contract, and her team for their efforts on this agreement.

Following the extension of gratitude to union representatives, Mrs. Bartleman requested an update regarding concerns about privatization of food service.

Mr. Donnie Carter, Chief Operations Officer, who expressed appreciation for the services provided by food service staff, responded that the rumors are unfounded and there is not an intention to privatize this service or any other services. Mr. Carter stated the service will continue in the present manner and staff will continue to be supported.

Responding to Dr. Parks' inquiry as to when employees will receive their pay raises, Mrs. Strong stated that employees will receive their increase on December 19, 2008.

Ms. Gallagher thanked staff for a smooth bargaining session, prior to the holiday season.

Mrs. Hope thanked Mr. Reynolds and all Federation of Public Employees union, her former union as a School Board employee. She said she was pleased that rumors of privatization have been dismissed, as the Board would never consider such a concept.

Mr. Williams, who remarked that FOPE is a part of the classroom process, extended gratitude to Mr. Reynolds and FOPE for all they have done and continue to do for the benefit of employees and students.

Ms. Dinnen stated that during these economic times, these agreements demonstrate a measure of how much the district values people who provide a service to students.

- GG-2. Re-Opener for the Third Year of the Collective Bargaining Agreement between The School Board of Broward County, Florida, and the Federation of Public Employees (Facilities Service, Maintenance, Transportation, Security Specialists/ Campus Monitors) Effective July 1, 2006 – June 30, 2009 (Adopted)

Motion was made by Mrs. Gottlieb, seconded by Mrs. Hope and carried, to adopt the amendments to the Collective Bargaining Agreement between The School Board of Broward County, Florida, and the Federation of Public Employees (Facilities Service, Maintenance, Transportation, Security Specialists/ Campus Monitors) effective July 1, 2006 – June 30, 2009.

This Agreement provides for a 3.25% increase for the 2008-2009 school year effective July 1, 2008.

The salary adjustment of 3.25% for this bargaining unit will generate a total payroll increase of approximately \$5,675,373 for the 2008-2009 school year, including fringe benefits. The increase in funds required for this Agreement are in reserve in the General Fund established for salary increases.

Mrs. Strong, who presented the agreement for approval, recognized Mr. Lorenzo Calhoun, Chief Negotiator, for negotiating on behalf of these employees.

- GG-3. Re-Opener for the Third Year of the Collective Bargaining Agreement between The School Board of Broward County, Florida, and the Broward ParaProfessional Effective July 1, 2006 – June 30, 2009
(Adopted)

Motion was made by Mrs. Gottlieb, seconded by Mrs. Hope and carried, to adopt the amendments to the Collective Bargaining Agreement between The School Board of Broward County, Florida, and the Broward ParaProfessional Association effective July 1, 2006 – June 30, 2009. Mrs. Bartleman was absent for the vote. (8-0 vote)

This Agreement provides for a 3.25% increase for the 2008-2009 school year effective July 1, 2008.

The salary adjustment of 3.25% for this bargaining unit will generate a total payroll increase of approximately \$1,806,873 for the 2008-2009 school year, including fringe benefits. The increase in funds required for this Agreement are in reserve in the General Fund established for salary increases.

Mrs. Strong thanked Ms. Ernestine Alleyne and Iris Frolich, Broward County Paraprofessional Association (PPA).

Ms. Alleyne, President, PPA, thanked the School Board and the Superintendent, for their support and approval of the agreement for the 2008-2009 school year.

Mrs. Bartleman, who informed her colleagues that she recently attended a ceremony that was hosted by the PPA to honor their members, stated that she was impressed that the PPA members are encouraged to further their education and become teachers and guidance counselors. Gratitude was extended for their hard work and the value of this association to the district and students.

Mrs. Strong thanked Mrs. Susan Cooper, Chief Negotiator, for working on this agreement.

- GG-4. Re-Opener for the Second Year of the Collective Bargaining Agreement between The School Board of Broward County, Florida, and the Federation of Public Employees (Secretarial/Clerical) Effective July 1, 2007 – June 30, 2010
(Adopted)

Motion was made by Mrs. Hope, seconded by Mrs. Gottlieb and carried, to adopt the amendments to the Collective Bargaining Agreement between The School Board of Broward County, Florida, and the Federation of Public Employees (Secretarial/Clerical) effective July 1, 2007 – June 30, 2010.

This Agreement provides for a 3.25% increase for the 2008-2009 school year effective July 1, 2008.

The salary adjustment of 3.25% for this bargaining unit will generate a total payroll increase of approximately \$3,057,488 for the 2008-2009 school year, including fringe benefits. The increase in funds required for this Agreement are in reserve in the General Fund established for salary increases.

Mrs. Strong thanked Mrs. Cooper for negotiating this agreement, and to Ms. Marilyn Swank and her team for their several years of planning to make this contract possible.

Following the vote on the item, Mrs. Strong stated that many hours were spent to bring equitable contracts and payments to employees. Gratitude was extended to the School Board for their leadership and commitments provided to employees, and for the well-planned year the Board instituted so that employees could receive a pay raise.

HH. ATTORNEY

II. OFFICE OF THE SUPERINTENDENT

JJ. FACILITIES AND CONSTRUCTION MANAGEMENT

- JJ-1. Reject the Request to Amend the Contract for Sale and Purchase for the Sale of the Hortt Administrative Facility to Broward County
(Approved)

Motion was made by Mrs. Gottlieb, seconded by Mrs. Hope and carried, to reject the request to amend the Contract for Sale and Purchase for the sale of the Hortt Administrative Facility that would require the School Board to reduce the sales price from \$3,110,000 to \$2,788,500 at the request of Broward County.

The School Board executed a contract to sell the Hortt Administrative Facility to Broward County on November 14, 2007. The Contract for Sale and Purchase has yet to be acted on by the Board of County Commissioners. The Broward County Board of Commissioners issued a policy directive in March 2008, requiring that appraisals not be more than 180 days old on the date of a public hearing for consideration of contracts for the sale or purchase of real property. County staff obtained two new appraisals in March and April 2008. The average of the two new appraisals was \$2,788,500.

County staff then requested that the School Board amend the Purchase Agreement to reduce the price to \$2,788,500. The price reduction was rejected by the Superintendent of Schools.

The City of Fort Lauderdale, while not a party to the contract, will provide part of the funds to acquire the property and approve an Interlocal Agreement with the County that would obligate the City to contribute \$788,500 to the purchase price. Subsequent to the Superintendent's rejection of the proposed price reduction, the City of Fort Lauderdale staff prepared an agenda item for the September 3, 2008, meeting to amend the Interlocal Agreement to increase the City's contribution to \$1,110,000, which together with the County contributing \$2,000,000 would allow for the property to be acquired for the original purchase price of \$3,110,000.

The Fort Lauderdale City Commission deferred the item and directed staff to obtain a formal response from the School Board through a Board Action. The letter requesting that response is attached.

Reduce the previously approved sale price from \$3,110,000 to \$2,788,500 for a reduction of \$321,500.

Mr. Marko explained that Agenda Item JJ-2 was the item approved by the School Board to sell the property to Broward County, but the agreement was never signed by the county. Subsequently, a request was made by the county to reduce the amount in the approved contract. This request for reduction of dollar amount is referred to under Agenda Item JJ-1.

Mr. Marko advised that the Board will approve the rejection of JJ-1 which will eliminate any issue of amendments of the contract with the county. Agenda Item JJ-2 is requesting the Board to rescind the contract the district had with the county, and JJ-3 is to approve the contract between the School Board and the City of Fort Lauderdale.

Dr. Parks, who stated that the district's position is not to lose money, inquired about the rationale for rejection of the contract.

Mr. Notter responded that JJ-3 is the ultimate outcome, where the district would be leasing for one to two years which originally the district was going to enter into with the county. This will necessitate rejecting JJ-1 and rescinding JJ-2, and approve JJ-3. The Superintendent stated it is a good business decision; in agreement with the city, the lease will be extended for two years which the district will utilize, and this will compensate for the shortage in the appraised value.

Responding to Mrs. Hope's inquiry, Mr. Marko stated that the district signed the agreement but the county did not respond for six months. Subsequent economic changes, the county meanwhile passed a resolution that properties with appraisals six months old would require a new appraisal.

Mr. Marko stated that a new appraisal was conducted and a letter was sent by the county requesting that the contract be amended to reflect a reduction. In addition, the city was concerned that the county was trying to reduce the value based upon the economy rather than when the district submitted the contract.

Mr. Marko further stated that the city indicated they wanted to acquire the property as a park, including the county. Subsequently a solution was reached, which was a reduction of loss of 50 percent but the district would be allowed to use the property for an additional year at no cost. Mr. Marko noted that a lot of effort went into the agreement by district counsel, cadre attorney, and the city attorney in negotiating terms and conditions which the district believes is favorable to the School Board and is consistent with the documentation that is entered into when buying a piece of property.

JJ-2. Approve Rescinding the Action as Provided in Agenda Item JJ-3 on November 14, 2007 (Approved)

Motion was made by Mrs. Gottlieb, seconded by Mrs. Kraft and carried, to rescind the requested action to approve the Contract for the Sale of the Hortt Administrative Center Site to Broward County in the amount of \$3,110,000, and the subsequent leaseback from Broward County, and rescind the requested action to approve an additional appropriation of \$155,500 for the lease, from the capital projects reserve, which will be offset by the gain from the sale.

On November 14, 2007, the School Board approved the contract for the sale of the Hortt Administrative Center Site to Broward County in the amount of \$3,110,000, and the subsequent leaseback from Broward County for up to twelve months at an annual rate of \$155,500.

In March 2008, the Broward County Board of Commissioners issued a directive requiring that appraisals not be more than 180 days old on the date of a public hearing for consideration of contracts for the sale or purchase of real property. County staff obtained two new appraisals in March and April 2008. The average of the appraisals was \$2,788,500. County staff then requested that the School Board amend the Purchase Agreement to reduce the price to \$2,788,500. The price reduction was rejected by the Superintendent of Schools.

The City of Fort Lauderdale, while not a party to the contract, was to provide part of the funds to acquire the property and approve an Interlocal Agreement with the County that would have obligated the City to contribute \$1,110,000 to the purchase price. Subsequent discussions have resulted in the City moving forward as acquirer of the property.

The City of Fort Lauderdale has drafted a Contract for Sale and Purchase and a Business Lease which will be presented to the School Board for approval at the December 9, 2008, Regular School Board meeting.

There is no financial impact associated with this requested action.

No discussion was held on this item.

JJ-3. Sale of Hortt Administrative Center Site (067.1) to the City of Fort Lauderdale and Business Lease from the City of Fort Lauderdale
(Approved)

Motion was made by Mrs. Bartleman, seconded by Mrs. Hope and carried, to approve the Contract for Sale and Purchase, with attachments, for the sale of the Hortt Administrative Center Site to the City of Fort Lauderdale and approve the Business Lease from the City of Fort Lauderdale for a term not to exceed two years.

The School Board of Broward County, Florida, declared the Hortt Administrative Center Site as surplus inventory in Resolution #07-38, that was adopted by the School Board on October 3, 2006.

The City of Fort Lauderdale, has agreed to acquire this property at a purchase price of \$2,788,500. The City will lease the site, excluding the park, back to the School Board for a term not to exceed twenty-four months. The annual rate for the first year of the lease term is \$155,500, less a credit of \$43,834 resulting in a net annual rent for the first year of the lease term of \$111,166. The second year is rent free.

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

The financial impact to the district is the loss of 5.9 acres of land and the associated buildings in the School Board's real estate inventory, offset by a gain of \$2,788,500. There is also an additional financial impact of \$111,166, the lease payments for the first year of the lease. The lease payments will come from the capital projects reserve, which will be offset by the gain from the sale.

The following individual addressed this item:

Cindy Hutchinson, Commissioner, City of Fort Lauderdale

Mrs. Kraft expressed gratitude to Ms. Dinnen for her time and effort on this issue for the benefit of the Board and the community.

Concurring, Dr. Parks stated that the community should be praised for their perseverance on this issue.

Expressing gratitude to her colleagues, Mr. Notter and staff, and the residents of Shady Banks, Ms. Dinnen stated she was pleased that the property will be preserved as a park.

JJ-4. Award of Contract – District Wide Relocatable Buildings – Bid No. 2008-01-FC (Steel & Concrete Buildings) (Approved)

Motion was made by Ms. Gallagher, seconded by Mrs. Gottlieb and carried, to approve Award of Construction Contract for District Wide Relocatable Buildings, Various Locations, Bid No. 2008-01-FC, Steel and Concrete Buildings, to Royal Concrete Concepts, Inc., for Group 13 – Concrete Relocatable Buildings and Padula & Wadsworth Construction, Inc., for Group 14 – Steel Relocatable Buildings to the low bidders meeting the bid specifications.

Contractors:

- Padula & Wadsworth Construction, Inc., to provide Steel Construction Buildings in the contract amount of \$1,000,000.
- Royal Concrete Concepts, Inc., to provide Concrete Buildings in the contract amount of \$5,000,000.

Exhibit 1 indicates the low bidders, which are highlighted.

The term of the bid shall be for one (1) year, and may, by mutual agreement between the SBBC and the awardee, upon final SBBC approval, be renewable for two additional one year periods and, if needed 90 days beyond the expiration date of the final renewal period.

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

No discussion was held on this item.

KK. OFFICE OF CHIEF FINANCIAL OFFICER

Adjournment This meeting was adjourned at 3:16 p.m.

RT