

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

November 12, 2014
Wednesday, 10:15 a.m.

MINUTES OF REGULAR MEETING

The School Board of Broward County, Florida, met in regular session at 10:22 a.m., Wednesday, November 12, 2014, in the Board Room of the Kathleen C. Wright Administrative Center, 600 Southeast Third Avenue, Fort Lauderdale, Florida. Present were: Chair Patricia Good, Vice Chair Donna P. Korn; Members Robin Bartleman, Heather P. Brinkworth, Abby M. Freedman, Laurie Rich Levinson, Ann Murray, Dr. Rosalind Osgood, Nora Rupert; Superintendent Robert W. Runcie; and J. Paul Carland, II., Esq.

Call to Order Mrs. Good, Chair, called the meeting to order.

Vice Chair Ms. Korn introduced Principal Tonya Frost and students from Plantation Elementary School (appearing through video conference) who led the Pledge of Allegiance to the Flag of the United States of America.

Minutes for Approval Motion was made by Mrs. Rupert, seconded by Ms. Korn and carried, to approve the official minutes for the following Board Meetings: Mrs. Freedman and Mrs. Rich Levinson had not yet assumed their seats on the dais. (7-0 vote)

September 23, 2014 - Special Meeting - 2nd Public Hearing - District Educational Facilities Plan

October 7, 2014 - Special Meeting

October 7, 2014 - Special - Expulsions

October 7, 2014 - Regular School Board Meeting

October 21, 2014 - Special - Expulsions

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

SPECIAL PRESENTATIONS

Recognition of Veterans Day and Local Heroes who Served in the United States Armed Forces

Ms. Korn introduced Lieutenant Kenneth Green, Coordinator, JROTC & Military Programs, former graduate of Dillard High School, commissioned into the Army as a 2nd Lieutenant, served in combat as a field artilleryman during Desert Shield and Desert Storm. His highest assignment was at the Headquarters for the Department of the Army and he was present in the Pentagon during the 9/11 attacks. Lieutenant Green was then selected as Coordinator for JROTC & Military Programs last year, after the retirement of Colonel James Armstrong.

Lieutenant Green thanked Ms. Korn and the School Board for honoring men and women who have made great sacrifices in the defense of the nation. Lieutenant Green introduced the following veterans, provided a synopsis of their academic and military career, and recognized their leadership positions:

Lieutenant Colonel Clarence "CJ" Jackson, Jr., Dillard High School graduate
Staff Sergeant David Echeverry, Western High School 2004
1st Lieutenant Jonathan Nichols, University of Miami
Leo Gray, Tuskegee Airman

Following the reading of the proclamation by Ms. Korn, a photographic session was held with Board Members, Superintendent and guests.

On behalf of the School Board, Mrs. Good thanked Ms. Korn for the presentation to honor veterans and thanked men and women for serving this country.

Recognition of the Award Winning Flanagan High School Falcon Sound Marching Band

Mrs. Good introduced Principal Michele Ketford; Stephen Rivero, Band Director, Falcon Sound; Dean Broadbent, Associate Band Director; Ed Maina, Associate Band Director (not present); and several members of the Falcon Sound Marching Band and Color Guard.

Approved in Open Board Meeting, December 9, 2014

Mrs. Good indicated that for the third year in a row, the Falcon Sound Marching Band recently received the Grand Champion Award for the 2014 Hialeah Showcase Championship Marching Band Contest. The band also won the Myles Davis award, as they have in the past, and is given to the group that has the highest Brass score for the entire contest. This award is named in memory of Myles, a former student of Director Rivero when he taught at Hialeah High School in 2006 and who worked as a trumpet teacher at Flanagan High School before his untimely death in 2009. Shortly after, the Myles Davis Best Overall Brass Award was instituted at the Hialeah show.

Mrs. Good introduced Myles' parents, Mr. and Mrs. Davis, who continue to volunteer their time in supporting their band program.

Recently the Falcon Sound competed in the John I. Leonard Lancer Jamboree in Greenacres, Florida. There were 32 marching bands that competed from all over Florida, including many bands from Broward County. Flanagan came in 1st place out of all the Dade and Broward bands and 2nd place for the overall competition.

Mr. Rivero recognized the School Board for recognizing the Falcon Sound program and spoke to the assembly about the program.

The following students were introduced: Julia Ford, Color Guard Captain; Kaitlin Crawford, Color Guard Captain; Samantha (Sami) Hasmi-Delgado, Color Guard Equipment Captain; Gabriel Spadaro, Color Guard Equipment Captain; Annie Rich, Color Guard Captain; Luis Ricardo, Drum Major; Tevoy Shaw, Band Captain; Desmond Harvard, Band Captain; and Danielle Maciag, Band Captain.

Thanking the School Board for honoring Falcon Sound, Principal Ketford stated it is a privilege to work with amazing individuals - teachers, parents and students.

A video clip was shown showcasing the Falcon Sound.

On behalf of the School Board, Mrs. Good thanked Mr. and Mrs. Davis for their years of dedication and passion to honor the legacy of their son, which lives on in Flanagan High School and students. Flowers were presented to the parents as a token of appreciation.

National Homeless Youth Awareness Month (Resolution #15-83)

Ms. Murray indicated that today there are more than 1.6 million homeless children and it is increasing as a result of trauma, or they have failed in the juvenile system and have lost their sense of stability and safety. Many youth are exposed to dangers as substance

Approved in Open Board Meeting, December 9, 2014

abuse, early parenthood, depression, post-trauma distress disorders, anxiety disorders, suicide thoughts, and are vulnerable to be involved in trafficking.

Ms. Murray read the resolution in support of declaring November as National Homeless Youth Awareness Month.

Michaelle Valbrun-Pope, Executive Director, Student Support Initiatives, thanked the School Board for recognizing this important issue and bringing awareness to the district and countywide.

Laurel Thompson, Ph.D., Director, Student Services, thanked the School Board for showcasing the work by staff in trying to house the most vulnerable students in Broward County Schools.

Carol Mitchell, Coordinator/Liaison, Homeless Education, spoke about the McKinney-Vento Act of 2001 that defines the important work being done and defines homeless students as those lacking a fixed, regular or adequate nighttime residence.

Mindy Shrago, President & CEO, Young at Art, spoke about Young at Art serving the students over the last 11 years in a free program that was established, ArtReach, to fill the void in after-school programs for homeless children living in transitional and emergency shelters. She thanked the School Board for their support of the program and homeless Broward County Schools students.

Young at Art Staff - June Calvano, Melissa Banner, Nick Norris presented certificates of appreciation to the following individuals and staff, departments and partners of the district on this initiative: Diane Sepielli, Project H.E.L.P.; Young at Art Museum ArtReach; Kiwanis of NW Pompano; Fort Lauderdale Sailing Club; Regina Ferrazzo; Daniel Vargas; Broward Schools Information & Technology department; Moss & Associates; Huelett Environmental Services; Universal Cabling Systems, Inc.; Broward County Health Department Vital Statistics.

In closing remarks, Ms. Murray praised the outreach from teachers, staff and individuals in the county for ensuring that children have comfort, support and hope for their future. Ms. Murray relayed her encounter with homeless children in her district who have graduated from college and are very successful adults.

Mrs. Bartleman shared that over 47% of families in Broward County are below the poverty level and thanked partners and staff for their support.

Dr. Osgood thanked all volunteers for their dedication on the homeless initiative and helping students so they can be on the pathway to success.

Mrs. Good thanked Ms. Murray, partners and volunteers.

Proclamation in Recognition of In Jacob's Shoes

Mrs. Freedman recognized that the mission of In Jacob's Shoes® was formed to honor the memory of Jacob Zweig by his parents Harleen and Murray Zweig. In Jacobs Shoes provides new and gently used shoes, school supplies and athletic equipment to children in need. Grants & Scholarships are also awarded for camp, sports and enrichment programs.

Mrs. Freedman read the proclamation into the record, recognizing In Jacob's Shoes.

Mrs. Zweig, on behalf of supporters, donors and volunteers, thanked the School Board and Superintendent for their recognition.

Recognition in Support of Children's Grief Awareness Day- November 20, 2014
(Resolution #15-85)

Mrs. Rupert introduced Abby Mosher and the mission of Tomorrow's Rainbow.

Mrs. Mosher thanked the School Board and the Superintendent for recognizing that grieving children deserve a safe place to heal after the death of a loved one. Statistics estimate that one in seven (7) children will have a parent or sibling die by the time they reach 20 years of age; 92% of adolescents in drug and alcohol and rehab facilities have had somebody important of them die; and 96% of 300 incarcerated youth had someone significant die. By passing the resolution the district is supporting preventative mental health care for bereaved youth.

A video clip was shown to the assembly.

Mrs. Mosher provided additional information: <http://www.tomorrowsrainbow.org>. and phone number (954) 978-2390.

Recognition of Spinal Cord Injury Awareness Week (Resolution #15-25)

Mrs. Rich Levinson indication that the recognition was to recognize the Darrell Gwynn Foundation in Support of Spinal Cord Injury Awareness Week, November 10-16, 2015. Remarking that Darrell and Lisa Gwynn were unable to attend the meeting today due

Approved in Open Board Meeting, December 9, 2014

to personal reasons, Mrs. Rich Levinson recognized the mission to provide awareness, prevention and support, and ultimately a cure for paralysis.

Mr. Gwynn was paralyzed as a race car driver and has it his mission through the foundation to reach out to young people through an education and prevention program. Since the program's inception, presentations have been made in 21 Broward County high schools and teaches students about the consequences of making destructive decisions and engaging in dangerous behavior that can lead to spinal cord injuries. This is accomplished through a screening of a video It Could Happen to You, the personal story of a speaker who has sustained a spinal cord injury, spinal cord injury facts, statistics and prevention tips and a question and answer session. This program encourages young people to make positive decisions in their life with the intention of reducing the number of new spinal cord injuries.

Mrs. Rich Levinson stated the foundation is also involved in fundraising for national wheelchair donations to financially underprivileged paralysis victims throughout the country. Of students surveyed last year, 99% of children strongly agreed that the presentation would make them more aware of ways they could prevent the spinal cord injury from occurring. As reported by the Florida Department of Health, the number of spinal cord injuries occurring amongst individuals aged 14-19 in South Florida has decreased considerably.

Mrs. Rich Levinson, on behalf of the School Board, thanked the Darrell Gwynn Foundation for their education and prevention program which has had an impact on decreasing spinal cord injuries.

Recognition of National Adoption Day – November 22, 2014 (Resolution #15-86)

Mrs. Rupert introduced Monica King, Executive Director, ChildNet, and Dr. Elizabeth Wynter, Director of Community Relations, ChildNet.

This resolution was presented to recognize the 15th Annual Adoption Day which began in November 2000, where more than 50,000 children have transitioned from foster care to a forever family.

Mrs. Rupert shared that she is a mother of three (3) children that came to her family through adoption, truly blessing her family. She stated that many people have adopted children by opening their arms through private and family adoptions.

Approved in Open Board Meeting, December 9, 2014

Ms. King and Dr. Wynter spoke about foster care and adoption in Broward County and the services that ChildNet provides to the community. They thanked Mrs. Rupert for her advocacy and thanked the School Board for their support. They requested the School Board and Superintendent to raise awareness about the need for foster parents and adoptive parents by sending flyers to parents.

Mrs. Rupert stated that she and Ms. Korn submit a foster care adoption resolution in conjunction with the Guardian Ad Litem. She stated that kids are awaiting adoption and there are many people who are willing to open their hearts and homes.

Ms. Korn noted the many resources in the community to support individuals seeking information on how to adopt or foster children. She urged individuals to initiate a phone call to find out the many resources available to help support the adoption or fostering of children.

Dr. Wynter provided a contact hotline for information on adopting or fostering children: (954) 414-6001.

Recognition of Anti-Bullying Week – November 10 through November 14, 2014 (Resolution #15-24)

Mrs. Pope indicated that the resolution is being brought forward to highlight some of the issues and some of the work in Broward County.

Dr. Osgood shared the story of 11-year old Lamar Hawkins who committed suicide due to being continuously bullied by other kids. Remarking that 53% of bullying takes place inside the classroom, Dr. Osgood stated she will speak more about this issue and encouraged everyone to be sensitive to children, talking and asking them questions. She asked that everyone be mindful of the words that are used, as quoted by an unknown source, "Words are the most used drugs by people."

Dr. Osgood and Ms. Korn read the resolution in recognition of Anti-Bullying Week.

Mrs. Pope spoke of the district's comprehensive bullying policy that was drafted in 2008, which has resulted in decreases locally in reported cases of bullying and substantiated cases of bullying. She noted that the district receive constant calls from districts across the nation who are replicating the policy. Mrs. Pope thanked the Board for helping staff to develop that into an act of the policy.

Tresha Fletcher, Instructional Facilitator, and Amalio Nieves, Director, Diversity, Prevention & Intervention, through a slide presentation, highlighted some of the

Approved in Open Board Meeting, December 9, 2014

bullying prevention efforts in the district, Broward being the leader in preventing bullying in the schools, and upcoming events to promote awareness of bullying.

Valaria Savages (sic), 12th grader, sang a rendition of one of the pieces from the Weight of Words musical, "Save Me."

Ms. Korn stated that many organizations have spent a deal of their time to address this countywide issue. Addressing peer pressure, Ms. Korn stated that children helping other children, stepping up to do what needs to be done for bullying to stop, will have the greatest impact on this issue. She thanked staff, students, teachers and Board Member for their support of this resolution.

Dr. Osgood shared her experience as a young child being bullied. She encouraged youth to speak out and tell adults about inappropriate behavior with bullying, and thanked the School Board for continue to look at what the district is doing in meeting the needs of children and families from a holistic perspective.

Student Myles delivered white flowers to each Board Member.

Mrs. Good thanked Ms. Korn and Dr. Osgood for presenting the resolution before the Board, and also thanked schools and teachers for taking initiatives with students to participate in these activities.

Mrs. Bartleman thanked Mr. Nieves for his leadership on this issue, establishing policy and writing the curriculum for this initiative which has created a better place for the children. Gratitude was expressed to the Superintendent for placing the guidance counselors in every school, as they create the curriculum with students (empowering the bystander).

Mrs. Rupert thanked her colleagues for bringing this resolution forward, an important resolution to her as a mother, and highlights the district's initiation of this policy and curriculum in the state in a growing awareness of bullying.

Mrs. Freedman praised the rendition by the student of "Save Me," lyrics that have a profound impact on students.

Mrs. Good thanked everyone on behalf of the School Board and complimented Mr. Nieves for being an asset to this district.

REPORTS

The following report was presented:

November 12, 2014

Minutes of Regular Meeting
Page 8 of 85

Facilities Task Force - Nathalie Lynch Walsh

SUPERINTENDENT'S REPORT

Mr. Runcie expressed gratitude to parents, employees, students and community members for approving the \$800 million General Obligation Bond during the November 4th election, giving an opportunity to create a great future for the children of Broward County.

The result of the election sends a clear message that the community believes in public education and is willing to invest in building and maintaining a high quality education experience for all children. The community believes that students and teachers deserve safe and modern schools with appropriate technology resources that will enable them to create the best teaching and learning environment possible.

The money from the bond will fix leaky roofs, replace old air conditioning systems, will make schools safer with security cameras and limited point of entry projects to be completed, and provide better technology by purchasing more computers and replacing older technology.

Superintendent Runcie noted that every school will receive \$100,000 for a capital improvement project of their own choosing, such as a new playground, more technology or a media center upgrade.

Mr. Runcie further stated the community believes the district must move beyond the past and create a new vision of creating hope and opportunities to become a great district, a district where every child has the opportunity to reach their potential and pursue their dreams.

The Superintendent highlighted the establishment of a Bond Oversight Committee, as the Board had indicated by passing a resolution. A Board Workshop will be held on November 18, 2014 that will cover this topic; a bond validation, financial planning and modeling process; and the issuance last week for a new Program Manager for the bond; Design Bid packages developed for the work in the spring, with the first set of projects beginning in the summer of 2015. The District Education Facilities Plan (DEFP) will be presented to the Board in January 2015 to make modifications, if any; Information & Technology (IT) staff working to complete the implementation plan for technology; and Facilities and Construction Management and Procurement & Warehousing Services are working to ensure that opportunities for minorities are being created, M/WBE and small businesses, to participate as prime and sub-contractors for this work.

Approved in Open Board Meeting, December 9, 2014

Superintendent Runcie thanked the School Board for their vote to place this issue on the ballot; cabinet and senior staff for working diligently on this item, in addition to their regular duties; principals for communicating effectively with parents and local community; labor partners - Broward Teachers Union (BTU), AFL-CIO, Broward Principals and Administrators Association, and other entities; Broward County PTA; and two Political Action Committees - Citizens for Safe and Modern Schools(Alan Levy) and Bill Futures (Mary Fertig, Bob Hague, Henry Rose and others). Mr. Runcie reiterated his gratitude to district employees, parents, students and volunteers.

Mr. Runcie announced that Resolution 15-21 in Support of School Psychology Awareness Week was approved by the Board at the Regular School Board Meeting of August 19, 2014. Psychological Services is very proud to have the Florida School Psychologist of the Year among its staff, Dr. Gary Matloff, who won the Florida Association of School Psychologists. He is a dedicated member of the school psychology team and is an outstanding example of the professionalism demonstrated by Psychological Services personnel. Dr. Matloff is a published author and a clinical educator for university students in the district's internship program. Congratulations was extended to Dr. Matloff.

On behalf of the School Board, Mrs. Good thanked everyone who participated in the General Obligation Bond effort and looks forward to the district's progress moving forward.

BOARD MEMBERS

No reports were presented.

Speakers

Ciralus Bonhomme (Bullying & Discrimination)

Kevina Satterfield (Potential Replacement of Principal)

CONSENT AGENDA Following identification of those items Board Members and members of the public indicated they would like considered separately, motion was made by Ms. Korn, seconded by Mrs. Rupert and carried, to approve the Consent Agenda for the remaining items (**identified by ***). Mrs. Freedman had not yet assumed her seat on the dais. (8-0 vote)

CONSENT ITEMS

A. RESOLUTIONS

November 12, 2014

Minutes of Regular Meeting
Page 10 of 85

B. BOARD MEMBERS

E. OFFICE OF STRATEGY & OPERATIONS

***E-1. Pre-Qualification of Contractors - Approval of Application and Issuance of Certification (Approved)**

Approved the recommendations of the Superintendent indicated in Exhibit 2. The Pre-Qualification Application process is in accordance with State Requirements for Educational Facilities, F.S. 1013.46, and Board Policy 7003. This item approves the recommendations of the Superintendent of Schools indicated in Exhibit 2. Further explanation is provided in Exhibit 1.

The Qualification Selection Evaluation Committee (QSEC) convened on October 15, 2014, to review staff's recommendations in response to the submitted pre-qualification applications. Upon review of staff's recommendations, QSEC makes the recommendations to the Superintendent indicated in Superintendent Recommendations -Tracking Report.

Contractor Pre-Qualification Staff Application Review Executive Summaries are available online at:
<http://www.broward.k12.fl.us/supply/docs/contracts/PreQual101514.pdf>.

There is no financial impact to the district.

E-2. Approval of First Renewal - 2014-34-FC - Miscellaneous Asbestos & Mold Abatement (Approved)

Motion was made by Mrs. Rupert, seconded by Ms. Korn and carried, to approve the first renewal between The School Board of Broward County, Florida, and Prism Response, Inc., and Simpson Environmental Services, Inc. New Contract Term: December 2, 2014, through December 2, 2015, 1 Year; User Department: Risk Management; Award Amount: \$800,000; Vendor(s) Awarded: Prism Response, Inc., Simpson Environmental

Approved in Open Board Meeting, December 9, 2014

Services, Inc.; M/WBE Vendor(s): None. (9-0 vote)

The School Board of Broward County, Florida, initially received four (4) bids for 2014-34-FC - Miscellaneous Asbestos & Mold Abatement. Prism Response, Inc., and Simpson Environmental Services, Inc., perform asbestos and mold abatement services for the District. The current contract term is December 2, 2013, through December 1, 2014, and allows for two (2) additional one (1) year renewals, in accordance with Document 00520, Contract Agreement, Article 9.

This request is to extend the contract for one (1) additional year.

There is no financial impact to the district. This contract is being renewed for one time only.

Mr. Moquin assumed the seat of the Superintendent on the dais.

Mrs. Rupert indicated she spoke to staff regarding her concern over whether the district is obligated to pay the additional \$100,000.

Referring to Agreement Form, Article 9. Term of Agreement, 9.01, it stipulates if a renewal is made for an additional year or two the district would have to pay the \$100,000.

Ruby Crenshaw, Director, Procurement & Warehousing Services, responded that this allows for an additional \$100,000 if the district takes an option to renew. The district is renewing but additional moneys are not needed for that renewal.

Mrs. Rupert noted that the contractor is getting \$100,000 for the renewal.

Mr. Carland stated it appears there is a one-year contract for contract rate of \$400 and if renewed for two (2) additional one years the district would pay an additional \$100,000.

Mr. Moquin inquired whether there is language that speaks to them being paid for services rendered.

Mr. Carland suggested tabling the item until later in the meeting for further review by legal counsel.

Approved in Open Board Meeting, December 9, 2014

Motion to Table (Carried)

Motion was made by Mrs. Rupert, seconded by Mrs. Rich Levinson and carried, to table the item until later in the meeting. Ms. Korn was absent for the vote. (8-0 vote)

Robert Krickovich, Coordinator I, Risk Management, stated it was his understanding if the contract was renewed it could be for one or two years and adding \$100,000, if needed. The contract expires December 1, 2014.

Mrs. Rich Levinson stated that contracts have to be stated exactly how it is intended.

A vote was taken on the Motion to Table.

Following the action of Agenda Item E-4, the discussion continued by way of motion by Mrs. Rupert and seconded by Ms. Korn with acclimation of the Board.

Mr. Carland advised that the contract is for the purposes of establishing unit prices and the dollar amount of \$400,000 would be the spending limit. If the \$100,000 is needed, it could be added but it should indicate giving the alternative to add additional spending or add additional years onto the contract. The Board is being asked to utilize that provision to extend the contract for another year.

**E-3. Recommendation to Reject all Bids -15-042T - Pest Control Services
(Approved)**

Motion was made by Mrs. Brinkworth, seconded by Mrs. Bartleman and carried, to approve the recommendation to reject all bids for the above contract. (9-0 vote)

The School Board of Broward County, Florida, received five (5) bid responses for 15-042T, Pest Control Services. The bidders were: Beach Environmental Exterminating; Hulett Environmental Services; Orkin Commercial Services; Terminix; and Tower Pest Control, Inc. A new solicitation with a revised pricing formula will be issued upon rejection of this bid. In the interim, quotes will be done to provide for on-going services.

Approved in Open Board Meeting, December 9, 2014

Pursuant to Section 3, General Condition 6, "In the best interest of SBBC, the Board reserves the right to: 1) withdraw this Bid at any time prior to the time and date specified for the Bid opening; 2) to reject any or all Bids received when it serves the best interest of SBBC; 3) to accept any item or group of items unless qualified by Bidder; and 4) to acquire additional quantities at prices quoted on this ITB unless additional quantities are not acceptable, in which case, the Bid sheets must be noted, 'Bid is for specified quantity only.'"

There is no financial impact to the district.

Mr. Moquin assumed the seat of the Superintendent on the dais.

Responding to Mrs. Bartleman's inquiry, Mrs. Crenshaw indicated that three (3) quotes were obtained because monthly services are approximately \$20,000. Only two (2) months of services are needed while the bid is out. Mrs. Crenshaw stated that all bids were rejected because the vendors were "playing" with the numbers and a decision was made to not award the contract in the manner it was done. Vendors who previously bid were asked to supply quotes for the two and one-half period. The financial impact for this period is less than \$50,000, which does not require Board approval.

Mrs. Bartleman requested that in the future this type of information be considered.

Mrs. Good inquired whether the rejection of all bids is pursuant to Board action.

Mr. Carland responded affirmatively, stating the State Board rule indicates if the procurement is not going to proceed this would be the final step.

Mrs. Bartleman inquired why the old contract was not extended.

Mrs. Crenshaw concurred that there was no provision for additional renewals.

E-4. Sole Source Agreement - 55-057E - Food and Nutrition Services Online Payment System (Approved as Amended)

Motion was made by Mrs. Rupert, seconded by Ms. Korn and carried, to

Approved in Open Board Meeting, December 9, 2014

approve the sole source agreement for Food and Nutrition Services Online Payment Solution. Contract Term: November 13, 2014, through November 12, 2015, 1 year; User Department: Food and Nutrition Services; Award Amount: None; Vendor(s) Awarded: Heartland Payment System, Inc.; M/WBE Vendor(s): None. This motion was superseded by a Motion to Amend (page 14). (9-0 vote)

This request is to approve the sole source agreement with Heartland Payment System, Inc., (Heartland), for Food and Nutrition Services (FNS) Online Payment System. MCS Software is the software vendor utilized by FNS for students' online payments "SchoolPaymentSolutions.com." MCS Software was acquired by Heartland on April 2, 2014. Once MCS Software's acquisition was completed, Heartland made available "MySchoolBucks.com" to the District. Heartland is the sole source provider of MySchoolBucks.com.

MySchoolBucks.com offers several features that are not available with the current online payment software (e.g., mobile application for iPhone, Android, or Windows devices, dedicated 800 toll-free telephone support for parents and low balance email alerts).

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

There is no financial impact to the district. Parents utilizing the system are responsible for the transaction fees.

Mr. Moquin assumed the seat of the Superintendent on the dais.

Ms. Korn inquired about the e-check provision.

Jane Landi, Supervisor, Food & Nutrition Services, explained that when an online payment is made a credit or a debit card is needed.

Referring to Government and Education Processing Agreement Terms & Conditions, Section 11.5, Ms. Korn stated this provision remains the same, referring to the convenience fees in the event of a termination. She voiced concern with the merchant (School Board) paying the average convenience fees.

Ms. Landi responded that this section is applicable to merchants that are

Approved in Open Board Meeting, December 9, 2014

paying a monthly fee and the vendor Heartland indicated there was no problem with moving that section and deleting it, like the other items on the addendum.

Motion to Amend (Carried)

Motion was made by Ms. Korn, seconded by Mrs. Rupert and carried, to amend Government and Education Processing Agreement Terms & Conditions, remove section 11.5 on page 7. (9-0 vote)

A vote was taken on the Motion to Amend.

Mrs. Brinkworth referred to page 1, section 2.9, "Card-Not-Present Transaction," and inquired whether all transactions will be Card-Not-Present over the internet.

Ms. Landi responded affirmatively.

Mrs. Brinkworth inquired whether a higher rate is being paid because of this process.

Ms. Landi responded when moving over to the new website the district will not be paying this fee; it is all incorporated into the \$1.95 Convenience Fee charge. The reason the fee was reduced is because Heartland is a processor. The district is currently paying a separate processor.

A vote was taken on the item as amended.

***E-5. Termination of Bid 28-134T - Installation and Replacement of Video Surveillance Systems (Approved)**

Approved the termination of Bid 28-134T - Installation and Replacement of Video Surveillance Systems, with Holb-Sierra Corporation; Bid Term: February 21, 2008, through February 28, 2015, 7 Years; User Department: Broward District Schools Police Department; Award Amount: \$4,000,000; Vendor(s) Awarded: Holb-Sierra Corporation; M/WBE Vendor(s): None.

This agenda item requests approval to terminate the bid with Holb-Sierra Corporation, due to staff's request to discontinue use of the contract, because it has been impacted by the changes to Policy 3320. Additionally, due to the length of time for which the contract has been in effect, staff

Approved in Open Board Meeting, December 9, 2014

will review the current scope of services and negotiate more competitive pricing. Pursuant to Bid 28-134T, Section 3, General Conditions 23, "The School Board of Broward County, Florida reserves the right to terminate any contract resulting from this invitation at any time and for no reason, upon giving 30 days prior written notice to party."

An emergency request for \$100,000 was granted by the Superintendent on October 7, 2014, for funding for immediate repair and installation of surveillance cameras to eighteen (18) schools. The awarded vendor has been notified that Bid 28-134T will terminate upon Board approval. There will be no lapse of service due to this termination.

See Supporting Docs for continuation of Summary Explanation and Background.

There is no financial impact to the district.

***E-6. Termination of Request for Proposal - RFP 12-001N - Speech-Language Pathology and Audiology Services (Approved)**

Approved the termination of RFP 12-001N - Speech-Language Pathology and Audiology Services. Contract Term: July 1, 2011, through June 30, 2016, 5 Years; User Department: Exceptional Student Education and Support Services; Award Amount: \$4,500,000; Vendor(s) Awarded: 14; M/WBE Vendor(s): 9.

This agenda item requests approval to terminate the RFP with All-Star Rehab, Inc.; Boca Speech Center; Cobb Pediatric Speech Services; Community Rehab Associates; Educational Based Services; Educational Therapy Associates, Inc.; Invo Healthcare Associates, Inc.; Pediatric Therapy Associates of South Florida; MTX Therapy Services; Progressus Therapy, LLC; Speech Rehab Services, LLC; Sunbelt Staffing; and Vanner Speech Consulting, LLC, due to changes in the specifications and this contract being affected by the changes in Policy 3320.

See Supporting Docs for Continuation of Summary Explanation and Background.

There is no financial impact to the district.

***E-7. Termination of Bid - 28-130T - Fire Alarm Services (Approved)**

Approved the termination of Bid 28-130T - Fire Alarm Services, with Bass United Fire & Security Systems, Inc., Fire Alarm Systems & Security, Inc., Red Hawk Fire & Security, LLC, and Simplex Grinnell LP; Bid Term: March 1, 2008, through February 28, 2015, 7 Years; User Department: Physical Plant Operations; Award Amount: \$4,000,000; Vendor(s) Awarded: Bass United Fire & Security Systems, Inc., Fire Alarm Systems & Security, Inc., Red Hawk Fire & Security, LLC, and Simplex Grinnell LP; M/WBE Vendor(s): None.

This agenda item requests approval to terminate the bid with Bass United Fire & Security Systems, Inc., Fire Alarm Systems & Security, Inc., Red Hawk Fire & Security, LLC, and Simplex Grinnell LP, due to this contract being affected by the revisions to School Board Policy 3320. Pursuant to Bid 28-130T, Section 3, General Conditions 23, "The School Board of Broward County, Florida reserves the right to terminate any contract resulting from this invitation at any time and for no reason, upon giving 30 days prior written notice to the other party."

The awarded vendors have been notified that Bid 28-130T will terminate on November 12, 2014, upon Board approval. There will be no lapse of service due to this termination. The new bid is scheduled for award at the November 12, 2014, Board meeting, as item EE-3.

See Supporting Docs for continuation of Summary Explanation and Background.

There is no financial impact to the district.

***E-8. Termination of Bid - 10-026R - Electrical Services (Approved)**

Approved the termination of Bid 10-026R - Electrical Services, with C & F Electric, Inc.; Bid Term: July 22, 2009, through September 30, 2015, 6 Years, 2 Months; User Department: Physical Plant Operations; Award Amount: \$1,000,000; Vendor(s) Awarded: C & F Electric, Inc.; M/WBE Vendor(s): None.

This agenda item requests approval to terminate the bid with C & F Electric, Inc., due to this contract being affected by the revisions to The School Board Policy 3320. Pursuant to Bid 10-026R, Section 3, General Conditions 54, "This bid may be cancelled with or without cause by SBBC

November 12, 2014

Minutes of Regular Meeting

Page 18 of 85

Approved in Open Board Meeting, December 9, 2014

during the term hereof upon thirty (30) days written notice to the other parties of its desire to terminate this bid."

The awarded vendor, C & F Electrical, Inc., has been notified that Bid 10-026R will terminate on November 12, 2014, upon Board approval. There will be no lapse of service due to this termination. The new Bid 14-082F is scheduled for award at the November 12, 2014, Board meeting, as item EE-2.

See Supporting Docs for continuation of Summary Explanation and Background.

There is no financial impact to the district.

E-9. Recommendation to Approve a Piggyback Agreement - 54-064E - Personal Computers, Laptops, and Technical Support (Not Approved)

Motion was made by Mrs. Rupert, seconded by Ms. Korn, to approve the revised piggyback agreement with Lenovo (United States), Inc. Contract Term: ~~January 22, 2014~~ May 21, 2013, through August 31, 2017, ~~3 Years, 7 Months~~ 4 Years, 3 Months; User Department: District-wide; Vendor(s) Awarded: Lenovo (United States), Inc.; M/WBE Vendor(s): None.

Additional Information was submitted for this item.

Ms. Korn, Ms. Murray and Dr. Osgood voted "yes." Mrs. Bartleman, Mrs. Brinkworth, Mrs. Freedman, Mrs. Good, Mrs. Rich Levinson, and Mrs. Rupert voted "no." (3-6 vote)

School Board Policy 3320, Part II, Section M permits the District to piggyback on contracts awarded by other governmental agencies. At its January 22, 2014 meeting, the Board approved an Agreement with Lenovo (United States), Inc., for the purchases of personal computers, laptops, and technical support. Technology is crucial for the success of the District's students and staff.

To ensure students and staff have access to quality systems and the highest level of support, the District needs to continue implementing an appropriate technology refresh-cycle to modernize the aging end-user computing devices.

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

November 12, 2014

Minutes of Regular Meeting
Page 19 of 85

Approved in Open Board Meeting, December 9, 2014

There is no financial impact to the district.

Mrs. Good stated that the agreement was presented to the Board in January and it indicated specific spending amount for an allocation of approximately \$16 million. She was under the impression if this contract is to be amended it should have been presented as an amended contract. Mrs. Good inquired whether an executed agreement was presented in January when it was approved.

Mrs. Crenshaw responded when it came to the Board it was pending signatures and today the Board is being presented the final executed contract which memorialized all the purchases the district made with Lenovo. She concurred with Mrs. Good that the district did not have an executed agreement in January but the contract has been used.

Mrs. Good voiced concern over this aspect of the contract, stating there is a bigger issue with the current item and asking the Board to backdate the contract to May of last year when action was taken in January. She questioned why the contract was presented when it was not executed in a timely fashion.

Remarking that this has not been presented properly, Mrs. Good stated the district is piggybacking on a contract for an extended period of time. The action in January 2014 is for approval that allows no capital funds if available, similar to an open-ended contract.

Mrs. Crenshaw indicated that the district is piggybacking the Broward College contract and the district is under the terms and conditions of that contract. A request is being made to approve an agreement based on the district's terms and conditions. Mrs. Crenshaw stated it was realized when working with the legal department that when piggybacking the district should have its own terms and conditions agreement. This is a legal best practice so if anything happens the district is under its terms and conditions. She indicated that a purchase was made in May and it is backdated to May so that everything from May moving forward would be under the district's terms and conditions and not the terms of Broward College.

Mr. Carland advised that ordinarily competitive methods are used for procuring goods and services. Piggybacking is an exception to that methodology whereby the district is authorized by state law to adopt or

Approved in Open Board Meeting, December 9, 2014

use terms and conditions in contracts that other governmental agencies have negotiated. Mr. Carland stated the General Counsel's office has recommended when the district procures goods and services through the piggyback method the Board approves its own contract to assure that the term of the contract and the number of years is correct and that all terms are memorialized as they are binding between the parties. If the vendor's contract is about to expire but they are willing to give those terms and conditions for an additional year, that is appropriate to negotiate.

Mrs. Good inquired about the time delay from January.

Mrs. Crenshaw responded that many of the computer vendors take exception to the district's terms, and there were issues with indemnification and confidentiality of student records and inspection of records. When the contract was submitted to the Board in January, upon review by the vendor they took a lot of exceptions to those items.

Mrs. Good stated she takes exception to backdating an agreement and having to pay the vendor for what they should have agreed to in January. She stated the vendor has hijacked the entire process and the right tone is not being set in this district.

Ms. Korn stated the vendor did not indicate they would not agree to the agreement, it was the concern of the district's legal counsel after the agreement was entered into. If a piggyback contract is entered into there has to be a certain period of time for there to be an agreement between the parties. Ms. Korn further stated that the vendor did not necessarily have to agree to another contract with the district because the district piggybacked and signed onto the agreement that Broward College had set forward.

Mr. Carland indicated that the approved agreement was before the Board in January 2014, the Broward College contract utilizing the district's contract.

Ms. Korn stated there is no cost difference and the district is not paying any additional costs, no change to the terms of the agreement outside of legal.

Mr. Carland responded what is before the Board has been approved by legal counsel. The purchase has already been made.

Approved in Open Board Meeting, December 9, 2014

Ms. Korn did not believe that the vendor agreed to the agreement and then subsequently indicated they did not agree to the agreement. She believed it was staff who presented the agreement for approval but it was not approved. Ms. Korn voiced concern over the timing of the contract; the district was still using the contract and no one on the Board knew that this contract was being utilized. The overall business terms have not changed but the legal language has. Ms. Korn stated if this were to ever occur in the future, if a document has been approved and is not moving forward, it is incumbent upon staff to communicate this information to the Board. It should come back to the Board for action as soon as an item has been rejected.

Mrs. Rupert indicated that Bid 53-111E on April 13 was a purchase for \$990,000 for Lenovo.

Mrs. Crenshaw concurred and stated that was the first initial timely access to the piggyback contract. She stated that the expense totals \$23 million.

Edward Hinline, Acting Chief Information Officer, informed that \$14 million came from the Capital Budget, \$6 million from the Grants department/schools' budget, \$3 million from the May to January time period.

Mrs. Rupert stated the figures that were presented in January and in May do not coincide with the \$23 million. She requested that the Board be provided a breakdown in writing. Mrs. Rupert further stated as a governing body nothing should be presented after the fact or withheld, especially for a period of 10 months.

Mrs. Good inquired whether it is the district's practice for vendors to sign the agreement prior to the district signing.

Mr. Carland responded that ordinarily that is the practice but it is not necessarily a legal issue, and as it is presented at this time it is problematic if after the fact.

Mrs. Good requested having agreements/contracts signed by the vendor or entity before School Board approval.

Mr. Runcie acknowledged that the Board approved a certain type of agreement that was never fully executed and it should have come back to the Board for the necessary changes. Mr. Runcie stated in moving

Approved in Open Board Meeting, December 9, 2014

forward, diligence and discipline was placed around these types of contracts to try to close these issues. The Superintendent noted that the pricing is the same and the warranties are the same based on what the Board approved.

Mrs. Good stated as a procurement process the vendor cannot be paid without an agreement, notwithstanding the terms remained the same as the Board originally thought was approved. Mrs. Good further stated this item had a bid protest so there was already a cloud within that protest. Concerned over the appearance of the process, Mrs. Good noted that the entity that was going to receive the award is the entity that is before the Board today. Ultimately, this process was not followed, there was a piggyback and it resulted in the same entity.

Mr. Runcie indicated he has asked staff to work on getting another RFP issued.

Mrs. Crenshaw noted that the current bid is under protest, under the cone of silence, and it has not been awarded. A review on how to proceed is currently underway in moving forward with computer services. She indicated that in the January or February time frame an item will be presented to the Board.

Mrs. Good noted that the comments she referred to were included in paragraph two (2) of the Executive Summary.

Mrs. Rich Levinson was of the opinion when going forward with piggyback contracts they should be signed when presented to the Board, just like any other time. This would ensure this problem does not occur again.

Mrs. Rupert requested clarification on why this contract was not executed and inquired whether any money has been expended by the district.

Mrs. Crenshaw responded that moneys have been paid and it was not executed because there were some terms that the vendor did not agree with and the agreement had to be revised.

Remarking that the Board had to approve payment, Mrs. Rupert voiced concern because there was not an approved and signed contract.

Approved in Open Board Meeting, December 9, 2014

Mrs. Crenshaw responded that the district was authorized to piggyback on the Broward College agreement and the district wanted its own terms and conditions, but it was not executed.

Mrs. Rupert stated there is no contract.

Mrs. Good asked for a procedural clarification since she asked for a vote on the item and some Board Members had voted.

Mr. Carland advised that the results of the vote was not announced so technically comments and questions can be re-opened.

(School Board Members indicated they had no objection).

Mrs. Bartleman inquired how this incident occurred.

Mr. Carland explained that originally the Board received in April 2013, under the old purchasing policy, notification that administration was intending to purchase under the terms of the Broward College piggyback computers. This came to the Board via memorandum under the old policy because the old policy permitted the Superintendent to purchase contract services without prior Board approval up to \$1 million.

Subsequently the Board has changed this policy. In May of 2013, an item was presented to the Board asking for funding approval regarding the Digital V program. The Board did not approve a contract via that item, only funding for a program was approved.

Mr. Carland stated in the May 2013 item there was reference to the Broward College agreement but the item technically did not approve that agreement. In January 2014, because a contract was not approved and spending was over the \$1 million limit, the advice was to have the Board approve a piggyback contract because the spending is over the limit. Also, the district's own form agreement should be used so that all the technicalities that are relied upon would be included.

Approved in Open Board Meeting, December 9, 2014

In response to Mrs. Bartleman's inquiry, Mr. Carland stated that up until January 2014 the Board had never approved a contract. He clarified that an agreement was approved in January but it was not signed because they did not agree with certain terms.

Mrs. Bartleman stated that knowing this item was not resolved the district continued to purchase at a cost of \$23 million.

Mrs. Good requested clarification that the agreement before the Board is through August 31, 2017 and whether there is a cap on expenditures.

Mrs. Crenshaw responded affirmatively but there is not a cap on expenditures.

Responding to Mrs. Bartleman's inquiry about the impact of this agreement with the bid protest, Mr. Carland stated that the bid protest did not foreclose the Board from piggybacking because the item that was in protest did not have any kind of guaranteed amounts or guaranteed number of purchases. It did not prohibit the Board from procuring computers from other sources. Mr. Carland further stated the contract includes a termination clause, without cause.

Following the vote on the item, the following discussion continued:

Mrs. Rich Levinson requested that this be reviewed procedurally or as a policy moving forward. She further requested a follow-up memorandum to the Board regarding what will happen next, as a result of today's School Board vote.

Mr. Carland indicated that the purchases that the contract purported to cover have already occurred; the equipment has been received and the purchase price was paid. The main purpose for the retroactive application is to cover all of those purchases with all the terms and conditions in the agreement, as negotiated.

Mr. Carland stated that without this benefit, if there is a dispute it is questionable as to which terms will be able to be enforced relative to those purchases because there was not a fully executed agreement. Mr. Carland concurred that they did not want to accept the district's terms and the item before the Board did have some revised provisions.

Mrs. Bartleman inquired whether additional computers will be purchased

Approved in Open Board Meeting, December 9, 2014

from this contract to put in place before the end of the school year.

Mrs. Crenshaw indicated that the RFP that was protested will be reviewed and a meeting is scheduled with Apple to bring some of their computers back into the school district. There are contract issues and terms that have not been resolved. Mrs. Crenshaw stated that the amount of computers purchased will be dependent on the schools' needs. She noted there is almost \$1 million worth of computers on hold that cannot be purchased until a resolution is determined.

Mrs. Good indicated that the Superintendent needs to provide the Board with extensive follow-up on this item, as there are serious implications. She stated for the record that no one on the dais wants to impact children and children deserve to have the necessary technology.

Ms. Korn inquired whether ordering of computers will not occur since the Board has officially rejected a contract.

Mrs. Crenshaw responded that it will not. She clarified, until the issues and terms and conditions are resolved with Apple staff is not able to secure a "deal."

F. OFFICE OF ACADEMICS

***F-1. Agreement between The School Board of Broward County, Florida and Susan B. Anthony Center, Inc. (Approved)**

Approved the new Agreement between The School Board of Broward County, Florida and Susan B. Anthony Center, Inc. The contract period is November 17, 2014 through October 31, 2017.

Career and Technical Education high school and adult postsecondary students, district-wide, who are enrolled in Health Science Education Programs, participate in clinical learning experiences through contractual agreements with hospitals, nursing homes, and other healthcare related facilities.

See Supporting Docs for continuation of Summary Explanation and Background.

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

There is no financial impact to the district.

***F-2. Agreement between The School Board of Broward County, Florida and Five Star Quality Care - FL, LLC d/b/a Court at Palm Aire, The (Approved)**

Approved the new Agreement between The School Board of Broward County, Florida and Five Star Quality Care - FL, LLC d/b/a Court at Palm Aire. The Career and Technical Education high school and adult postsecondary students, district-wide, who are enrolled in Health Science Education Programs, participate in clinical learning experiences through contractual agreements with hospitals, nursing homes, and other healthcare related facilities.

See Supporting Docs for continuation of Summary Explanation and Background.

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

There is no financial impact to the district.

***F-3. Contract Agreement with Take Stock in Children, Inc. (Approved)**

Approved Contract Agreement with Take Stock in Children, Inc.

Take Stock in Children (TSIC) is a public, not-for-profit organization incorporated in 1995 to dramatically impact Florida's at risk children by providing them with mentors one hour per week during their middle and high school years. The District has collaborated with Take Stock in Children, Inc., since 1996. Students are nominated for the program by school personnel, and the application process provides each student's parent/guardian with an opportunity to explain why a mentor and scholarship would benefit their child. Final Selections are made by the local TSIC Leadership Council, a group of community leaders actively committed to children. Students who successfully complete the TSIC program by remaining crime and drug free and maintaining at least a 2.0 grade point average are provided with college or post-secondary tuition scholarships.

See Supporting Docs for continuation for Summary Explanation and Background.

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

There is no financial impact to the district.

G. OFFICE OF HUMAN RESOURCES

***G-1. Personnel Recommendations for Instructional Appointments and Leaves for 2014-2015 School Year (Approved)**

Approved the personnel recommendations for the 2014-2015 appointments and leaves as listed in the attached Executive Summary and respective lists for instructional staff. All recommendations are made with the understanding that these individuals will comply with regulations/policies as set forth by the Florida Department of Education and The School Board of Broward County, Florida.

The Personnel Recommendations for Instructional Employees include the following items:

1. Teacher Approvals
2. Instructional Leaves

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

***G-2. Personnel Recommendations for Instructional Separation of Employment or Discipline for the 2014-2015 School Year (Approved)**

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

The Personnel Recommendations for Instructional Employees include the following items:

1. Instructional Resignations and Retirements and Layoffs
2. Instructional Suspensions and Terminations and Released During

November 12, 2014

Minutes of Regular Meeting

Page 28 of 85

Probationary Period

There will be no financial impact to the school district.

G-3. Personnel Recommendations for Non-Instructional Appointments and Leaves for the 2014-2015 School Year (Approved)

Motion was made by Mrs. Rupert, seconded by Dr. Osgood and carried, to approve the personnel recommendations for appointments and reassignments as listed on the attached Executive Summary, respective lists and individual appointments for Non-Instructional Employees. (9-0 vote)

All recommendations are made pending security clearance and with the understanding that these individuals will comply with regulations/policies as set forth by the Florida Department of Education and The School Board of Broward County, Florida.

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

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

Funding has been budgeted in the 2014-2015 school/fiscal year for all appointments through June 30, 2015.

Noting that some teachers are moving out of their teaching positions to new positions, Ms. Korn wanted assurance that these positions will not be vacant for any period of time, that they will be back-filled before they are vacated by the individuals.

Approved in Open Board Meeting, December 9, 2014

Amanda Bailey, Chief Human Resources Officer, responded that most of the positions that are known to be vacant are being reviewed and staff is working with the principals. For any positions that remain vacant without a position already being confirmed by the Board, there will be qualified substitute teachers in place until such time as the appointments can come forward.

Ms. Korn voiced concern and stated if there is going to be a vacancy that vacancy should be at a support level and not at the classroom level. She requested that there not be an interruption and not have a substitute in the classroom.

Mrs. Rich Levinson suggested bringing both appointments simultaneously so there is no vacancy in the classroom.

Concurring, Mrs. Rupert requested that this be clarified prior to taking action on the agenda item, such as sending a written letter.

Mr. Runcie stated that a communication can be sent to principals and staff can communicate to principals concerning what the new procedures will be.

Mrs. Good stated this will be a balance and teachers should be encouraged to pursue professional career movement through the district.

Appearing telephonically, Mrs. Freedman concurred that both items should be brought forward together.

Responding to Mrs. Brinkworth's inquiry, Mrs. Bailey stated that the teachers are still in the classroom until the Board appoints the individuals today.

Newly appointment district personnel were recognized and congratulated by Board Members Mrs. Bartleman, Ms. Korn and Mrs. Rupert, on behalf of the School Board.

G-4. Personnel Recommendations for Non-Instructional Separation of Employment and Discipline for the 2014-2015 School Year (Approved)

Motion was made by Ms. Korn, seconded by Mrs. Rupert and carried, to approve the personnel recommendations for separation of employment

Approved in Open Board Meeting, December 9, 2014

and discipline as listed on the attached respective lists for Non-Instructional staff. All recommendations are made with the understanding that these individuals will comply with regulations/policies as set forth by the Florida Department of Education and The School Board of Broward County, Florida. Mrs. Brinkworth and Mrs. Rupert voted "no." (7-2 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)
Non-Instructional Discipline

Employees contesting the recommended discipline may avail themselves of due process rights pursuant to their respective Collective Bargaining Agreements or School Board Policy 4015.

There is no financial impact to the district.

Mrs. Brinkworth inquired why there are some discipline items turned around within a day or six days and others take four to six weeks. She requested that staff respond to the different turnaround time periods for the discipline items.

Mrs. Bailey responded in some cases each incident is handled based on the facts, depending on the Collective Bargaining Agreement that governs the work conditions and the disciplinary procedure, and whether the employee has asserted any of those rights. If that is the case, there may be a delay in bringing forward to the Board a final recommendation, until that disciplinary procedure has exhausted the appropriate steps.

Mrs. Brinkworth requested that staff respond to the different turnaround time periods for the discipline items.

Referring to employee Ryan Mills, Mrs. Rupert inquired whether the employee has filed a grievance at this time.

Mrs. Bailey responded there is not a grievance filed on this person at this time.

Approved in Open Board Meeting, December 9, 2014

Referring to employees Della Mullins and Emilio Perez, Mrs. Rupert referred to the amount of time procedurally an employee is considered late in the Transportation department and requested staff to review the Handbook and ensure the standard of practice is across the board. Mrs. Rupert requested special consideration for Mr. Perez as he has not been able to complete the required testing and all the classes as booked for the next month and a half.

Mrs. Bartleman recognized and congratulated Victoria (Vicky) Kaufman and Phyllis Schiffer Simon on their retirements.

Referring to the employee discipline, Mrs. Bartleman indicated that a Policy 4.9 Employee Disciplinary Guidelines committee will be meeting and requested that all parties be included as part of that discussion, including principals, assistant principals and teachers.

Jeffrey Moquin, Chief of Staff, Office of the Superintendent, indicated that no committee has been formed to review Policy 4.9. The Board has requested that the policy and the process come before the Board and a work group of staff has been formulated to review this and review some of the best practices. Mr. Moquin stated he has reached out personally and had a conversation with one individual based on their open concerns to the Board. He informed this individual that the work group is doing nothing more than trying to formulate the information so it can be brought to a Board Workshop for a collaborative discussion.

The following individuals addressed this item:

Della Mullins
Ryan Mills
Emilio Perez
Jancarlos Santana

Upon request of the Chair, Mr. Carland explained the process to be followed regarding the recommendations by the Superintendent. He explained that the discipline matters involving members of the Collective Bargaining Unit, Human Resources staff has advised that these employees

Approved in Open Board Meeting, December 9, 2014

have rights to file grievances related to the discipline action and ensuring that that timelines and processes are being followed.

Mr. Carland indicated that the employee on release from probation can be for cause or non-cause, there is not an attachment of due process, and the Superintendent is recommending that the release occur. He clarified that the good cause level does not attach in these recommendations.

Mrs. Good voiced concern with recommendations coming before the Board, stating it is the recommendation of the Superintendent and the Board's role is not to hold hearings. What is important in a due process is to have all the elements before the Board for consideration.

Mrs. Bartleman asked about the bullying complaints at Flanagan High School as regards the protection of the employee.

Mr. Carland indicated that the bullying policy is to look at the conduct of others and to correct behavior, to investigate and determine if inappropriate behavior has occurred and then correct the behavior. This process is not necessarily defined to adjudicate or take care of allegations of misconduct on the part of the "victim." If an employee has been accused of misconduct, that misconduct will be evaluated on its own and the due process would attach.

Mr. Runcie informed that the Board previously asked for a workshop to discuss the Superintendent moving these items forward in order to complete the disciplinary process before it appeared in this present form.

Mr. Runcie stated that the Board elected to continue to work through the process and by doing this, the Board will get situations when all the information is not available. It needs to go to the next stage before a more comprehensive picture is presented on the case.

Mrs. Bartleman said there should be a process in place to ensure that there is not selective enforcement and staff should share their process if an allegation is made.

Mrs. Bailey stated that the process is the grievance procedure and it is now done formally and informally.

Mrs. Rupert inquired whether all ESOL classes are full and whether the employee can take the test again.

Mrs. Bailey responded that the employee has an opportunity to re-take the test.

Mrs. Good, on behalf of the Board, thanked Dr. Schiffer-Simon, Mrs. Kaufman, and district employees for their years of service to the district and extended best wishes in their retirement.

***G-5. Supplemental Pay Positions List 7**

(Approved)

Approved the recommended supplemental pay positions of employees for the 2014-2015 school/ fiscal year.

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

The 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 2014-2015 school year.

Individuals listed meet the requirements for the supplemental positions.

Funding has been budgeted in the 2014-2015 school/ fiscal year for all supplements through June 30, 2015.

H. OFFICE OF THE GENERAL COUNSEL

I. OFFICE OF THE SUPERINTENDENT

J. OFFICE OF FACILITIES & CONSTRUCTION

K. OFFICE OF FINANCIAL MANAGEMENT

K-1. Securities and Exchange Commission's Municipalities Continuing Disclosure Cooperation (MCDC) Initiative (Approved)

Motion was made by Mrs. Rich Levinson, seconded by Mrs. Rupert and carried, to authorize the Superintendent and the Chair, where necessary, to take all necessary steps to participate under the Securities and Exchange Commission's (SEC's) MCDC Initiative. (9-0 vote)

See attached Summary Explanation and Background.

This attachment has been reviewed by the Office of the General Counsel and Bond Counsel.

There is no financial impact for this item.

Mrs. Rupert inquired about the list of irregularities, late filings and notices of certain material events.

Robert Gang, Esq., responded that the list is being developed. The dissemination agency that the district hired a year ago, Digital Assurance Certification (DAC), has provided a report with the nature of the late filings. This information will be provided to the Board shortly.

Mrs. Rupert stated she was excited about moving forward with this opportunity.

Ms. Murray indicated that staff shared with each Board Member regarding the economy of the nation, especially with the banking industry. Noting that nothing underhanded occurred in this instance, Ms. Murray stated the district has a distinguished reputation of ethical and high standards as a school district, including a solid high bond issue rating. Remarking that rules and regulations have changed, Ms. Murray commended staff on the good work they do and for bringing issues forward for clarification.

L. OFFICE OF PORTFOLIO SERVICES

L-1. Class Size Reduction - Post October Survey 2 Scheduling Flexibility for Newly Enrolled Students (Approved)

Motion was made by Ms. Korn, seconded by Mrs. Bartleman and carried, to authorize the temporary assignments of students enrolling after the October membership survey to existing classes in excess of maximum class size limits pursuant to Florida Statute section 1003.03(2)(b) as doing otherwise, is impractical, educationally unsound, and/or disruptive to the affected students. Mrs. Freedman and Dr. Osgood were absent for the vote. Mrs. Brinkworth and Mrs. Rupert voted "no." (5-2 vote)

Beginning with the 2011-2012 school year, Florida Statute 1003.03(2)(b) allowed District School Boards to authorize flexibility in class assignments for students enrolling after the October membership survey. This flexibility allows for a student who enrolls after the October survey, to be assigned to an existing class even though such assignment may result in the class temporarily exceeding the maximum number of students. If a new student cannot be assigned to a class, it would be impractical, educationally unsound, and/or disruptive to the student's learning.

This item grants scheduling flexibility to schools for the remainder of the 2014-2015 school year by allowing up to three (3) students above the maximum to be assigned to a teacher in kindergarten through grade 3, and up to five (5) students above the maximum to be assigned to a teacher in grades 4 through 12.

There is no financial impact to the district.

Mrs. Brinkworth requested clarification regarding students in a classroom, 24 kindergarteners or higher because of the model the school is using. She stated if the Board approves this flexibility, any new kindergarteners are going to be allowed into those classes and the school will not be forced to open a new kindergarten class.

Approved in Open Board Meeting, December 9, 2014

Leslie Brown, Chief Portfolio Services Officer, responded that each one of those situations would be reviewed individually. If a school reaches a certain level where they are over the limit, there would be a conversation with the Budget department to find another teacher. If there is an opportunity to serve the child in the current model they would be served in that current model.

Remarking that she has received many complaints from constituents with regard to Class Size, Mrs. Brinkworth stated she is hesitant and uncomfortable about allowing the flexibility, knowing that these teachers can be further overburdened or have those classrooms be so far above what the actual Class Size amendment says they should be.

Mrs. Rich Levinson indicated if there is enough in a school to create another class, then a class is created. This relates to not having to open a class for one or two children because the law should not have been done as a hard cap.

Responding affirmatively, Mrs. Brown stated from October 17, 2014 there was 1,519 brand new students into the school district. As those students come in, this flexibility would allow those children to have a place in their boundared school and be placed into a classroom. Mrs. Brown further stated there has been some mobility of 1,345 students that have moved from school to school. This flexibility allows students to move into those classes and when it hits a threshold another teacher would be provided. The flexibility is not to pack classes; the flexibility allows their placement and then budget implications are reviewed. If warranted, an additional teacher would be provided at the school.

Mrs. Rupert indicated there are four (4) kindergarten classes in excess of 27 children in the classes without a paraprofessional at Deerfield Beach Elementary.

Mrs. Brown responded that from the schools that indicated during the working discussion that there were some challenges, staff went into the classes and sent out verification of whether or not those students were actually residing in a classroom with a co-teacher, which has been verified.

Mrs. Rupert stated that every school needs to be reviewed but she would not be able to support the flexibility due to her concerns.

Approved in Open Board Meeting, December 9, 2014

Ms. Korn stated that flexibility will not solve the problem of 27 children in a classroom. She inquired whether the additional three (3) students for grades Kindergarten through 3rd grade indicates in addition to or only in addition to the 18 students.

Mrs. Brown responded that maximum indicates it is in addition to the 18 students. It is off of the 18, 22 and 25 caps. If there is a co-teaching situation this flexibility does not allow that many more over that number.

Mrs. Bartleman stated she would support the item because there are penalties associated with Class Size. If the district wants to change the process, it cannot be done mid-stream. Mrs. Bartleman inquired about the delay in addressing those issues.

Mrs. Brown stated there are adaptive strategies that do meet state statute and staff will take a look at this if it is the direction of the Board to not use that strategy. By using co-teaching there has been a verification on the way that the schools have been scheduled, other than Deerfield Beach.

Mrs. Brown reiterated that upon direction of the Board she and staff reviewed the co-teaching situation.

Mrs. Good, who remarked that the Board feels that flexibility is important because of the issues regarding the penalty, questioned how the flexibility is provided if two new students arrive. Mrs. Good stated if flexibility is provided more students should not be placed in a classroom that is significantly impacted. She asked that those teachers not be further impacted if flexibility is allowed.

Mrs. Brinkworth shared that her child is in a co-teaching classroom all day and there are parents and teachers who indicated their children are in classrooms using a different model, that is not co-teaching. The district is allowing 24 or 25 students to be in a class. Mrs. Brinkworth inquired whether the extra students will be placed in those classes if the Board votes for the flexibility.

Mr. Runcie responded that the district should hire another teacher and a review will need to be done when this occurs, in moving forward.

Remarking that she was not willing to wait 12 weeks, Mrs. Rupert requested a deadline regarding the procedure. She questioned why this is

Approved in Open Board Meeting, December 9, 2014

being considered because it is by class penalty and not by student penalty. Mrs. Rupert stated that stacking is already occurring and no class should be stacked at all.

Mr. Runcie stated that the stacking should have leveled off; the Board agreed this would be used to minimize movement of students.

Mrs. Brown noted that it does not eliminate any of the penalty. Some students would leave and some would come in during the first 10 to 15 days of schools. The students were put into a class so that the movement would be as much as possible reduced to zero. Mrs. Brown reiterated that the intent was to stabilize where the children were, to not move children in week two and then move them again in week four (4) because that class was over.

***L-2. Charter Application Approval - Academic Solutions Academy, Inc.,
(Academic Solutions Academy-A) (Approved)**

Approved the application for Academic Solutions Academy, Inc., (Academic Solutions Academy-A), to open a charter school serving grades 9-12 for the 2015-2016 school year and authorize the Superintendent to issue a notice of approval.

Subsequent School Board approval shall be required prior to the signing of a written charter school agreement establishing the operation of the charter school.

Section 1002.33, Florida Statutes, authorizes the submission of applications for a new charter school. Academic Solutions Academy, Inc., (Academic Solutions Academy-A), submitted a formal application to start a public charter school for the 2015-2016 school year.

A copy of all supporting documents is available at the Charter Schools Management/ Support Department on the 12th floor of the K. C. W. Administration Center. A copy of all supporting documents are available online via the Broward County Public Schools eAgenda at:
<http://webappe.browardschools.com/eagenda>.

See Supporting Docs for continuation of Summary Explanation and Background.

Approved in Open Board Meeting, December 9, 2014

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

There is no financial impact to the district.

***L-3. Charter Application Approval - Atlantic Montessori Charter School, Inc., (Atlantic Montessori Charter School - West Campus K-5) (Approved)**

Approved the application for Atlantic Montessori Charter School, Inc., (Atlantic Montessori Charter School - West Campus K-5), to open a charter school serving grades K-5 for the 2015-2016 school year and authorize the Superintendent to issue a notice of approval. Subsequent School Board approval shall be required prior to the signing of a written charter school agreement establishing the operation of the charter school.

Section 1002.33, Florida Statutes, authorizes the submission of applications for a new charter school. Atlantic Montessori Charter School, Inc., (Atlantic Montessori Charter School - West Campus K-5), submitted a formal application to start a public charter school for the 2015-2016 school year.

A copy of all supporting documents is available at the Charter Schools Management/ Support Department on the 12th floor of the K. C. W. Administration Center. A copy of all supporting documents is available online via the Broward County Public Schools eAgenda at: <https://webappe.browardschools.com/eagenda>.

See Supporting Docs for continuation of Summary Explanation and Background.

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

There is no financial impact to the district.

***L-4. Charter Application Approval - Doral Academy, Inc., (Doral Academy Charter High Tamarac) (Approved)**

Approved the application for Doral Academy, Inc., (Doral Academy Charter High Tamarac), to open a charter school serving grades 9-10 for the 2015-2016 school year and authorize the Superintendent to issue a notice of approval. Subsequent School Board approval shall be required

Approved in Open Board Meeting, December 9, 2014

prior to the signing of a written charter school agreement establishing the operation of the charter school. Section 1002.33, Florida Statutes, authorizes the submission of applications for a new charter school. Doral Academy, Inc., (Doral Academy Charter High Tamarac), submitted a formal application to start a public charter school for the 2015-2016 school year.

A copy of all supporting documents are available at the Charter Schools Management/ Support Department on the 12th floor of the K. C. W. Administration Center.

A copy of all supporting documents are available online via Broward County Public Schools eAgenda at:
<https://webappe.browardschools.com/eagenda>.

See Supporting Docs for continuation of Summary Explanation and Background.

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

There is no financial impact to the district.

***L-5. Charter Application Approval - Doral Academy, Inc., (Doral Academy Charter Middle Tamarac) (Approved)**

Approved the application for Doral Academy, Inc., (Doral Academy Charter Middle Tamarac), to open a charter school serving grades 6-8 for the 2015-2016 school year and authorize the Superintendent to issue a notice of approval. Subsequent School Board approval shall be required prior to the signing of a written charter school agreement establishing the operation of the charter school.

Section 1002.33, Florida Statutes, authorizes the submission of applications for a new charter school. Doral Academy, Inc., (Doral Academy Charter Middle Tamarac), submitted a formal application to start a public charter school for the 2015-2016 school year.

A copy of all supporting documents are available at the Charter Schools Management/ Support Department on the 12th floor of the K. C. W.

Administration Center. A copy of all supporting documents are available online via the Broward County Public Schools eAgenda at:
<https://webappe.browardschools.com/eagenda>.

See Supporting Docs for continuation of Summary Explanation and Background.

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

There is no financial impact to the district.

***L-6. Charter Application Approval - Innovation Charter School, Inc.,
(Innovation Charter School) (Approved)**

Approved the application for Innovation Charter School, Inc., (Innovation Charter School), to open a charter school serving grades K-3 for the 2015-2016 school year and authorize the Superintendent to issue a notice of approval.

Subsequent School Board approval shall be required prior to the signing of a written charter school agreement establishing the operation of the charter school. Section 1002.33, Florida Statutes, authorizes the submission of applications for a new charter school. Innovation Charter School, Inc., (Innovation Charter School), submitted a formal application to start a public charter school for the 2015-2016 school year.

A copy of all supporting documents are available at the Charter Schools Management/ Support Department on the 12th floor of the K. C. W. Administration Center. A copy of all supporting documents are available online via the Broward County Public Schools eAgenda at:
<https://webappe.browardschools.com/eagenda>.

See Supporting Docs for continuation of Summary Explanation and Background.

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

There is no financial impact to the district.

***L-7. Charter Application Approval - Renaissance Charter School, Inc.,
(Renaissance Charter High School of Southwest Broward) (Approved)**

November 12, 2014

Minutes of Regular Meeting
Page 42 of 85

Approved in Open Board Meeting, December 9, 2014

Approved the application for Renaissance Charter School, Inc., (Renaissance Charter High School of Southwest Broward), to open a charter school serving grades 9-12 for the 2015-2016 school year and authorize the Superintendent to issue a notice of approval. Subsequent School Board approval shall be required prior to the signing of a written charter school agreement establishing the operation of the charter school.

Section 1002.33, Florida Statutes, authorizes the submission of applications for a new charter school. Renaissance Charter School, Inc., (Renaissance Charter High School of Southwest Broward), submitted a formal application to start a public charter school for the 2015-2016 school year.

A copy of all supporting documents are available at the Charter Schools Management/ Support Department on the 12th floor of the K. C. W. Administration Center. A copy of all supporting documents are available online via the Broward County Public Schools eAgenda at: <https://webappe.browardschools.com/eagenda>.

See Supporting Docs for continuation of Summary Explanation and Background.

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

There is no financial impact to the district.

***L-8. Charter Application Approval - Renaissance Charter School, Inc.,
(Renaissance Charter High School of West Broward) (Approved)**

Approved the application for Renaissance Charter School, Inc., (Renaissance Charter High School of West Broward), to open a charter school serving grades 9-12 for the 2015-2016 school year and authorize the Superintendent to issue a notice of approval. Subsequent School Board approval shall be required prior to the signing of a written charter school agreement establishing the operation of the charter school.

Section 1002.33, Florida Statutes, authorizes the submission of applications for a new charter school. Renaissance Charter School, Inc., (Renaissance Charter High School of West Broward), submitted a formal application to start a public charter school for the 2015-2016 school year.

A copy of all supporting documents are available at the Charter Schools

Approved in Open Board Meeting, December 9, 2014

Management/ Support Department on the 12th floor of the K. C. W. Administration Center.

A copy of all supporting documents are available online via the Broward County Public Schools eAgenda at:

<https://webappe.browardschools.com/eagenda>.

See Supporting Docs for continuation of Summary Explanation and Background.

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

There is no financial impact to the district.

***L-9. Charter Application Approval - Renaissance Charter School, Inc.,
(Renaissance Charter School of Northeast Broward) (Approved)**

Approved the application for Renaissance Charter School, Inc., (Renaissance Charter School of Northeast Broward), to open a charter school serving grades K-8 for the 2015-2016 school year and authorize the Superintendent to issue a notice of approval. Subsequent School Board approval shall be required prior to the signing of a written charter school agreement establishing the operation of the charter school.

Section 1002.33, Florida Statutes, authorizes the submission of applications for a new charter school. Renaissance Charter School, Inc., (Renaissance Charter School of Northeast Broward), submitted a formal application to start a public charter school for the 2015-2016 school year.

A copy of all supporting documents are available at the Charter Schools Management/ Support Department on the 12th floor of the K. C. W. Administration Center. A copy of all supporting documents are available online via the Broward County Public Schools eAgenda at:
<https://webappe.browardschools.com/eagenda>.

See Supporting Docs for continuation of Summary Explanation and Background.

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

There is no financial impact to the district.

November 12, 2014

Minutes of Regular Meeting
Page 44 of 85

***L-10. Charter Application Approval - Renaissance Charter School, Inc.,
(Renaissance Charter School of Southwest Broward) (Approved)**

Approved the application for Renaissance Charter School, Inc., (Renaissance Charter School of Southwest Broward), to open a charter school serving grades K-8 for the 2015-2016 school year and authorize the Superintendent to issue a notice of approval.

Subsequent School Board approval shall be required prior to the signing of a written charter school agreement establishing the operation of the charter school. Section 1002.33, Florida Statutes, authorizes the submission of applications for a new charter school. Renaissance Charter School, Inc., (Renaissance Charter School of Southwest Broward), submitted a formal application to start a public charter school for the 2015-2016 school year.

A copy of all supporting documents are available at the Charter Schools Management/ Support Department on the 12th floor of the K. C. W. Administration Center. A copy of all supporting documents are available online via the Broward County Public Schools eAgenda at: <https://webappe.browardschools.com/eagenda>.

See Supporting Docs for continuation of Summary Explanation and Background.

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

There is no financial impact to the district.

***L-11. Charter Application Approval - Renaissance Charter School, Inc.,
(Renaissance Charter School of West Broward) (Approved)**

Approved the application for Renaissance Charter School, Inc., (Renaissance Charter School of West Broward), to open a charter school serving grades K-8 for the 2015-2016 school year and authorize the Superintendent to issue a notice of approval. Subsequent School Board approval shall be required prior to the signing of a written charter school agreement establishing the operation of the charter school.

Section 1002.33, Florida Statutes, authorizes the submission of applications for a new charter school. Renaissance Charter School, Inc., (Renaissance

Approved in Open Board Meeting, December 9, 2014

Charter School of West Broward), submitted a formal application to start a public charter school for the 2015-2016 school year.

A copy of all supporting documents is available at the Charter Schools Management/ Support Department on the 12th floor of the K. C. W. Administration Center. A copy of all supporting documents is available online via the Broward County Public Schools eAgenda at:
<https://webappe.browardschools.com/eagenda>.

See Supporting Docs for continuation of Summary Explanation and Background.

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

There is no financial impact to the district.

**L-12. Charter Application Approval - Wingate Oaks Charter School, Inc.,
(Wingate Oaks Charter School) (Approved)**

Motion was made by Mrs. Rupert, seconded by Dr. Osgood and carried, to approve the application for Wingate Oaks Charter School, Inc., (Wingate Oaks Charter School), to open a charter school serving grades K-12 for the 2015-2016 school year and authorize the Superintendent to issue a notice of approval. Subsequent School Board approval shall be required prior to the signing of a written charter school agreement establishing the operation of the charter school. Section 1002.33, Florida Statutes, authorizes the submission of applications for a new charter school. Wingate Oaks Charter School, Inc., (Wingate Oaks Charter School), submitted a formal application to start a public charter school for the 2015-2016 school year. (9-0 vote)

A copy of all supporting documents are available at the Charter Schools Management/ Support Department on the 12th floor of the K. C. W. Administration Center.

A copy of all supporting documents are available online via the Broward County Public Schools eAgenda at:
<https://webappe.browardschools.com/eagenda>.

See Supporting Docs for continuation of Summary Explanation and Background.

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

There is no financial impact to the district.

Mrs. Good requested that a memorandum be provided to the Board regarding what the transition strategy will be moving forward, from a traditional school to a charter school, including the communication piece between the district and the school.

Concurring, Mr. Runcie stated that the Board will be provided a transition strategy, moving from an existing school and potentially sharing the facility with Wingate Oaks Charter School.

***L-13. Denial of the Charter School Application of CrestPointe Montessori Charter School, Inc., (CrestPointe Montessori Charter School) (Approved)**

Denied the Charter School Application of CrestPointe Montessori Charter School, Inc., (CrestPointe Montessori Charter School), for the opening of a charter school for the 2015-2016 school year based on the grounds specified in the Executive Summary and authorize the Superintendent to issue notice of the denial.

Section 1002.33, Florida Statutes, authorizes the submission of applications for a new charter school. CrestPointe Montessori Charter School, Inc., (CrestPointe Montessori Charter School), submitted a formal application to start a public charter school for the 2015-2016 school year.

A copy of all supporting documents are available at the Charter Schools Management/ Support Department on the 12th floor of the K. C. W. Administration Center. A copy of all supporting documents are available online via the Broward County Public Schools eAgenda at:
<https://webappe.browardschools.com/eagenda/>.

See Supporting Docs for continuation of Summary Explanation and Background.

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

There is no financial impact to the district.

***L-14. Denial of the Charter School Application of The Learning Place Academy Charter School, Inc., (Global Learning Academy Charter School) (Approved)**

Denied the Charter School Application of The Learning Place Academy Charter School, Inc., (Global Learning Academy Charter School), for the opening of a charter school for the 2015-2016 school year based on the grounds specified in the Executive Summary and authorize the Superintendent to issue notice of the denial.

Section 1002.33, Florida Statutes, authorizes the submission of applications for a new charter school. The Learning Place Academy Charter School, Inc., (Global Learning Academy Charter School), submitted a formal application to start a public charter school for the 2015-2016 school year.

A copy of all supporting documents is available at the Charter Schools Management/ Support Department on the 12th floor of the K. C. W. Administration Center. A copy of all supporting documents is available online via the Broward County Public Schools eAgenda at: <https://webappe.browardschools.com/eagenda/>.

See Supporting Docs for continuation of Summary Explanation and Background.

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

There is no financial impact to the district.

***L-15. Denial of the Charter School Application of Virtus Education, Inc., {Virtus Academy (Coconut Creek High School)} (Approved)**

Denied the Charter School Application of Virtus Education, Inc., {Virtus Academy (Coconut Creek High School)}, for the opening of a charter school for the 2015-2016 school year based on the grounds specified in the Executive Summary and authorize the Superintendent to issue notice of the denial

Section 1002.33, Florida Statutes, authorizes the submission of applications for a new charter school. Virtus Education, Inc., {Virtus Academy

Approved in Open Board Meeting, December 9, 2014

(Coconut Creek High School)), submitted a formal application to start a public charter school for the 2015-2016 school year.

A copy of all supporting documents is available at the Charter Schools Management/ Support Department on the 12th floor of the K. C. W. Administration Center. A copy of all supporting documents is available online via the Broward County Public Schools eAgenda at:
<https://webappe.browardschools.com/eagenda/>.

See Supporting Docs for continuation of Summary Explanation and Background.

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

There is no financial impact to the district.

***L-16. Denial of the Charter School Application of Virtus Education, Inc., {Virtus Academy (Coconut Creek K-8)} (Approved)**

Denied the Charter School Application of Virtus Education, Inc., {Virtus Academy (Coconut Creek K-8)}, for the opening of a charter school for the 2015-2016 school year based on the grounds specified in the Executive Summary and authorize the Superintendent to issue notice of the denial.

Section 1002.33, Florida Statutes, authorizes the submission of applications for a new charter school. Virtus Education, Inc., {Virtus Academy (Coconut Creek K-8)}, submitted a formal application to start a public charter school for the 2015-2016 school year.

A copy of all supporting documents is available at the Charter Schools Management/ Support Department on the 12th floor of the K. C. W. Administration Center. A copy of all supporting documents is available online via the Broward County Public Schools eAgenda at:
<https://webappe.browardschools.com/eagenda/>.

See Supporting Docs for continuation of Summary Explanation and Background.

This item has been reviewed and approved as to form and legal content

November 12, 2014

Minutes of Regular Meeting

Page 49 of 85

Approved in Open Board Meeting, December 9, 2014

by the Office of the General Counsel.

There is no financial impact to the district.

***L-17. Denial of the Charter School Application of Virtus Education, Inc.,
{Virtus Academy (Southwest Ranches)} (Approved)**

Denied the Charter School Application of Virtus Education, Inc., {Virtus Academy (Southwest Ranches)}, for the opening of a charter school for the 2015-2016 school year based on the grounds specified in the Executive Summary and authorize the Superintendent to issue notice of the denial.

Section 1002.33, Florida Statutes, authorizes the submission of applications for a new charter school. Virtus Education, Inc., {Virtus Academy (Southwest Ranches)}, submitted a formal application to start a public charter school for the 2015-2016 school year.

A copy of all supporting documents is available at the Charter Schools Management/Support Department on the 12th floor of the K. C. W. Administration Center. A copy of all supporting documents is available online via the Broward County Public Schools eAgenda at:
<https://webappe.browardschools.com/eagenda/>.

See Supporting Docs for continuation of Summary Explanation and Background.

This item has been reviewed and approved as to form and legal content by the

Office of the General Counsel.

There is no financial impact to the district.

OPEN ITEMS

AA. RESOLUTIONS

BB. BOARD MEMBERS

CC. BOARD POLICIES

**CC-1. Revised Job Descriptions for the Digital Broadcast Engineer and
Distance Learning Outreach Specialist Positions (Adopted)**

November 12, 2014

Minutes of Regular Meeting
Page 50 of 85

Approved in Open Board Meeting, December 9, 2014

Motion was made by Mrs. Bartleman, seconded by Mrs. Rupert and carried, to adopt the revised job descriptions for the Digital Broadcast Engineer and Distance Learning Outreach Specialist positions. This is the final reading. (9-0 vote)

The job descriptions for the Digital Broadcast Engineer and Distance Learning Outreach Specialist are being revised to update the required qualifications and performance responsibilities of the positions. The job descriptions were advertised on Thursday, September 25, 2014.

Revision of these job descriptions does not impact the pay grade of the positions.

The Digital Broadcast Engineer and Distance Learning Outreach Specialist positions are vacant and will follow the standard advertising and selection process. See attached Executive Summary.

Copies of all supporting documents are available at the Board Members' Office on the 14th floor of the K. C. Wright Administration Center and available online via the Broward County Public Schools eAgenda at: <http://webappe.browardschools.com/eagenda/>.

There is no financial impact to the district.

No discussion was held on this item.

CC-2. New Job Description for a Paralegal Position (Approved)

Motion was made by Dr. Osgood, seconded by Mrs. Rupert and carried, to approve the new job description for a Paralegal position. This is the first reading. (9-0 vote)

The job description for a Paralegal position has been created to provide professional litigation support for the General Counsel's Office on a full-time basis. The position is vacant and will follow the standard advertising and selection process.

This job description was advertised on Thursday, October 23, 2014. See attached Executive Summary.

Copies of all supporting documents are available at the Board Members'

Approved in Open Board Meeting, December 9, 2014

Office on the 14th floor of the K. C. Wright Administration Center and available online via the Broward County Public Schools eAgenda at: <http://webappe.browardschools.com/eagenda/>.

There is no financial impact to the district.

No discussion was held on this item.

CC-3. Revised Job Description for the Curriculum Supervisor, Strategic Achievement Position (Adopted)

Motion was made by Ms. Korn, seconded by Mrs. Rupert and carried, to adopt the revised job description and minimum qualifications for the Curriculum Supervisor, Strategic Achievement position. Approval is required to advertise for the position after the first reading. This is the final reading. (9-0 vote)

The job description for the Curriculum Supervisor, Strategic Achievement has been revised to accurately reflect the required qualifications and performance responsibilities of the position. The job description was advertised on Saturday, October 4, 2014.

Revision of the job description does not impact the salary band of the position. See attached Executive Summary.

Copies of all supporting documents are available at the Board Members' Office on the 14th floor of the K. C. Wright Administration Center and available online via the Broward County Public Schools eAgenda at: <http://webappe.browardschools.com/eagenda/>.

There is no financial impact to the district.

No discussion was held on this item.

CC-4. New Job Description for the Specialist, Head Start/Early Head Start Compliance (Approved)

Motion was made by Mrs. Rupert, seconded by Ms. Korn and carried, to approve the new job description for Specialist, Head Start/Early Head Start Compliance position. This is the first reading. (9-0 vote)

The job description for the Specialist, Head Start/Early Head Start Compliance position has been created to provide assistance with the Head Start/Early Head Start Program and the alignment with federal regulations and standards. The position is vacant and will follow the standard advertising and selection process.

This job description was advertised on Thursday, October 23, 2014. See attached Executive Summary.

Copies of all supporting documents are available at the Board Members' Office on the 14th floor of the K. C. Wright Administration Center and available online via the Broward County Public Schools eAgenda at: <http://webappe.bowardschools.com/eAgenda>.

There is no financial impact to the district.

No discussion was held on this item.

DD. OFFICE OF THE CHIEF AUDITOR

DD-1. Internal Audit Report - Audit of the Internal Funds of Selected Schools (Received)

Motion was made by Mrs. Rupert, seconded by Ms. Korn and carried, to receive Internal Audit Report - Audit of the Internal Funds of Selected Schools. (9-0 vote)

An audit of the Internal Funds of Selected Schools was performed, as authorized by the Florida State Board of Education Administrative Rule 6A-1.087(2) and School Board Policy 1002.1.

(See Supporting Docs for continuation of Summary Explanation and Background.)

The Audit Committee reviewed and approved this report for transmittal to the School Board during the Audit Committee's October 16, 2014 meeting.

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

Approved in Open Board Meeting, December 9, 2014

Mrs. Rich Levinson commended the 18 out of 20 schools with no audit findings. Referring to page 4, Selected Schools Analysis of Current and Prior Audit Findings by School, Mrs. Rich Levinson inquired whether moneys can be taken from other accounts to pay for another department's expenditures.

Desmond Blackburn, Ph.D., Chief School Performance & Accountability Officer, indicated that this is not the procedure but this is the nature of that particular audit exception. The school is required to implement a payment plan and there will be three (3) streams of funds - vending machines, games, and vending which should expire in December of 2015. This monitoring will be done by the Office of School Performance & Accountability by asking for quarterly reports from the principal until the dollar amounts are put back into the account.

Mr. Runcie noted that the Audit Committee has asked for periodic reporting on how the replenishment is moving forward.

Mrs. Rich Levinson inquired about the accountability and the consequences of this issue.

Dr. Blackburn stated that this occurred at the school and the principal was accountable but there has been no consequence as of today.

Remarking that this practice is clearly not permitted, Mrs. Rich Levinson stated these issues continuously are brought to the Board without any indication of a consequence.

Dr. Blackburn indicated that these types of incidents are taken into consideration when the principals are evaluated.

Mr. Runcie indicated he will meet with Mr. Reilly to discuss the circumstances of this issue and, if necessary, disciplinary action will be applied.

Dr. Osgood requested that the Budget office be included in this discussion.

Mrs. Rupert suggested including a flow chart; for example, who gave the order, what happened, and ensure the progressive discipline is in effect

Approved in Open Board Meeting, December 9, 2014

and everyone is held accountable.

Mrs. Brinkworth and Mrs. Rupert requested staff to keep the Board apprised as to the verification of payments made.

Mr. Reilly indicated that staff has verified that the first two payments have been made and the Audit Committee has requested that quarterly information is provided to ensure they continue to re-pay that amount.

Mrs. Good indicated that many principals are placed in difficulty in order to ensure that certain programs are being done. She said more troublesome are missing funds versus the transfer of funds, even though it is not appropriate.

Mrs. Good stated the plan outlined in response to the audit was extremely detailed, which is extremely important, and in moving forward the issues will be remedied in the most appropriate manner. Part of the action plan is to ensure that they deal with the business support team which is going to provide additional resources to the school. Mrs. Good requested that bookkeeping staff get the support they need regarding the process and procedure.

DD-2. Internal Property Audit Report - Property and Inventory Audits of Selected Locations 2014-2015 (Received)

Motion was made by Mrs. Rupert, seconded by Ms. Korn and carried, to receive Internal Property Audit Report - Property and Inventory Audits of Selected Locations 2014-2015. (9-0 vote)

Property and Inventory Audits of Selected Locations were performed, as authorized by the Florida Statute 274.02(2), School Board Policy 1002.1 and School Board Policy 3204.

The Audit report contains 29 locations in which all locations complied with the prescribed policies and procedures.

The Audit Committee reviewed and approved this report for transmittal to the School Board during the Committee's October 16, 2014 meeting.

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

Mrs. Rich Levinson recognized and congratulated the 29 locations for having no audit exceptions.

**DD-3. Internal Audit Report - Review of Purchasing Card (P-card)
Purchases and expenditures within the Physical Plant Operations (PPO)
Department (Received)**

Motion was made by Mrs. Rupert, seconded by Ms. Korn and carried, to receive Internal Audit Report - Review of Purchasing Card (P-card) Purchases and expenditures within the Physical Plant Operations (PPO) Department. (9-0 vote)

In accordance with the 2014-2015 Audit Plan, we performed a review of Purchasing Card (P-Card) purchases and expenditures within the Physical Plant Operations (PPO) Department.

The objectives of this audit were to determine whether P-Card purchases are authorized in accordance with prescribed guidelines; determine if purchases are necessary (required) for PPO Department's use; determine how purchasing limits are established; determine if purchases exceed spending limits (item limit, daily limit and monthly limit); determine if documentation supporting purchases is adequate to identify quantities, types and prices of items purchased; review the process for issuing and cancelling P-Cards; report recommendations to the administration, as needed.

(See Supporting Docs for continuation of Summary Explanation and Background.)

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

Mrs. Rich Levinson inquired whether the specifications on the carpeting can be provided.

Derek Messier, Chief Facilities & Construction Officer, indicated that the specification on the product lines - Patcraft, subsidiary of Shaw, and Centivia will be provided during this meeting.

Referring to Section I, Findings #1, Mrs. Rich Levinson stated that the quantities are too excessive and there is a certain amount that should never exceed no matter how a room is laid out. She inquired why such large quantities are being ordered.

Mr. Messier indicated that Sandpiper Elementary School has the largest difference; the installer submitted a different layout plan that saved a significant amount of carpet. A better layout plan should have been developed so as to avoid changing during the installation process, improving the layout planning to more efficiently use the carpet. Mr. Messier informed that the district is moving away from Broadloom carpet and moving to carpet squares to be more efficient with the carpet and be able to do replacements and patching more effectively.

Mrs. Rich Levinson stated she was not in agreement with the district moving in that direction because the price is drastically higher than Broadloom and there is hardly ever a time where tiles actually end up getting replaced. She stated that Mr. Reilly reviewed the square footage and added 5%; in most cases that is fine, but there is never a time where it should exceed 10% no matter how the room is laid out. Mrs. Rich Levinson inquired whether these are standard carpets being used.

Responding affirmatively, Mr. Messier stated to better make use of the carpet is to use standard widths and based on the shape of the room a decision would be made of the manufacturer in order to be more efficient.

Mrs. Rich Levinson stated that regardless of the shape of the room a seaming pattern can be determined without excessive waste, regardless of whether 6 foot or 12 foot widths are being used. She inquired why a 4% overage is being charged.

Sam Bays, Director, Maintenance Operations, stated this is included in the statewide contract with that vendor.

Referring to page 40, Exhibit P-5, Mrs. Rich Levinson noted that standard running line products (Modular Tile and Powerbond) are subject to overage. The district does not use either of these and should not be paying overages on any orders. Mrs. Rich Levinson stated that overages are traditionally charged on custom carpets, not on standard running

lines.

Mrs. Rich Levinson referred to the leftover 100 foot roll as indicated in Finding 2, page 11. Remarking that there are plenty of small areas in this district that need carpeting, Mrs. Rich Levinson would like to see a plan/controls where inventories are made in using this carpet for other locations. She noted there are entire rolls leftover on many jobs, at 40%, 45%, and 68% overages.

Concurring, Mr. Messier stated that an inventory can be made with remnants or excess quantities and have a tracking to show what work orders they are being charged back out to. Currently, the remnants are being used for smaller rooms but they are not being tracked by inventory.

Mr. Bays indicated that is only the case when disregarding the seaming plan and using the values generated off the square footages. There has never been any significant amount of uncut rolls, and this example is a true anomaly. This is the ordinary leftover cut roll that would be expected in the project. There are no uncut rolls and those short piece (remnants) are routinely used for small spaces among the district.

Mrs. Rich Levinson indicated there is no reason to ever have had 16% excess on this job from the plan that was given. There was 75 yards leftover on this job which was a fairly straightforward job. Regardless of how the seams are laid there should never be excesses this large. Mrs. Rich Levinson's inquired about the credit for excess rolls and for the installation for goods that were not installed because of the overages.

Mr. Reilly responded that the vendor is giving a credit on the roll indicated on page 18. After the payment, PPO did get the credit for the carpeting they did not have to install.

Mr. Reilly was of the opinion there should be limited excess and when there is excess there should be an inventory to some degree so the product can be used on other products and charged to a work order. It is a management decision whether to use carpet tile or a regular roll. The district is accountable with whatever product is used so long as there are inventory controls.

Mrs. Rich Levinson voiced concern about moving forward on this item and concurred with the audit that the square footage should be reviewed. She did not agree with the 5% as the maximum and that 10% should be

Approved in Open Board Meeting, December 9, 2014

the maximum on any order. It should be double-checked with the square footage and the reasonable overage to make sure the right amount is being ordered. Regarding the leftover rolls, Mrs. Rich Levinson referred to the notation regarding the lack of an air conditioned warehouse to store carpet. She stated there is not a major carpet dealer who has an air conditioned warehouse for their rolls.

Referring to the specific pricing specific to the P-card, page 27, Exhibit B-6, Mrs. Rich Levinson inquired about the process used to determine who will be doing this job.

Mr. Bays responded there are pre-approved suppliers that are specified and they would bid the project and the best price among them would be selected. For this job, three vendors are on the statewide contract for bid.

Mrs. Rich Levinson voiced concern with the process when this bid is the lowest bid. She requested the Superintendent to determine how the district can get the best value, which is not indicative under this bid.

Mrs. Bartleman indicated she would like to see which direction the district will move forward in light of audit findings, in writing.

Responding that he did not disagree with the audit, Mr. Messier suggested that the product can be re-evaluated based on the Board's feedback. In addition, the contract the district is using can be evaluated and other market conditions reviewed to determine whether this is a good value for the district. If not, an RFP needs to be issued so that different vendors can respond.

Concurring, Mr. Runcie stated that pricing in other districts will be compared, including the private sector, and benchmarks obtained to see what the competitive structure will look like going forward.

Mrs. Good requested a cover response from the Superintendent beyond the audit, in moving forward, including a hybrid.

Mrs. Brinkworth indicated that her representative on the Audit Committee was very impressed with all the audit, particular the items with P-cards. Even though carpet was the individual item that was selected for this particular review, Mrs. Brinkworth concurred with her colleague's request that the process be strengthened across the board to

Approved in Open Board Meeting, December 9, 2014

make sure that the best process is being used for every item being purchased.

Ms. Korn requested staff to ensure there are comprehensive responses when addressing audit findings so another issue is not being created. She noted there is a significant cost factor when schools get to make their own selections and procedurally this should be considered.

Mrs. Rich Levinson reiterated that there needs to be a solution, as the item does not indicate where the district is going and what is being done. She requested when audits are done there should be a decision after the fact and how the district will move forward.

EE. OFFICE OF STRATEGY & OPERATIONS

EE-1. First Amendment to Agreement and Renewal - 12-035N - External Independent Financial Auditing Services (Approved as Amended)

Motion was made by Mrs. Rupert, seconded by Ms. Korn and carried, to approve the First Amendment to the Agreement for the above contract. Contract Term: April 4, 2012, through November 30, 2014, 2 Years, 8 Months, with two (2) additional 1-year renewal periods; User Department: Office of the Chief Auditor; Original Award Amount: \$1,250,000; Vendor(s) Awarded: McGladrey, LLP (formerly McGladrey & Pullen, LLP); M/WBE Vendor(s): None. This motion was superseded by a Motion to Amend (page 56). (9-0 vote)

The School Board of Broward County, Florida, received four (4) proposals for 12-035N - External Independent Financial Auditing Services. McGladrey, LLP provides Certified Public Accountants to conduct financial audits as required by Section 218.39, Florida Statutes; as defined in Chapter 10.800, Rules of the Auditor General; and as required and directed by The School Board of Broward County, Florida, for fiscal years ending on June 30, 2012, 2013, and 2014. In 2012, McGladrey & Pullen, LLP changed their name to McGladrey, LLP.

A copy of the RFP is available online at:
<http://www.broward.k12.fl.us/supply/docs/contracts/12-035N - External Independent Financial Auditing Services.pdf>.

See Supporting Docs for continuation of Summary Explanation and Background.

Approved in Open Board Meeting, December 9, 2014

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

There is no additional financial impact to the District. The annual cost of \$250,000 has already been approved under the original award amount. The source of funds to perform the External Independent Financial Auditing Services is from the general fund budget allocation for the Office of the Chief Auditor. **See Supporting Docs for continuation of Financial Impact.**

Dr. Osgood inquired whether the recommendation is to not include M/WBE vendors in the renewal contract.

Mrs. Crenshaw responded that the two (2) M/WBE vendors are subcontractors to McGladrey. They are not awarded the bid; they are subcontractors that they reached out to as a part of this bid and they are still being used as a subcontractor.

Dr. Osgood voiced concern over this information not being included in the contract, as previously requested. She inquired why the agreement does not reflect the choice in the RFP.

Mrs. Crenshaw responded when a M/WBE is listed as "none" it indicates that the district is not awarding the primary vendor, as it is not an M/WBE. McGladrey has reached out to subcontract work with W/WBE. These companies were included as part of McGladrey's proposal. The original agreement was put into place in 2012 and staff is aware of the Board's recent request about including the M/WBEs as part of the contract in moving forward.

Mr. Runcie indicated this is a renewal of an existing contract and inquired whether a modification can be made when it is renewed.

Mr. Carland advised that a renewal is typically to extend the term, the length of time that the contract is being utilized. The parties have the opportunity to re-address other items that might have been in the bid that formerly were not in the agreement.

Informing that he spoke with a McGladrey partner regarding the contract, Mr. Reilly stated the M/WBE firms are listed in the proposal that they submitted and incorporated into the agreement that was issued in April of 2012. They are using the same two (2) firms again for the 2014-2015 school

Approved in Open Board Meeting, December 9, 2014

year; they have used these firms in the last three (3) years.

Dr. Osgood said she did not want to see the decreased minority participation to just 10% and reiterated her concern that the contract indicates "none."

Mrs. Good inquired whether the company was awarded points for minority participation when the contract was originally brought to the Board.

Mr. Reilly responded yes, this was incorporated into the agreement.

Dr. Osgood requested assurance that the firms will be used and will participate in this contract.

Mr. Carland advised that the contract does not appear to obligate the vendor to using a certain subcontractor; the RFP was in terms of level of participation. It is between McGladrey and its subs as to who they utilize to do that work. Mr. Carland stated that administration has the right to go to the vendor and ask for documentation regarding the performance regarding this aspect of the contract. The renewal references the priority of documentations for interpretation which includes the proposal from the vendor. Through the normal selection process, the district enters into a contract to adopt the Requests for Proposals and its terms, as well as the proposal from the successful vendor.

Mrs. Crenshaw indicated that the Supplier Diversity Coordinators reach out to vendors who are being utilized in terms of the subcontractors in order to assure they are using these vendors, as part of the process being put in place. Mrs. Crenshaw indicated that staff will ask the vendor to provide in writing an indication to continue using the two (2) vendors throughout the term of this renewal. She indicated the information can be updated including the two (2) M/WBEs.

Ms. Korn stated whether there is a renewal or a new document coming forward there would need to be standard language regarding this requirement.

Dr. Osgood suggested having the resolution that is determined to be included in the contract.

Mrs. Good stated that issues arise and fluctuate and for whatever reason

Approved in Open Board Meeting, December 9, 2014

they are unable to meet certain requirements, the contract should stand on its own and be specific as to the time.

A discussion was held regarding tabling the agenda item until later in the meeting, in order to ascertain confirmation from the vendor its obligation to the M/WBE commitment under this contract.

Motion to Table (Carried)

Motion was made by Mrs. Rupert, seconded by Dr. Osgood and carried, to table the item until later in the meeting. Mrs. Freedman was absent for the vote. (8-0 vote)

Following the tabling of Agenda Item EE-7, the discussion continued by way of motion by Ms. Korn and seconded by Dr. Osgood with acclamation of the Board.

Mr. Carland informed that after review of the proposal there was a commitment as to the utilization of M/WBE. Upon consultation with staff and legal counsel, Mr. Carland proposed the following amendment language, with approval by McGladrey:

Motion to Amend (Carried)

Motion was made by Mrs. Rupert, seconded by Ms. Korn and carried, to add a sentence to the First Amendment to Agreement, as follows:

5.1 Section 2.11 of the Agreement is hereby created which states as follows: 2.11 M/WBE Commitment. McGLADREY agrees to reaffirm its obligation to utilize M/WBE subcontractors as set forth in its Proposal to RFP 12-035N which is incorporated herein by reference. (9-0 vote)

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

EE-2. Bid Recommendation of \$500,000 or Greater - 14-082F- Electrical Services (Approved)

Motion was made by Mrs. Rupert, seconded by Ms. Korn and carried, to approve the recommendation to award for the above contract. Bid Term: November 13, 2014, through November 12, 2017, 3Years; User Department: Physical Plant Operations; Award Amount: \$1,315,000; Vendor(s) Awarded: C & F Electric, Inc., Francis Uriel Electric, Inc., and

Approved in Open Board Meeting, December 9, 2014

Universal Electric of Florida, Inc.; M/WBE Vendor(s): Francis Uriel Electric, Inc. (African-American male). (9-0 vote)

The School Board of Broward County, Florida, received five (5) bids for 14-082F - Electrical Services, to include all electrical service work. Bid awards are being made to the three (3) lowest responsive and responsible bidders meeting the project specifications, in the amount of \$438,333 each. Work will be evenly distributed amongst the three awardees.

Physical Plant Operations uses this contract on an as needed/when needed basis to make electrical repairs at schools and administrative sites throughout the District.

A copy of the bid is available online at:

<http://www.broward.k12.fl.us/supply/docs/contracts/Bid No 14-082F - Electrical Services 7-15-14.pdf>.

The estimated financial impact will be \$1,315,000; funding for this item is included in the capital budget. Other funding sources in the District's budget may be used if the project and/or work order is included in a school or departmental budgets.

No discussion was held on this item.

EE-3. Bid Recommendation of \$500,000 or Greater - Bid 14-081F - Fire Alarm Services (Approved)

Motion was made by Mrs. Rupert, seconded by Ms. Korn and carried, to approve the recommendation to award for the above bid. Bid Term: November 13, 2014, through November 12, 2017, 3 Years; User Department: Physical Plant Operations; Award Amount: \$5,500,000; Vendor(s) Awarded: Simplex Grinnell, LP (Group 1, Main Contract); Red Hawk Fire & Security, LLC (Group 2, Main Contract); Bass-United Fire & Security Systems, Inc., (Group 3, Main Contract); and Fire Alarm Systems & Security, Inc.; M/WBE Vendor(s): None. (9-0 vote)

The School Board of Broward County, Florida, received five (5) bids for 14-081F - Fire Alarm Services. Awards are being made by Group, to the lowest responsive and responsible bidders meeting the project specifications.

Approved in Open Board Meeting, December 9, 2014

Physical Plant Operations uses this bid on an as needed/when needed basis to service, repair, maintain, and certify fire alarm systems at schools and administrative sites throughout the District.

A copy of this bid is available online at:
[http://www.broward.k12.fl.us/supply/docs/contracts/Bid No 14-081F - Fire Alarm Services 7-15-14.pdf](http://www.broward.k12.fl.us/supply/docs/contracts/Bid%20No%2014-081F-Fire%20Alarm%20Services%207-15-14.pdf).

The estimated financial impact will be \$5,500,000; funding for this service is included in the capital budget. Other funding sources in the District's budget maybe used if the project and/or work order is included in a school or departmental budget.

Mrs. Rich Levinson requested staff to designate the amount of dollars that will be covered by the General Obligation Bond (GOB) and General Fund on all agenda items.

Mr. Runcie indicated there are emergency items needed now that will pre-date the bond.

Mrs. Rich Levinson stated that staff indicated \$1.5 million would be coming from the bond.

EE-4. Piggyback Recommendation of \$500,000 or Greater - 55-045C - Video Surveillance Installation, Repair, Service, Parts and Equipment, and Related Services (Approved)

Motion was made by Ms. Korn, seconded by Mrs. Rupert and carried, to approve the recommendation to award the Piggyback Agreement for the provision of services. Contract Term: November 13, 2014, through May 4, 2016, 1 Year and 6 Months; User Department: Broward District Schools Police; Award Amount: \$1,000,000; Vendor(s) Awarded: Holb-Sierra Corporation; M/WBE Vendor(s): None. (9-0 vote)

The School Board of Broward County, Florida, Purchasing Policy 3320, Part II, Section M, permits the District to piggyback on contracts awarded by other city or county governmental agencies. This request is to piggyback the School District of Palm Beach County's contract for Video Surveillance Installation, Repair, Service, Parts and Equipment, and Related Services, to facilitate the need to replace obsolete equipment, install new surveillance cameras, and repair existing systems to ensure the

security and safety of the schools and facilities.

A copy of the School District of Palm Beach County's contract is available online at: <http://www.broward.k12.fl.us/supply/docs/contracts/ExhibitA.pdf>.

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

The estimated financial impact will be \$1,000,000; funds derived from the capital budget, specifically for surveillance cameras. A total of \$735,000 will be budgeted to the Broward District Schools Police department, and the difference in the allocation total will be budgeted by other departments requiring additional services.

Mrs. Good stated that the piggyback contract will be for one and a half years. She inquired whether the expectation is to bid this out.

Mrs. Crenshaw responded affirmatively.

EE-5. Recommendation of \$500,000 or Greater - RFP 15-041V - Speech-Language Pathology and Audiology Services (Approved)

Motion was made by Mrs. Rupert, seconded by Ms. Korn and carried, to approve the recommendation to award the above contract. Contract Term: November 13, 2014, through June 30, 2017, 2 Years, 8 Months, with two (2) one-year renewal periods; User Department: Exceptional Student Education and Support Services Department; Award Amount: \$9,000,000; Vendor(s) Awarded: 22; M/WBE Vendor(s): 8. (9-0 vote)

The School Board of Broward County, Florida, received twenty-four (24) proposals for RFP 15-041V - Speech-Language Pathology and Audiology Services. Two (2) proposals were not considered for award.

These Agreements have been reviewed and approved as to form and legal content by the Office of the General Counsel.

A copy of the RFP is available online at: <http://www.broward.k12.fl.us/supply/docs/contracts/15-041VSpeech-LanguagePathology.pdf>.

The estimated financial impact will be \$9,000,000. The source of funds to

Approved in Open Board Meeting, December 9, 2014

perform Speech-Language Pathology and Audiology Services is from the general budget allocation for schools, departments, and centers. **See Supporting Docs for Continuation of Financial Impact.**

No discussion was held on this item.

**EE-6. Sole Source Recommendation of \$500,000 or Greater - 55-055E -
Certiport Authorized Test Center (Approved)**

Motion was made by Mrs. Rupert, seconded by Ms. Korn and carried, to approve the recommendation to award for the above contract. Contract Term: November 13, 2014, through November 12, 2015, 1 Year; User Department: Career, Technical, Adult and Community Education (CTACE); Award Amount: \$573,474; Vendor(s) Awarded: NCS Pearson, Inc.; M/WBE Vendor(s): None. (9-0 vote)

Certiport provides students the access and practice with various software products to develop and attain the skills required for industry certifications; career and technical programs are offered throughout the District's schools (i.e. middle, high, and technical/magnet).

Certiport is a sole source provider of the products that facilitate teacher training, student practice of industry certification exams, and student industry certification attainment in the following: Microsoft Office Word, Excel, PowerPoint, Access, and Outlook; Adobe Dreamweaver, Photoshop, Flash, and Premier-Pro; Intuit QuickBooks; AutoCAD User, AutoCAD Professional, AutoCAD User Revit, AutoCAD Professional Revit, AutoCAD User Inventor, AutoCAD Professional Inventor, and AutoCAD Professional Civil.

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

The estimated financial impact will be \$573,474; funding source is the Carl D. Perkins Secondary Grant. There is no additional financial impact to the district.

Mrs. Good stated this sole provider has been providing the same services for seven (7) years. She inquired whether another vendor in the market can handle this service in a different manner.

Enid Valdez, Director, Career, Technical, Adult and Community

Approved in Open Board Meeting, December 9, 2014

Education, responded affirmatively. She indicated that this company manages, administers and certifies that all high schools and middle schools become test center sites. By pursuing separate contracts with the software services the students would be required to go to separate testing locations in order to take industry-certification exams.

Mrs. Good requested that this bid be reviewed so that multiple firms/entities are able to participate in this award. She suggested staff review the method of packaging.

Concurring, Mrs. Valdez stated that phone calls and reviews have been made, and staff will continue to look at other opportunities.

Mrs. Good suggested that information regarding opportunities about the management of this service be included in future agenda items.

EE-7. Sole Source Recommendation of \$500,000 or Greater - 55-050E - Medicaid Fee For Service Claiming (Approved as Amended)

Motion was made by Mrs. Rupert, seconded by Ms. Korn and carried, to approve the recommendation to award for the above contract. Contract Term: October 22, 2014, through September 30, 2018, 4 Years; User Department: Office of Exceptional Student Education and Support Services; Award Amount: \$1,461,000; Vendor(s) Awarded: Accelify Solutions, LLC; M/WBE Vendors(s): None. This motion was superseded by a Motion to Amend (page 61). Dr. Osgood was absent for the vote. Mrs. Good and Mrs. Rich Levinson voted "no." (6-2 vote)

Accelify Solutions, LLC, is the sole source provider of AcceliTrack Tool. In August 2013, the District piggybacked the contract for St. Louis Public Schools, utilizing the Accelitrack to implement a pilot program. The pilot program provided the District with an increased visibility into the level of resources available, challenges in serving particular students, and Medicaid claim cycles. Approval of the Sole Source Agreement between The School Board of Broward County, Florida, and Accelify Solutions, LLC, will allow for continued use of Accelify Solution's web-based software.

See Supporting Docs for continuation of Summary Explanation and Background.

Approved in Open Board Meeting, December 9, 2014

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

The estimated financial impact will be \$1,461,000 over the 4-year term of the contract. Annual services cost \$329,000; one-time project development cost \$145,000. The funding source is the Office of Exceptional Student Education and Support Services.

Mrs. Rich Levinson noted that the start date on the contract is different than what is referenced on the Agreement, page 1, which indicates September 27, 2014, and the Requested Action of the item indicates October 22, 2014.

Mr. Carland advised that an amendment is needed on the item.

Motion to Amend (Carried)

Motion was made by Mrs. Rich Levinson, seconded by Mrs. Rupert and carried, to amend Agreement, Article 2 - Special Conditions 2.01 Term of Agreement, ... this Agreement shall commence on ~~September 27, 2014~~ October 22, 2014 and conclude on June 30, 2018. (9-0 vote)

A vote was taken on the item.

Mrs. Rich Levinson inquired whether any feedback from the user focus groups and pilot groups was obtained. She indicated that the Supplier/Product Form is from the Medicaid Coordinator.

Mrs. Crenshaw responded that feedback was not obtained from these groups.

Mrs. Rich Levinson stated she would not be supporting the item.

Mrs. Good stated the Board has been reiterating that this feedback is important. Even though the item is a piggyback contract, Mrs. Good inquired whether the firm was selected through an RFP process.

Kathrine Francis, Executive Director, ESE & Support Services, indicated this was not done through an RFP process, it was a review of several companies. Based on some issues and concerns during the claims process, in addition to additional items the district wanted to get for staff and services, several companies were reviewed to determine if there was a

Approved in Open Board Meeting, December 9, 2014

possibility to make a cost effective move.

Remarking that this is a significant financial amount to the district, Mrs. Good stated she did not see why a bid would not be followed to ascertain what could be offered to the district. It is an important part of what the district should be doing. Mrs. Good further stated, to piggyback on a contract for a four-year term is fairly significant for a piggyback contract.

Ms. Francis indicated that the dollar amounts are currently being utilized for programs such as this and it is not an additional amount of money. It is money that will be transferred to this contract outside of what was previous. The district had the same Medicaid services with a different company; this company will now be used and some of the new services that are added will include a scheduling component that was under a different contract. There are no above-and-beyond dollars.

Mrs. Good noted that the estimated financial impact is \$1.4 million.

Ms. Francis responded that is revenue generated from the fee for service for Medicaid claims. It is not a cost to the district. The district's costs are \$329,000 and \$145,000 for any upgrades and specialization.

Mrs. Good inquired how the determination is made that bids will not be sought.

Mrs. Crenshaw responded if it is a sole source provider the same vendor will be responding and it will be a direct contract with the district.

Remarking that it cannot be a sole source, Mrs. Good indicated that in year 2012 the district reviewed five (5) companies that met the criteria.

Ms. Francis indicated there are multiple companies that participate in Medicaid services and claiming/billing, however, this particular company has the scheduling component which other companies could not provide. This company also has a AcceliBill (sic) and their logging of services goes to a billing format which eliminates time sheets, et cetera.

Approved in Open Board Meeting, December 9, 2014

Ms. Korn indicated this company will be developing a system for the district and by going into the contract it becomes a sole source. Once the company develops this the Board will need to continue to support the system. Now is the time to go out for bid, before it is being developed. Ms. Korn stated if this is the only company that responds to the district she would rather see it based on the district's own RFP. She inquired what the impact would be in terms of the services.

Ms. Francis responded that as far as building the additional components they have in place, they are refining to the needs of the district to match other issues, which is unique to the district.

Ms. Francis indicated that the additional components, the AcceliBill and the AcceliTrack schedule, are two additional components that other companies did not have. As to the impact, this would hold up any of the district's current logging and billing services. Ms. Francis stated that the contract would need to continue in order to continue those claims and so service providers or clinicians can log their services in order to make the Medicaid claims. This would put a lapse in the claim process and a lapse in revenues generated.

Ms. Korn further stated there is a provision in the contract under Section 3.05 Termination that allows the district to cancel the agreement with or without cause. Remarking that the impact has been very difficult for schools, Ms. Korn requested the Superintendent to instruct staff to issue an RFP for this service.

Mr. Runcie indicated the district has a vendor that is providing Medicaid services, recovery and billing.

Ms. Francis responded that the district participates with Accelify. They had a contract which ended on September 27, 2014.

Mr. Runcie inquired whether the current contract with Accelify can be extended and issue an RFP to get the extended services.

Mr. Carland advised that the renewal would need to be negotiated.

Ms. Korn stated the contract could be approved if there is not an interruption. The district is not front-ending the \$149,000.

Mr. Carland stated it appears there would be a front-ending yearly

Approved in Open Board Meeting, December 9, 2014

\$29,000 on development.

Ms. Korn requested tabling the item in order to determine whether there is a renewal available.

Mrs. Bartleman indicated that the district started using this company in 2013 because they were going to recoup more dollars. She inquired how many more dollars have been recouped compared to the Medicaid billing company the district had in the past.

Ms. Francis responded there is not a dollar amount as far as additional; the switchover and changeover is very recent. They began piloting on the Transportation side, \$300,000 increase, but the fee for service is not determined because there has not been full implementation.

Mrs. Bartleman indicated she approved an earlier agenda item based on this agenda item because it was very important to recoup services. She stated that outside vendors are responsible for inputting data and there is one person on staff that checks this information.

Ms. Francis informed that this school year began with training over 300 staff members on how to bill and log services, and all service providers would also be participating.

Mr. Carland advised that renewal clauses in an agreement are primarily intended to obligate the vendor to provide the same terms, if the relationship is to be continued. In this case, if the prior agreement did not have an automatic renewal the parties could still negotiate a renewal. There is no guarantee they are going to give the same terms as in the past.

Mrs. Freedman requested that the extra added components be presented to other vendors for their consideration. She would like to see the developing cost not put upon the district. Mrs. Freedman requested information on whether Accelify Solutions, LLC., is providing the same service to any other counties within the state of Florida.

Motion to Table (Carried)

Motion was made by Ms. Korn, seconded by Dr. Osgood and carried, to

Approved in Open Board Meeting, December 9, 2014

table the agenda item to ascertain if a renewal is available.
Mrs. Bartleman and Mrs. Rupert were absent for the vote. (7-0 vote)

A vote was taken on the Motion to Table.

Following the action of Agenda Item L-1, the discussion continued by way of motion by Mrs. Rupert and seconded by Ms. Korn with acclimation of the Board.

Maurice Woods, Chief Strategy & Operations Officer, informed the Board that a review was made of the options to the district on this contract, whether to go out for a new RFP or to piggyback on the original contract.

Providing historical background on the item, Mr. Woods stated that at the time the item was brought forward St. Louis had not renewed their piggyback and a separate item was to be submitted. Staff has since determined that St. Louis has renewed their piggyback. One option to do a renewal was based on the original contract to piggyback with St. Louis. Mr. Woods further stated that option 2 would entail moving forward with the item as presented and it is staff's recommendation to immediately go out for a new RFP in order for the district to have its own contract with its own terms and conditions in place.

Ms. Korn inquired how long was the renewal with St. Louis.

Mr. Woods responded that the piggyback contract is through September 30, 2018.

Ms. Korn requested clarification regarding the concern by going with an RFP and the \$145,000 expenditure.

Ms. Francis indicated the \$145,000 cost is only if the district uses the project development. If the district chooses to modify or customize, the district will be billed from that dollar amount. She concurred with Ms. Korn that this amount was set aside for anticipated costs and by going through an RFP it would be done as minimally as necessary to accommodate what the Legislature has passed. The company will provide anything legislatively but any customization for district-specifics will come from that dollar amount. If the amount is not used, the district will not be billed.

Approved in Open Board Meeting, December 9, 2014

Responding to Mrs. Good's inquiry, Ms. Francis clarified that what is before the Board was not done through a bid and it was not done through a piggyback contract. It was determined to be a sole source, which is the way it was brought forward, and Purchasing directly negotiated with the company.

Mr. Woods indicated that the rationale was due to the fact that at the time St. Louis had not renewed their piggyback, which is the reason it was a direct negotiation.

Mrs. Good noted that a large part of prior Board dialogue was the issue of no bid.

Mrs. Bartleman inquired about the time delay in bringing the item forward prior to its expiration.

Mr. Woods and Ms. Francis indicated they had no response as to the time frame. Ms. Francis indicated that her Medicaid Coordinator has been working on this issue since January 2014.

Mrs. Bartleman requested that staff provide an explanation as to the delay. She inquired whether there will be coverage for speech language pathologists under this program.

Responding affirmatively, Ms. Francis stated there are modules that are continuing under this contract. The customization with the EZ IEP is a separate contract and any customization needed is separate. Under the item before the Board, the customization is only if it is needed and the training component included 750 individuals, which occurred in August and September.

Mrs. Bartleman inquired whether the bid can be rejected if a determination is made that this is the best way to proceed after a year's time.

Mr. Woods responded affirmatively.

Mrs. Good inquired whether the agreement can be terminated with no cause.

Mr. Carland stated this is a standard termination clause, as indicated in

Section 3.05 Termination.

A vote was taken on the item as amended.

EE-8. Grant Applications - Post-Submission

(Approved)

Motion was made by Mrs. Rupert, seconded by Ms. Korn and carried, to approve the submission of the following grant applications:
Mrs. Freedman, Ms. Murray and Dr. Osgood were absent for the vote.
(6-0 vote)

- A. Broward County Farm Bureau Grants - Driftwood Elementary School, \$250 (awarded)
- B. Broward County Farm Bureau Grants - Whispering Pines Center, \$250 (awarded)
- C. Florida Department of Education - Minority Male Mentoring Initiative, \$200,000 (awarded)

See Supporting Docs for Continuation of Requested Action.

Copies of the grant applications and executive summaries are available at the Board members' office on the 14th floor of the K. C. Wright Administration Center and online via the Broward County Public Schools eAgenda at: <https://webappe.browardschools.com/eagenda/>.

The potential positive financial impact if all projects are awarded is \$3,688,663 from various sources.

Mr. Moquin assumed the seat of the Superintendent on the dais.

Mrs. Rich Levinson referred to the Florida Department of Education Office of Independent Education and Parental Choice (Planning Grant), \$10,000 (awarded) and inquired how this grant will be used.

Mrs. Brown responded that this grant was an opportunity to conduct some research with an outside neutral party on developing RFPs nationally for charter schools. It also provided staff an opportunity to review some models the district would like to consider for wraparound services. One half of the money was for a consultant to work on an RFP

Approved in Open Board Meeting, December 9, 2014

process and the other half was an opportunity to visit the Children's Harlem Zone in New York City.

Mrs. Rich Levinson inquired whether the RFP is consistent with the state of Florida.

Mrs. Brown responded no, other states do it that way and this was just an opportunity to look into this issue.

Mrs. Rich Levinson recognized and expressed gratitude to the collaboration of companies that have provided grants to the district, as indicated in the agenda item.

Ms. Korn recognized and congratulated the individuals and schools for going above and beyond to bring in additional funds and resources for their schools, as indicated in the agenda item.

FF. OFFICE OF ACADEMICS

FF-1. Work Authorization Number 2 under the Current Agreement with Broward County Behavioral Health Services for funding to The School Board of Broward County, Florida Family Counseling Program, Agreement #14-CP-CSA-8267-0 (Approved)

Motion was made by Mrs. Rupert, seconded by Ms. Korn and carried, to approve District funding for the Work Authorization 2 under the current contract agreement between Broward County Behavioral Health Services and The School Board of Broward County, Florida. (9-0 vote)

On August 27, 2013, the Broward County Board of County Commissioners approved funding recommendations made by the Broward County Community Partnership Division (BCCPD) for The School Board of Broward County, Florida Family Counseling Program (FCP) to receive a grant in the amount of \$1,043,940 with a two-year renewal option.

See Supporting Docs for continuation of Summary Explanation and Background.

The original agreement and Work Authorization Number 2 have been reviewed and approved as to form and legal content by the Office of the General Counsel.

The financial impact for the 2014-2015 school year is \$1,343,940 from the BCCPD. The School Board of Broward County, Florida is providing the required match in the amount of \$1,355,787 to meet this requirement. There is no additional financial impact to the District as funds are already included in the projected 2014-2015 budget.

No discussion was held on this item.

FF-2. Agreement between The School Board of Broward County, Florida and King's College Tours, Inc. (Not Approved)

Motion was made by Mrs. Rupert, seconded by Ms. Korn, to approve Agreement with King's College Tours, Inc. to provide services under the U.S. Department of Education High School Graduation Initiative Grant (USDOE HSGI). Mrs. Freedman was absent for the vote. (0-8 vote)

The School Board of Broward County, Florida (SBBC) is the recipient of a five-year grant from the U.S. Department of Education, entitled High School Graduation Initiative.

See Supporting Docs for continuation of Summary Explanation and Background.

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

The financial impact is \$46,728. The source of the funds is the USDOE High School Graduation Initiative Grant budget. There is no additional financial impact to the district.

Mrs. Good noted that this item is requested to be voted down.

FF-3. Agreement between The School Board of Broward County, Florida and King's College Tours, Inc. (Approved)

Motion was made by Mrs. Rupert, seconded by Mrs. Brinkworth and carried, to approve agreement with King's College Tours, Inc., to provide services under the U.S. Department of Education High School Graduation Initiative Grant (USDOE HSGI). (9-0 vote)

The School Board of Broward County, Florida (SBBC) is the recipient of a five-year grant from the U.S. Department of Education, entitled High

School Graduation Initiative.

See Supporting Docs for Continuation of Summary Explanation and Background.

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

The financial impact is \$46,728. The source of the funds is the USDOE High School Graduation Initiative Grant budget. There is no additional financial impact to the district.

Mrs. Rupert inquired about the Vendor Matrix, stating there are eight (8) categories but there is only a grade on seven (7) of the categories. She indicated that Black History Tours has the lowest price per student (\$419), 15 years of experience in providing college tours (7) and the only company that had a grade for previous experience (fair). She inquired whether there are letters of recommendation from any of the other vendors.

Dr. Thompson responded that Black History tours was used in the past and there were a few unsatisfactory experiences with them. Based on the matrix, in order to make sure a good choice was being made, letters of recommendations were requested from people who have used them before.

Mrs. Rupert requested letters of recommendation from any entity the district has used for any service, in the future.

Mrs. Good clarified that other entities have been used for this program but the district has used Black History Tours for other tours.

Mrs. Rupert stated it would have been a fairer process to have a customer service response or a previous example.

Mrs. Rich Levinson requested that a survey be provided to the students and everyone involved at the conclusion of the King's College Tours, Inc. agreement.

Concurring, Mrs. Good stated if the district has used any one of these entities, moving forward they should be taken into consideration.

GG. OFFICE OF HUMAN RESOURCES

HH. OFFICE OF THE GENERAL COUNSEL

**HH-1. Final Acceptance and Settlement Agreement between
The School Board of Broward County, Florida and Hewett-Kier
Construction, Inc. (Approved)**

Motion was made by Mrs. Rupert, seconded by Ms. Korn and carried, to approve the Settlement Agreement between The School Board of Broward County, Florida and Hewett-Kier Construction, Inc. and approve the Final Acceptance of Cypress Elementary School, Project No. P.000346 (f.k.a. 1781-24-01) and Palmview Elementary School, Project No. P.000207 (f.k.a. 1311-23-01). (9-0 vote)

This Agreement is the result of efforts to resolve litigation filed against the District by Hewett-Kier Construction, Inc. ("Hewett-Kier") arising out of two separate contracts: one for Cypress Elementary School, Project No. P.000346 (f.k.a. 1781-24-01) ("Cypress") and Palmview Elementary School Project No. P.000207 (f.k.a. 0403-99-05) ("Palmview") (hereinafter, collectively referred to as the "Projects").

Please see Supporting Docs for continuation of Summary Explanation and Background.

The total financial impact of this item is \$612,661.83, which is comprised of \$507,500 for settlement of claims in the lawsuit, and \$105,161.83 in undisputed contract balances and retainage. These amounts are included in the current project budgets.

No discussion was held on this item.

II. OFFICE OF THE SUPERINTENDENT

November 12, 2014

Minutes of Regular Meeting
Page 79 of 85

**II-1. School Resource Officer (SRO) Program Agreements - (2014-2015)
(Approved)**

Motion was made by Mrs. Rupert, seconded by Ms. Korn and carried, to approve the SRO Agreement with City of Sunrise for police officers to serve as School Resource Officers as listed in the Executive Summary. (9-0 vote)

The Agreement provides for police officers to serve as School Resource Officers in eight (8) elementary, two (2) middle and one high school that are operated by the School Board and located in the designated municipal police jurisdictions. The School Resource Officer Program is one of the most effective, proactive safety and security programs in our schools.

See Supporting Docs for continuation of Summary Explanation and Background.

These Agreements have been approved as to legal form and legal content by the Office of the General Counsel.

The financial impact of the SRO Program is \$610,526.40. The source of funds is the Broward District Schools Police Department budget for the 2014-2015 school year.

No discussion was held on this item.

**II-2. Agreement between the SBBC and Learning Sciences International (LSI), LLC
(Approved as Amended)**

Motion was made by Mrs. Rupert, seconded by Ms. Korn and carried, to approve the agreement with Learning Sciences International, LLC, to provide professional learning for teacher leaders, school and district leaders and aspiring leaders as a component of the District Instructional Leadership and Faculty Development Grant. This motion was superseded by a Motion to Amend (page 72). (9-0 vote)

The Florida Department of Education, District Instructional Leadership and Faculty Development grant was awarded to Broward County Public Schools in September 2014. The grant was approved by the School Board at the September 16, 2014 meeting as item EE-2. The grant, totaling \$690,443.00, included professional learning components from Learning Sciences International (LSI), specific to Teacher Mentor Series,

Approved in Open Board Meeting, December 9, 2014

Instructional Rounds and leadership credentialing in Broward's Instructional Development and Growth Evaluation System.

Participants include district and school instructional leaders and teachers. The project will build on the prior implementation of the Race to the Top; Transforming Observational Practice (TOP) model. Internal capacity for sustainability and opportunity is built in for teachers, school leaders and district leaders to support each other in learning through shared experiences and support beyond the grant period.

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

There is no financial impact to the general fund. The agreement in the amount of \$297,500 will be funded from the Florida Department of Education District Instructional Leadership and Faculty Development project grant.

Mrs. Rich Levinson requested an amendment to the terms of the Agreement.

Motion to Amend (Carried)

Motion was made by Mrs. Rich Levinson, seconded by Mrs. Rupert and carried, to amend Agreement, Article 2- Special Conditions 2.01 Terms of Agreement ... conclude on June 30, ~~2014~~ 2015. (9-0 vote)

A vote was taken on the Motion to Amend.

Mrs. Rich Levinson commended the Talent Development department for obtaining the \$690,000 grant award and for the cohesive layout of the agenda item to understand what the department is doing. She inquired how many individuals will be impacted in the district and how many peer mentors will be trained.

Linda Whitehead, Director, Teacher Development, responded that for the Teacher Mentor Series specifically, there is space for 150 new teachers, which is a continuation of what began in June when 70 teachers completed the series.

Referring to the Aspiring Leaders series, Ms. Whitehead stated this is an

additional session that has been offered on a regular basis. Capacity has almost been reached as far as developing all current administrators and those that observe both classroom teachers and non-classroom teachers. This is a session to be able to include those who have been newly appointed and may not have had the opportunity to be credentialed.

Mrs. Rich Levinson inquired about the funding associated with the training.

Elisa Calabrese, Ed.D., Chief Talent Development Officer, responded that for credentialing, as new people are appointment these are the courses for them. All those that observe instructional personnel need to be credentialed using the Marzano instructional framework, Bridges, or they do not observe; it is important to have this ongoing development. Dr. Calabrese stated this will be a gradual release model, as the district is developing more individuals in the system that become expert in this area.

**II-3. Amended Agreement with Children's Services Council of Broward County for 21st Century Community Learning Center Programming
(Approved)**

Motion was made by Dr. Osgood, seconded by Mrs. Rupert and carried, to approve the Amended Agreement with the Children's Services Council of Broward County for 21st Century Community Learning Center Programming. Dr. Osgood was absent for the vote. (8-0 vote)

The School Board of Broward County, Florida (SBBC) and The Children's Services Council of Broward County (Council) are both committed to improving school readiness, helping students achieve once they are in school, and maintain involvement in school to successfully graduate. On June 24, 2014, an Agreement with Council was approved to partner with SBBC for the delivery of 21st Century Community Learning Center Programming to enhance the afterschool academic enrichment and remediation activities at several SBBC schools. At this time, the parties wish to amend their existing Agreement to extend the afterschool academic enrichment and remediation activities at three additional sites; 1) McArthur High School, 2) Plantation High School, and 3) Piper High School.

Approved in Open Board Meeting, December 9, 2014

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

The additional positive financial impact for these three schools to the District is \$800,000. The source of the funds is The Children's Services Council of Broward County. There is a financial impact to the District of \$52,453 for transportation costs.

Ms. Korn inquired whether the financial impact of \$52,453 has been budgeted and it is an anticipated cost.

Mr. Moquin responded that this amount is above and beyond in terms of the expenditures that were outlined. The manner in which the Children's Services agreements are structured is like a grant match, they provide the services and costs are represented on the item. Mr. Moquin stated the question is whether the district wants to expend this additional amount for transportation in order to extend those services to three (3) more high schools.

Mr. Woods indicated that this cost is above and beyond what was in the budget and it was an unanticipated cost.

Ms. Korn clarified that they provide the service but they look to the district to do the transportation piece. In this case, the department had not budgeted for the services but it will come out of the General Fund.

Concurring, Mr. Moquin stated that assuming the Board approves the item, there would need to be an allocation of an additional \$52,453 from the Transportation's budget in order to ensure they have the proceeds to execute these services.

Mrs. Bartleman stated it is a great program and it is a small price to pay for any investment provided to students. She noted the Children's Services Council is also funding a portion of school nurses.

JJ. OFFICE OF FACILITIES AND CONSTRUCTION

JJ-1. Final Change Order - Riverglades Elementary - Advanced Roofing, Inc. - Tile Roof Replacement - Project No. P.001442 (Approved)

Motion was made by Mrs. Rupert, seconded by Ms. Korn and carried, to approve the Final Change Order, Riverglades Elementary, Advanced

Approved in Open Board Meeting, December 9, 2014

Roofing, Inc., Tile Roof Replacement, Project No. P.001442, in the amount of \$51,181.37, CREDIT, -0- days. Dr. Osgood was absent for the vote. (8-0 vote)

Final Change Order, \$51,181.37, CREDIT, -0- days
Riverglades Elementary
Advanced Roofing, Inc.
Tile Roof Replacement
Project No. P.001442

Refer to Exhibits 1 and 3 for detailed information.

A positive financial impact of \$51,181 will be added to the Capital Projects Reserve.

No discussion was held on this item.

**JJ-2. Final Change Order - Gulfstream Middle - MVP Contractors, Inc. -
ADA Compliant Wheelchair Lift - Project No. P.001079 (Approved)**

Motion was made by Mrs. Rupert, seconded by Ms. Korn and carried, to approve the Final Change Order, Gulfstream Middle, MVP Contractors, Inc., ADA Compliant Wheelchair Lift, Project No. P.001079, in the amount of \$240, -290- non-compensable days. Dr. Osgood was absent for the vote. (8-0 vote)

Final Change Order, \$240, -290- non-compensable days
Gulfstream Middle
MVP Contractors, Inc.
ADA Compliant Wheelchair Lift
Project No. P.001079

Refer to Exhibits 1 and 3 for detailed information.

This project is being closed out and the remaining balance of \$13,711 will be added to the Capital Projects Reserve.

Mrs. Bartleman and Mrs. Rich Levinson requested the attachment of the final inspection and punch list documentations to the final change orders.

JJ-3. Change Order #11 - Colbert Elementary - Padula & Wadsworth

Construction, Inc. - Concurrent Replacement - Phase II - Project No. P.000039 (f.k.a. 0231-25-01) (Approved)

Motion was made by Mrs. Rupert, seconded by Ms. Korn and carried, to approve Change Order #11, Colbert Elementary, Padula & Wadsworth Construction, Inc., Concurrent Replacement - Phase II, Project No. P.000039, in the amount of \$15,268, -0- days. Dr. Osgood was absent for the vote. (8-0 vote)

Change Order #11, \$15,268, -0- days
Colbert Elementary
Padula & Wadsworth Construction, Inc.
Concurrent Replacement - Phase II
Project No. P.000039

Refer to Exhibits 1 and 3 for detailed information.

The source of funds is identified in the Adopted District Educational Facilities Plan, Fiscal Years 2014-2015 to 2018-2019.

Mrs. Brinkworth referred to the Executive Summary and inquired whether the forecasted completion date of the project will be \$4 million under the current approved budget.

Mr. Messier responded that the Financial Overview is the contract value for the general contractor for which there is a change order.

JJ-4. Final Change Order - Cooper City High - Skanska USA Building, Inc. - Replace Roofing and A/C Units - Project No. P.001539 (Approved)

Motion was made by Mrs. Rupert, seconded by Ms. Korn and carried, to approve Final Change Order, Cooper City High, Skanska USA Building, Inc., Replace Roofing and A/C Units, Project No. P.001539, in the amount of \$11,517, -0- days. Dr. Osgood was absent for the vote. (8-0 vote)

Final Change Order, \$11,517, -0- days
Cooper City High
Skanska USA Building, Inc.
Replace Roofing and A/C Units
Project No. P.001539

Refer to Exhibits 1 and 3 for detailed information.

Approved in Open Board Meeting, December 9, 2014

The source of funds is identified in the Adopted District Educational Facilities Plan, Fiscal Years 2014-2015 to 2018-2019.

Agenda Items JJ-4 and JJ-5 were discussed concurrently.

Ms. Korn requested that staff include the date the change order item was initially noted, in the future.

JJ-5. Final Change Order - McArthur High - MVP Contractors, Inc. - New Aluminum Canopies - Project No. P.001465 (Approved)

Motion was made by Ms. Korn, seconded by Mrs. Rupert and carried, to approve Final Change Order, McArthur High, MVP Contractors, Inc., New Aluminum Canopies, Project No. P.001465, in the amount of \$3,199, -0- days. Dr. Osgood was absent for the vote. (8-0 vote)

Final Change Order, \$3,199, -0- days
McArthur High
MVP Contractors, Inc.
New Aluminum Canopies
Project No. P.001465

Refer to Exhibits 1 and 3 for detailed information.

The source of funds is identified in the Adopted District Educational Facilities Plan, Fiscal Years 2014-2015 to 2018-2019.

Agenda Items JJ-4 and JJ-5 were discussed concurrently.

JJ-6. Change Order #2 - Bair Middle - Tecta America South Florida, Inc. (f.k.a. Weiss & Woolrich Southern Enterprises, Inc.) - Roof Replacement - Project No. P.001143 (f.k.a. 2611-07-17) (Approved)

Motion was made by Ms. Korn, seconded by Mrs. Rupert and carried, to approve Change Order #2, Bair Middle, Tecta America South Florida, Inc., (f.k.a. Weiss & Woolrich Southern Enterprises, Inc.) Roof Replacement, Project No. P.001143, in the amount of \$66,207, -0- days. Approve an additional appropriation in the amount of \$45,511 which will come from the District Wide Roofing Reserve. Dr. Osgood was absent for the vote. (8-0 vote)

Approved in Open Board Meeting, December 9, 2014

Change Order #2, \$66,207, -0- days
Bair Middle
Tecta America South Florida, Inc. (f.k.a. Weiss & Woolrich Southern
Enterprises, Inc.)
Roof Replacement
Project No. P.001143

Refer to Exhibits 1 and 3 for detailed information.

An additional financial impact of \$45,511 will come from the District Wide Roofing Reserve.

Agenda Items JJ-6 and JJ-7 were discussed concurrently.

Ms. Korn indicated that the Chair of the Facilities Task Force noted that Bair Middle had been completed. She inquired whether this is a separate project than was noted in the District Educational Facilities Plan as completed.

Mr. Messier responded that the work in the field was completed but the financial closeout of the project remains.

Ms. Korn requested that this be shared at the next meeting of the Facilities Task Force.

Mrs. Brinkworth inquired whether the cost of the project amount estimate was "off" in the DEFP by approximately \$1 million.

Responding affirmatively, Mr. Messier spoke about his concerns with receiving bids that did not reflect a responsible bid, the bids were too low. Another estimate was done by the architect which came in at the high end of the bid range and their estimate was off on quantities so it inflated the number. Mr. Messier stated that the original budget on this project before it was amended for the DEFP was \$1.7 million which was also high. The bids were verified that they were in the valid range. Mr. Messier further stated that the bid is a very aggressive bid and they will be observed to ensure that they can deliver for that value.

Mrs. Brinkworth inquired whether the estimates were short of what the actual job cost is going to be.

Approved in Open Board Meeting, December 9, 2014

Mr. Messier clarified that from the original budget there were many amendments of the budget during the DEFP process.

JJ-7. Construction Bid Recommendation of \$50,000 or Greater - HVAC Replacement at Forest Hills Elementary School Coral Springs - Project No. P.000827 (Approved)

Motion was made by Ms. Korn, seconded by Mrs. Rupert and carried, to approve the recommendation for award for the above contract. Contract Term: 249 Calendar Days; User Department: Office of Facilities & Construction; Award Amount: \$892,586; Vendor Awarded: Hyvac, Inc.; and M/WBE Vendor: Hispanic Owned Business. Dr. Osgood was absent for the vote. (8-0 vote)

The School Board of Broward County, Florida received three (3) bids for Project No. P.000827, HVAC Replacement at Forest Hills Elementary School. This project will replace existing air handling units to improve the indoor air quality.

Document 00200, Instructions to Bidders, specifies that the Agreement is to be provided to the Contractor after the award is approved by the Board. Therefore, the Agreement is executed after award and is not available at the time of award.

The total cost of this project is \$1,085,000. The source of these funds is identified in the Adopted District Educational Facilities Plan (ADEFP), Fiscal Years 2014-15 to 2018-19, page 48.

Based on the attached Projects Funds Allocation (PFA), this project is under the budget approved in the ADEFP and the remaining funds of \$1,086,651 will be placed in the Capital Projects Reserve.

Agenda Items JJ-6 and JJ-7 were discussed concurrently.

JJ-8. Third Amendment to Professional Services Agreement - Zelch & McMahon Architects - New Food Service Multipurpose Building Renovations and Site Improvements - Cypress Elementary School, Pompano Beach - Project No. P.000346 (f.k.a. 1781-24-01) (Approved)

Motion was made by Mrs. Rupert, seconded by Ms. Korn and carried, to approve the Third Amendment to the Professional Services Agreement

November 12, 2014

Minutes of Regular Meeting

Page 88 of 85

Approved in Open Board Meeting, December 9, 2014

dated September 6, 2005, previously amended on July 25, 2006 and October 5, 2010, with Zelch & McMahon, Architects, Cypress Elementary School, New Food Service Multipurpose Building, Renovations and Site Improvements, Project No. P.000346 (f.k.a. 1781-24-01). Dr. Osgood was absent for the vote. (8-0 vote)

Upon completion of construction of New Food Service Multipurpose Building, Renovations and Site Improvements at Cypress Elementary School, Project No. P.000346 (f.k.a 1781-24-01) (the "Project"), Staff determined that various change order costs on the Project were attributable to architectural errors and omissions. Staff and the Project Consultant (collectively, the "Parties") mutually agreed that such change orders resulted in additional costs to the District in the amount of \$725.52. The Parties also mutually agreed that the Project Consultant had provided additional design services and extended construction contract administration benefitting the Project, and that such services were valued at \$76,176.40.

See Supporting Docs for continuation of Summary Explanation and Background.

The source of funds are identified in the Adopted District Educational Facilities Plan, and this amount is included in the current project budget.

Agenda Items JJ-8 through JJ-13 were motioned together.

No discussion was held on these items.

JJ-9. Third Amendment to Professional Services Agreement Zelch & McMahon Architects New Food Service Multipurpose Building Renovations and Site Improvements Palmview Elementary School Pompano Beach Project No. P.000207 (f.k.a. 1131-23-01) (Approved)

Motion was made by Mrs. Rupert, seconded by Ms. Korn and carried, to approve the Third Amendment to the Professional Services Agreement dated September 6, 2005, previously amended on July 25, 2006 and October 5, 2010, with Zelch & McMahon, Architects, Palmview Elementary School, New Food Service Multipurpose Building, Renovations and Site Improvements, Project No. P.000207 (f.k.a. 1131-23-01). Dr. Osgood was absent for the vote. (8-0 vote)

Upon completion of construction of New Food Service Multipurpose Building, Renovations and Site Improvements at Palmview Elementary

November 12, 2014

Minutes of Regular Meeting

Page 89 of 85

Approved in Open Board Meeting, December 9, 2014

School, Project No. P.000207 (f.k.a. 1131-23-01) (the "Project"), Staff determined that various change order costs on the Project were attributable to architectural errors and omissions. Staff and the Project Consultant (collectively, the "Parties") mutually agreed that such change orders resulted in additional costs to the District in the amount of \$153.66. The Parties also mutually agreed that the Project Consultant had provided additional design services and extended construction contract administration benefitting the Project, and that such services were valued at \$78,176.40.

See Supporting Docs for continuation of Summary Explanation and Background.

The source of funds are identified in the Adopted District Educational Facilities Plan, and this amount is included in the current project budget.

Agenda Items JJ-8 through JJ-13 were motioned together.

No discussion was held on these items.

JJ-10. Second Amendment to Professional Services Agreement - Zelch & McMahon Architects - New Food Service Multipurpose Building and Site Improvements - Meadowbrook Elementary School, Fort Lauderdale - Project No. P.000141 (f.k.a. 0761-24-01) (Approved)

Motion was made by Mrs. Rupert, seconded by Ms. Korn and carried, to approve the Second Amendment to the Professional Services Agreement dated July 26, 2005, previously amended on July 25, 2006, with Zelch & McMahon, Architects, Meadowbrook Elementary School, New Food Service Multipurpose Building, and Site Improvements, Project No. P.000141 (f.k.a. 0761-24-01). Dr. Osgood was absent for the vote. (8-0 vote)

Upon completion of construction of New Food Service Multipurpose Building, Renovations and Site Improvements at Meadowbrook Elementary, Project No. P.000141 (f.k.a. 0761-24-01) (the "Project"), Staff determined that various change order costs on the Project were

November 12, 2014

Minutes of Regular Meeting

Page 90 of 85

Approved in Open Board Meeting, December 9, 2014

attributable to architectural errors and omissions. Staff and the Project Consultant (collectively, the "Parties") mutually agreed that such change orders resulted in additional costs to the District in the amount of \$1,121.00. The Parties also mutually agreed that the Project Consultant had provided additional design services benefitting the Project, and that such services were valued at \$13,526.00.

See Supporting Docs for continuation of Summary Explanation and Background.

The source of funds are identified in the Adopted District Educational Facilities Plan, and this amount is included in the current project budget.

Agenda Items JJ-8 through JJ-13 were motioned together.

No discussion was held on these items.

JJ-11. Fourth Amendment to Professional Services Agreement - Zelch & McMahon Architects - New Food Service Multipurpose Building Renovations and Site Improvements - Mirror Lake Elementary School, Plantation - Project No. P.000357 (f.k.a. 1841-25-01) (Approved)

Motion was made by Mrs. Rupert, seconded by Ms. Korn and carried, to approve the Fourth Amendment to the Professional Services Agreement dated July 26, 2005, previously amended on July 25, 2006, March 6, 2007 and May 4, 2010, with Zelch & McMahon, Architects, Mirror Lake Elementary School, New Food Service Multipurpose Building, Renovations and Site Improvements, Project No. P.000357 (f.k.a. 1841-25-01) in the amount of \$17,291 which will come from the Capital Projects Reserve. Dr. Osgood was absent for the vote. (8-0 vote)

Upon completion of construction of New Food Service Multipurpose Building, Renovations and Site Improvements at Mirror Lake Elementary School, Project No. P.000357 (f.k.a. 1841-25-01) (the "Project"), Staff determined that various change order costs on the Project were attributable to architectural errors and omissions. Staff and the Project Consultant (collectively, the "Parties") mutually agreed that such change orders resulted in additional costs to the District in the amount of \$2,167.00. The Parties also mutually agreed that the Project Consultant had provided additional design services benefitting the Project, and that such services were valued at \$19,457.84.

See Supporting Docs for continuation of Summary Explanation and

November 12, 2014

Minutes of Regular Meeting

Page 91 of 85

Background.

The source of funds are identified in the Adopted District Educational Facilities Plan, and this amount is included in the current project budget.

Agenda Items JJ-8 through JJ-13 were motioned together.

No discussion was held on these items.

JJ-12. Second Amendment to Professional Services Agreement - Zelch & McMahon Architects - New Food Service Multipurpose Building and Site Improvements - Tropical Elementary School, Plantation - Project No. P.000138 (f.k.a. 0731-24-01) (Approved)

Motion was made by Mrs. Rupert, seconded by Ms. Korn and carried, to approve the Second Amendment to the Professional Services Agreement dated February 3, 2004, previously amended on October 3, 2006, with Zelch & McMahon, Architects, Tropical Elementary School, New Food Service Multipurpose Building, and Site Improvements, Project No. P.000138, (f.k.a. 0731-24-01). Dr. Osgood was absent for the vote. (8-0 vote)

Upon completion of construction of New Food Service Multipurpose Building, Renovations and Site Improvements at Tropical Elementary School, Project No. P.000138 (f.k.a. 1781-24-01) (the "Project"), Staff determined that various change order costs on the Project were attributable to architectural errors and omissions. Staff and the Project Consultant (collectively, the "Parties") mutually agreed that such change orders resulted in additional costs to the District in the amount of \$506.00. The Parties also mutually agreed that the Project Consultant had provided additional design services benefitting the Project, and that such services were valued at \$7,500.00.

See Supporting Docs for continuation of Summary Explanation and Background.

The source of funds are identified in the Adopted District Educational Facilities Plan, and this amount is included in the current project budget.

Agenda Items JJ-8 through JJ-13 were motioned together.

No discussion was held on these items.

JJ-13. Second Amendment to Professional Services Agreement - Zelch & McMahon Architects - New Food Service Multipurpose Building Renovations and Site Improvements - Walker Elementary School, Fort Lauderdale - Project No. P.000051 (f.k.a. 0321-23-01) (Approved)

Motion was made by Mrs. Rupert, seconded by Ms. Korn and carried, to approve the Second Amendment to the Professional Services Agreement dated April 20, 2004, previously amended on March 6, 2007, with Zelch & McMahon, Architects, Walker Elementary School, New Food Service Multipurpose Building, Renovations and Site Improvements, Project No. P.000051 (f.k.a. 0321-23-01). Dr. Osgood was absent for the vote. (8-0 vote)

Upon completion of construction of New Food Service Multipurpose Building, Renovations and Site Improvements at Walker Elementary School, Project No. P.000051 (f.k.a. 0321-23-01) (the "Project"), Staff determined that various change order costs on the Project were attributable to architectural errors and omissions. Staff and the Project Consultant (collectively, the "Parties") mutually agreed that such change orders resulted in additional costs to the District in the amount of \$1,165.53. The Parties also mutually agreed that the Project Consultant had provided additional design services and extended construction contract administration benefitting the Project, and that such services were valued at \$11,068.00.

See Supporting Docs for continuation of Summary Explanation and Background.

The source of funds are identified in the Adopted District Educational Facilities Plan, and this amount is included in the current project budget.

Agenda Items JJ-8 through JJ-13 were motioned together.

No discussion was held on these items.

KK. OFFICE OF FINANCIAL MANAGEMENT

LL. OFFICE OF PORTFOLIO SERVICES

LL-1. Premium Services Agreements Approval

(Approved)

Motion was made by Mrs. Rupert, seconded by Ms. Korn and carried, to approve the Premium Services Agreements between The School Board of Broward County, Florida (SBBC), and listed charter schools' governing boards. Dr. Osgood and Mrs. Rupert were absent for the vote. (7-0 vote)

As part of the District's Venture Design Initiative, and pursuant to Section 1002.33 (20)(b), Florida Statutes, the Innovative Programs Department Design/Support Department has negotiated the terms of Premium Services Agreements for fee-supported services. The attached agreements delineate the negotiated terms, as well as the structure and components that will comprise the services purchased by the listed governing boards.

Copies of all supporting documents are available at the Innovative Programs Design/Support Department on the 4th floor of the K. C. W. Administration Center and online via the Broward County Public Schools eAgenda at: <https://webappe.browardschools.com/eagenda/>.

The agreements have been reviewed and approved as to form and legal content by the Office of the General Counsel.

The estimated positive revenue to the District for the 2014-2015 Premium Service Agreements will be based on the actual number of hours of services and/or assessments requested and delivered to the charter schools.

Mrs. Bartleman inquired what the assessments entail.

Mrs. Brown responded that these assessments are from Research & Evaluation and the schools contract with the district to be able to provide benchmark assessments.

Mrs. Rich Levinson requested that staff provide the assessments to the agenda item (hard copy), in the future.

Following the action of Agenda Item DD-3, the following Attorney-Client Sessions commenced at 1:00 p.m.

Announcement by Chair

First Session

"The School Board of Broward County, Florida, will meet in an Attorney-Client Private (First) Session in accordance with Florida Statutes, Section 286.011(8), today November 12, 2014, 12:45 p.m. The Attorney-Client Session will be held in the Board Room of the first floor of the Kathleen C. Wright Administration Center, 600 Southeast Third Avenue, Fort Lauderdale, Florida 33301.

"The purpose of this Attorney-Client Session is for the School Board and Counsel to discuss pending litigation relative to the following case: Mark Corwin vs. The School Board of Broward County, Case No.: 14-61282-CIV-JEM, before the United States District Court, Southern District of Florida. A Certified Court Reporter will record the entire session.

"The following persons will attend the Attorney-Client Session: Chair Patricia Good, Vice Chair Donna P. Korn; Members Robin Bartleman, Heather P. Brinkworth, Abby M. Freedman, Laurie Rich Levinson, Ann Murray, Dr. Rosalind Osgood, Nora Rupert; Superintendent Robert W. Runcie; Marilyn Batista-McNamara, Esq.; and J. Paul Carland, II., Esq.

"Telephone Conferencing or other telecommunications technology may be used in the conduct of this Attorney-Client Session to permit absent Board Members to participate and to be heard by other School Board Members and Counsel."

Second Session

"The School Board of Broward County, Florida, will meet in an Attorney-Client Private (Second) Session in accordance with Florida Statutes, Section 286.011(8), today November 12, 2014, following the conclusion of the First Session. The Attorney-Client Session will be held in the Board Room of the first floor of the Kathleen C. Wright Administration Center, 600 Southeast Third Avenue, Fort Lauderdale, Florida 33301.

"The purpose of this Attorney-Client Session is for the School Board and Counsel to discuss pending litigation relative to the following case: Lemartec Engineering & Construction Corp. vs. The School Board of Broward County, Case No.: 14-003880,

Approved in Open Board Meeting, December 9, 2014

before the Circuit Court of the 17th Judicial Circuit in and for Broward County, Florida. A Certified Court Reporter will record the entire session.

"The following persons will attend the Attorney-Client Session: Chair Patricia Good, Vice Chair Donna P. Korn; Members Robin Bartleman, Heather P. Brinkworth, Abby M. Freedman, Laurie Rich Levinson, Ann Murray, Dr. Rosalind Osgood, Nora Rupert; Superintendent Robert W. Runcie; Thomas C. Cooney, Esq.; and J. Paul Carland, II., Esq.

"Telephone Conferencing or other telecommunications technology may be used in the conduct of this Attorney-Client Session to permit absent Board Members to participate and to be heard by other School Board Members and Counsel."

The Attorney-Client Sessions recessed at 1:30 p.m. The Regular School Board meeting reconvened at 2:05 p.m.

Adjournment This meeting was adjourned at 6:45 p.m.

RT