

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

March 17, 2015
Tuesday, 10:15 a.m.

MINUTES OF REGULAR MEETING

The School Board of Broward County, Florida, met in regular session at 10:21 a.m., March 17, 2015, in the Board Room of the Kathleen C. Wright Administrative Center, 600 Southeast Third Avenue, Fort Lauderdale, Florida. Present were: Donna P. Korn, Chair; Dr. Rosalind Osgood, Vice Chair; Members Robin Bartleman, Heather P. Brinkworth, Abby M. Freedman, Patricia Good, Laurie Rich Levinson, Ann Murray, Nora Rupert; Robert W. Runcie, Superintendent; and J. Paul Carland, II, Esq.

Call to Order Ms. Korn, Chair, called the meeting to order.

Dr. Osgood introduced Principal Nora Chiet and the children of Horizon 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 Mrs. Good and carried, to approve the official minutes for the following Board Meetings: Mrs. Rich Levinson had not assumed her seat on the dais. (8-0 vote)

February 18, 2015 - Regular School Board Meeting
March 3, 2015 - Special – Expulsions

Close Agenda Upon motion by Mrs. Rupert, seconded by Dr. Osgood and carried, the Agenda was approved and declared closed. Mrs. Rich Levinson had not assumed her seat on the dais. (8-0 vote)

Special Presentations

Take Stock in Children (TSIC) of Broward Organization

Mrs. Rich Levinson presented a proclamation to the Take Stock in Children of Broward Organization in recognition of their 20th Anniversary. Joining in the recognition were the following individuals:

Amanda Frey, Program Director, TSIC
Gillian Salvador, Manager of Community Engagement & Mentoring Programming, TSIC
Carrie Garcia, Alumni and Donor Relations Coordinator
Raquel Martinez, College Success Coach
Vanessa Lopez, Mentor
Kourtney Hadden, Junior at Stranahan High School
Sashaun Ranger, Sophomore at Stranahan High School
David Baptiste, Freshman at Stranahan High School

This recognition can be viewed in its entirety at:
<http://www.browardschools.com/School-Board/Special-Presentations>

Irish Heritage Proclamation

Ms. Murray and Mrs. Rupert presented a proclamation for Irish American Heritage Month and St. Patrick's Day.

This recognition can be viewed in its entirety at:
<http://www.browardschools.com/School-Board/Special-Presentations>

Women's History Month

Michaëlle Valbrun-Pope, Executive Director of Student Support Initiatives, introduced and recognized Women's History Month. Joining in the recognition were the following individuals:

Jessica Timmons, 3rd Grade Teacher, Castle Hill Elementary School
Nordia Sappleton, Curriculum Supervisor for Diversity, Prevention & Intervention
Donna Korn, Chair, School Board

This recognition can be viewed in its entirety at:
<http://www.browardschools.com/School-Board/Special-Presentations>

Reports

The following reports were presented:

Broward Education Foundation - Thomas Severino, President & CEO

Employee Unions/Groups - Sharon Glickman, President, Broward Teachers Union

Facilities Task Force - Nathalie Lynch-Walsh, Chair

Board Members Reports

Mrs. Good referred to comments made earlier by a speaker regarding the Facilities Task Force Committee and remarked there was mention of a formulation of their own website and she knew there had been previous concerns with other groups or committees. She was concerned and wanted to be sure that it was conveyed whatever was formed outside of the District was not a District website. Mrs. Good understood if they had certain things they wanted to attach, such as their agendas, information, or upcoming actions, through the Facilities Department with a link, but for the committee to go separate and apart from the District-approved website was concerning.

Mrs. Good was also concerned regarding a comment referenced earlier from a speaker that addressed an employee. Whether or not a department has certain expertise, it does not fall under the purview of the Facilities Task Force. Mrs. Good felt it was important to highlight today's meeting and what she felt was supposed to be in front of them, particularly Item E-5. RFP Recommendation to Reject All Proposals - 15-085C - Program Management Office Services.

Mr. Runcie said he has asked Jeff Moquin, Chief of Staff, to follow-up with the committees. Many of them were behind in terms of complying with the policies set forth by the Board, which said they were to meet with the Superintendent and set out specific goals and plans on what they were going to focus on in the coming year. That is a process that they would have to go through on an annual basis in order for the task force/committees to provide the value to the District that is needed.

Mrs. Good asked what was in place to ensure the Board receives the follow-ups from the committees. They are working on so many things; they may not see that the by-laws are a priority on a scope of projects they review. Mrs. Good wanted to know what, if anything, could be done to ensure everything is received by a specific date and, if it is not provided, then the District could consider potentially revising the bylaws. The intent has always been to have buy-in from the committees so they participate in the establishment of these bylaws and have a conversation about it by the Board. It is important because they do good work, but she did not want to leave it open-ended that some of the committees do not receive the structure necessary to understand the scope of work they are supposed to be doing. Mrs. Good reiterated she was concerned by some of the comments made and does not think dealing with the employees falls under anyone's purview except Mr. Runcie. She said the committees should focus their efforts where they are really needed, such as the Bond and some of the discussions from today's meeting.

Dr. Osgood shared some of the same concerns. She is aware of another committee that has a website not connected with the District and it causes a lot of problems. She inquired how committees are able to get a website separate from the District in the first place and wanted to know if it was allowed. She heard that, because the District was not moving quickly enough on creating a website, another website would be formed by the committee in question. It is not the intent to have advisory committees replace the staff, nor should they trump staff in decisions or on projects. Dr. Osgood asked if there was an orientation for new committee members.

Mr. Moquin replied when Policy 1.7 was revised, one of the requirements was a training. An online training tool was developed and disseminated through the staff facilitator of each committee. There is also a monitoring device in which he receives a periodic report from Talent Development on all the individuals who have completed the training and passed the content knowledge piece.

Dr. Osgood questioned what would happen to someone on a committee who never goes online to complete the training and would it prohibit that person from attending a meeting.

Mr. Moquin stated it would not prohibit the person from attending a meeting, but policy states if a person has not completed the training by their second meeting, they are prohibited from being a voting member.

Dr. Osgood asked at what point as a Board Member do they evaluate the necessity of committees and what would the process be to either add a committee or remove a committee.

Mr. Moquin said the policy allows the Superintendent to make recommendations to dissolve committees if he believes that information or work is being addressed in a different forum. An example would be the Charter School Task Force. There was a recommendation to dissolve that task force because the Superintendent now has a forum where all the Charter schools are invited to try to resolve issues between the Charter schools and the District. That forum has been very effective.

Mr. Runcie added it would make sense to do a year-end report on all the committees, with a status on where they stand and any concerns. He suggested having either a year-end report or something at the beginning of the year, right after the summer break. He said they should try to schedule the last workshop in June or at the beginning of the school year.

Ms. Korn voiced concern on how the committees would be evaluated.

Mr. Runcie responded it would not be an evaluation. The committees are suppose to have a plan and some goals, so where they are relative to that and what they have accomplished in the year will be revealed in a status report.

Speakers

Lynda Olds
Harold Scott
Allen Rigerman
Youssef Wardani
Trudy Jermanovich
Carol Saponaro
Karen Cormack
Walter Guptill

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

CONSENT ITEMS

A. RESOLUTIONS

***A-1. Resolution in Support of Teacher Appreciation Week - May 4, 2015 - May 8, 2015 and National Teachers' Day - May 5, 2015 (Adopted)**

Adopted Resolution No. 15-109 in Support of Teacher Appreciation Week – May 4, 2015 - May 8, 2015 and National Teachers' Day - May 5, 2015.

Please see text of Resolution.

There is no financial impact to the district.

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B. BOARD MEMBERS

E. OFFICE OF STRATEGY & OPERATIONS

***E-1. Recommendation on the Ms. Willie Ann Glenn Act for the Summer 2015 (Summer Nutrition Program) (Approved)**

Renewed disapproval of participation in the Ms. Willie Ann Glenn Act for the Summer of 2015.

Vote to be exempt from the Summer feeding Program per Chapter 2005-73, Section 1, (3). Notify the Commissioner of Florida Department of Agriculture and Consumer Services within 10 days of the decision not to participate and be exempt. Notify the Commissioner of Florida Department of Agriculture and Consumer Services within 10 days of each subsequent year's decision to continue the exemption.

The request for approval from the Board not to participate in the Ms. Willie Ann Glenn Act is a standard item presented annually since 2006.

See Supporting Docs for continuation of Summary Explanation and Background.

There is no financial impact to the district for not participating in the Ms. Willie Ann Glenn Act.

E-2. Pre-Qualification of Contractors - Approval of Application and Issuance of Certification (Approved)

Motion was made by Mrs. Rupert, seconded by Mrs. Good and carried, to approve the recommendation by the Superintendent indicated in Exhibit 2. (9-0 vote)

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 by the Superintendent of Schools indicated in Exhibit 2. Further explanation is provided in Exhibit 1. The Qualification Selection Evaluation Committee (QSEC) convened on February 25, 2015 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/PreQual022515.pdf>.

There is no financial impact to the district.

Mrs. Rupert requested clarification if this was recommending re-certification for the four (4) individuals. Under "Action" on the Agenda Request Form (ARF), it showed the District denying the requested limits. Mrs. Rupert asked if the appropriate limits were listed or if they were the ones requested.

Ruby Crenshaw, Director, Procuring & Warehousing Services, replied they requested higher than what was authorized and the amount they were authorized was shown in the column.

Mrs. Brinkworth asked staff what was their year-to-date timeframe.

Mrs. Crenshaw replied, starting in January.

Mr. Runcie asked staff to confirm if it was a calendar year and not a fiscal year.

Mrs. Crenshaw responded this was a recent request that just started in January.

Mrs. Brinkworth said she would be interested in the numbers of vendors reached through different events because she could not determine if there were ten people or 200 people.

Mrs. Crenshaw noted the last page had the follow-up information and stated staff does follow up and calls the vendors.

Mrs. Brinkworth restated with regard to the events themselves, she would like to know if the events are for 20 people or for 500 people.

***E-3. Termination of Bid 14-019V - Fresh Produce for Cafeterias
(See Item EE-4) (Approved)**

Approved the termination of Bid 14-019V- Fresh Produce for Cafeterias.
Contract Term: August 1, 2013, through June 30, 2016, 2 Years, 11 Months;
User Department: Food and Nutrition Services; Award Amount:
\$12,500,000; Vendor Awarded: Mac Edwards Produce & Company, Inc.;
M/WBE Vendor: Mac Edwards Produce & Company, Inc.

This agenda item requests to terminate the bid with Mac Edwards Produce & Company, Inc., due to staff's recommendation to discontinue this contract because it has been impacted by the new United States Department of Agriculture (USDA) regulations.

See Supporting Docs for continuation of Summary Explanation and Background.

A copy of the bid documents are available online at:
[http://www.broward.k12.fl.us/supply/docs/contracts/14-019V - Fresh Produce for Cafeterias \(2\).PDF](http://www.broward.k12.fl.us/supply/docs/contracts/14-019V-FreshProduceforCafeterias(2).PDF).

There is no financial impact to the district.

**E-4. RFP Recommendation of \$500,000 or Less - 15-010P - 403(b)/457(b)
Program for School Board Employees (Approved)**

Motion was made by Mrs. Rupert, seconded by Mrs. Bartleman and carried, to approve the award of contracts for the above RFP to Variable Annuity Life Insurance Company (VALIC); VOYA (f/k/a ING Life Insurance and Annuity Company); Life Insurance Company of the Southwest; Metropolitan Life Insurance Company; and AXA Equitable Life Insurance Company, as well as to approve a contract with AXA Equitable's subcontractor ProNVest. Dr. Osgood was absent for the vote. (8-0 vote)

See Supporting Docs for continuation of Requested Action.

The School Board of Broward County, Florida, received responses from eleven (11) proposers, who collectively submitted a total of fourteen (14) proposals for RFP 15-010P, 403(b)/457(b) Program for School Board Employees. This RFP provides School Board employees with the ability to sign up for a Tax Sheltered Annuities retirement savings/investment plan.

See Supporting Docs for continuation of Summary Explanation and Background.

A copy of the bid documents are available online at:
[http://www.broward.k12.fl.us/supply/docs/contracts/15-010P 403b.pdf](http://www.broward.k12.fl.us/supply/docs/contracts/15-010P403b.pdf).

These Agreements have 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. Funds will be paid by School Board employees.

Agenda Items E-4 and H-1 were motioned concurrently.

There was no discussion on this item.

A vote was taken on the item.

E-5. RFP Recommendation to Reject All Proposals - 15-085C - Program Management Office Services (Approved)

Motion was made by Mrs. Rupert, seconded by Dr. Osgood and carried, to approve the recommendation to reject all proposals received for the above contract. (9-0 vote)

The School Board of Broward County, Florida (SBBC) received four (4) proposals for RFP 15-085C, Program Management Office Services. Due to circumstances stated herein, it is in the best interest of SBBC to reject all proposals for this RFP.

A copy of the RFP documents are available online at:
[http://www.broward.k12.fl.us/supply/docs/contracts/RFP 15-085C Program Management Office Services.pdf](http://www.broward.k12.fl.us/supply/docs/contracts/RFP%2015-085C%20Program%20Management%20Office%20Services.pdf).

There is no financial impact as a result of this approval.

Mrs. Rupert stated she would discuss the item in two parts: What was before the Board, throwing out the RFP, and in the future asking for more later; and discussing the past, how this came about. Mrs. Rupert asked staff if the original RFP did not go through the Board.

Derek Messier, Chief Facilities Officer, replied no, it did not.

Mrs. Rupert was concerned it did not follow policy by going through the Board first.

Mr. Carland responded he would check but did not believe policy states prior approval was needed for an RFP. The Board has the right to reject anything that comes before them if they felt it did not adequately meet the business needs of the District.

Mrs. Rupert asked if the RFP should have gone before the Board and, going forward, will it go before the Board. She asked how could the Board agree or disagree on a service contract if they did not know what services were being provided. She felt posting an RFP prior to the Board's approval undermines the process of the Board policy. Mrs. Rupert also inquired on whose authority was the Qualification Selection Evaluation Committee (QSEC) circumvented (setting up a separate committee), where were the meeting minutes, and were they done in Sunshine.

Mr. Messier stated the Procurement Department handles the minutes and they would have to provide those to the Board. In addition, he said QSEC was not circumvented. Policy 7003 explicitly lists the type of procurements and its title in its definitions section. Policy 3320 was followed for a typical RFP solicitation for things that fall outside Policy 7003. Staff also conferred with the Legal Department to confirm that was accurate.

Mrs. Rupert received a response from Legal that said in terms of the screening and selection process for procurement, their office had not conducted a review of the matter and were only consulted regarding the alleged cone of silence.

Mr. Messier said he would forward the emails where they asked for clarification whether the program management solicitation was applicable to Policies 7003 or 3320.

Mr. Carland responded that he may have spoken too soon. It would have been directed to his staff, Thomas Cooney, Esq., Assistant General Counsel, and Robert Vignola, Esq., Deputy General Counsel, in terms of talking about the procurement process.

Mr. Messier stated the QSEC Policy 7003 calls on the Total Program Manager, which this District uses as a design builder. There is a specific RFP already in existence for a Total Program Manager. That is someone who is responsible for the design and the construction of projects. They are a general contractor/ design builder.

As an example, Mrs. Rupert asked if that would be similar to a URS company.

Mr. Messier replied, no. Cummings Construction would be an example. The District had several similar RFPs about five (5) years ago that he is not familiar with, but he would check on it and provide a list of companies.

Mrs. Rupert remarked she was not happy how everything transpired. The Board should have been informed before it was reported in the papers and receiving a note that it would be thrown out after an employee came forward. If a workshop or item had come to the Board stipulating why staff felt the necessity to go with an internal organization that would not have the same parameters as QSEC does, the Board and staff would be in a different place now. She was not aware there was a separate committee and thought when there were program services of this magnitude, it would go through QSEC because of the parameters set in place.

Mr. Runcie mentioned that, in a recent example with the Needs Assessment, it was brought to the Board and accommodated by a process brought forth by another individual who essentially did research, piggybacked on the Needs Assessment. It never went to QSEC; it was a professional services contract for the Facilities Department for about \$1.3 million. That was for services and this item was for services as well.

Mr. Runcie asked if the Board would want every RFP brought before the Board because QSEC does not always require the District to bring every professional services contract through that committee.

Mrs. Rupert continued that Policy 7003 states who the QSEC voting members have to be and is very transparent in what is required from the committee. For the new committee that was formed, there is no knowledge of who was on this committee, what their levels were, and if there were any conflicts or working schedules with Jacobs Engineering Group, Inc. or other companies that were bidding. Those particular issues were not forthright in an answer. In addition, going through QSEC is important on the back-end as well. If a recommendation comes forward they have the ability to put together a report containing findings of facts indicating proposers of compliance or non-compliance. To conclude, Mrs. Rupert felt this did not benefit the School Board, any of the companies that answered the bidding, or the taxpayers, by not going through QSEC. This is not the first time Jacobs has broken the cone of silence and the District was within its right to sanction them. Going forward, she would not be able to support an RFP unless QSEC was involved. When it comes to not being able to negotiate with a second-place bidder, Mrs. Rupert questioned if there was a particular law or policy that governed that decision. She knew it has been practiced and asked why it was not done in this case.

Mr. Messier answered that due to problems from prior procurements in 2013, where it was unclear who was the most successful or most qualified respondent, the current RFP was written with specific criteria and a specific process to have a clear unambiguous evaluation criteria for the most qualified respondent recommended by the committee.

Mrs. Rupert asked if it was hand-tailored for Jacobs.

Mr. Messier explained it was specifically designed to have clear unambiguous evaluation criteria and it is available to the public. Then the evaluation committee made a single recommendation. Unlike the prior solicitation in 2013, this process clearly had a most successful or most qualified respondent. That was the process used, which was an improvement over prior processes where it was unclear who was most qualified.

Mrs. Rupert clarified that Mrs. Crenshaw would follow-up on the question as to whose authority was this committee convened, the minutes, meetings, score sheets, etc.

Mr. Messier replied yes, the Procurement Department facilitated it.

Mrs. Crenshaw stated it was part of the procurement process to have an evaluation committee. They looked at the most qualified people who had technical expertise in the area and development with the evaluation committee.

Mrs. Rupert inquired if staff would be providing minutes of the meeting, the score sheets, those selected to be on this committee, any forms that were signed signifying the members do not have a conflict of interest, and ensuring nothing was discussed that would violate Sunshine Law and cone of silence.

Mr. Runcie commented that employees are bound to that and did not think there was anything else involved, but asked General Counsel to clarify.

Mrs. Crenshaw confirmed the requests made by Mrs. Rupert did apply and would be provided to the Board, but she needed to verify whether the conflict of interest forms were signed.

Mrs. Rupert requested when staff notices the meetings, to ensure the Board is made aware of the meeting(s) as well.

Ms. Korn informed staff when they respond to the Board to include whether or not everything was followed according to policy. She asked staff to list what was done and what was required on a checklist.

Mrs. Rupert continued by addressing the Superintendent's recommendation to reject all bidders and asked if there was a report from the QSEC Committee containing the findings of facts, indicating that the proposers are compliant or non-compliant with Policy 7003. In addition, was there a recommended penalty to be made to the Board, which she understood to be part of Policy 7003.

Mr. Carland suggested looking at Policy 1100 b., which speaks to penalties specifically to the offending lobbyist or individual who broke the cone of silence. When it speaks to the entity that made the proposal, it only speaks to the fact that a violation made that proposal non-responsive.

Mrs. Rupert referred to 1100 b.11. and asked if that was what was violated.

Mr. Carland answered in the affirmative as it pertains to the cone of silence.

Mrs. Rupert questioned whether or not it said anything about QSEC being able to give a recommendation for penalty.

Mr. Carland replied Policy 7300 refers to compliance with the cone of silence in Policy 3320.

Mrs. Rupert specified Policy 7300, sub-section 8, refers to the QSEC Committee findings of facts, indicating the proposers compliance or non-compliance.

Mr. Carland responded this process did not go through QSEC.

Mrs. Rupert answered, exactly, and that was the reason everyone was here. The District has these policies for a reason. She understood staff wanted to complete this in a timely manner, that they were within their parameters and rules, they set up with the right amount of people, and did everything that was necessary within the policy; however, it does not pass the test in her opinion. Before another RFP is obtained without approval from the Board, Mrs. Rupert asked staff why it was necessary to change the terms of the RFP.

Mr. Messier stated a business decision was made to both mitigate risk and add some additional controls. They went through two procurements and without successful outcomes, so they thought it would be more prudent to go out with an RFP for owners representative services, having two (2) owner representatives. They also had a separate service to provide costs and programming controls over both of those owner representatives.

Mrs. Rupert advised staff she was unsure if she would support this when it comes for a vote. She thought a workshop to discuss this would have been more helpful, as well as going before the Facilities Task Force Committee.

Mr. Messier replied they were trying to set up a meeting with the Facilities Task Force regarding this new approach.

Mrs. Rupert was pleased to hear that because it shows the District is open, going through the looping process, doing what needs to be done, and making it more understandable for both the public and the Board. If RFPs do not go through QSEC in the future, she may not be supporting them. In addition, Mrs. Rupert questioned staff if any of the firms that submitted bids had bid-bonds set up and, if so, could the District get any of the money back from failed attempts.

Mr. Messier responded this was a professional service and not a construction contract, so there were no bid-bonds.

In closing, Mrs. Rupert asked staff to explain how delaying sending out an RFP in the next week or two was an immediate and serious danger to public health, safety, and welfare.

Based on the Needs Assessment, Mr. Messier stated they knew there were extensive, critical needs across the District and any delays setting up and capable of delivering those much needed projects, could contribute to a welfare issue for the students and schools.

Mrs. Rupert agreed with the conditions at the schools, but does not believe a 2 to 4 week delay would cause serious danger to public health.

Mr. Messier concurred and based on the Board's action, they would meet with the Facilities Task Force to get input on the process and move forward.

Based on staff's comments that an RFP would be leaving March 25, 2015, Mrs. Rupert asked if that was not true.

Mr. Messier replied the target date would be the week of March 25, 2015 but if there was not enough time to get it ready, they would not go forward.

Stating that date would be too soon, Mrs. Rupert continued to say she would not be able to receive answers to her questions in time or be able to receive the documents from the committee that were requested. Furthermore, Legal Counsel would not be able to look through the policies. Mrs. Rupert acknowledged that this needed to be vetted through the Facilities Task Force Committee and thanked staff for doing so, however, it also needed to go through QSEC.

Mrs. Good told staff she appreciated the time they took to meet with the Board. She asked if there were any Board policies that would prohibit the internal committee that was utilized.

Robert P. Vignola, Deputy General Counsel, responded, to use an evaluation committee of the type described, is common and appropriate under the statutes, purchasing policy, and District's policy.

Mrs. Good stated it was important whatever process would be utilized that it was clear and concise. The issue seems to be whether to use QSEC or an internal committee, but if there is any question as to the reason something is being done, the District needs to be protected. The choice of a committee should be one that has the most acceptance by the general public. Although the District does not base its decisions on popular perception, that perception, along with the Bond and moving forward in a successful way, is something that will have to have some balance.

Mrs. Good continued to say the District has gone the extra mile from the beginning to ensure the perception issues have been dealt with appropriately and that everything has been done in the most transparent way possible. If there were ever an issue with staff being questioned, she would prefer the process to go through QSEC. She understood staff was trying to get more detailed in the RFP process through procurement; however, she would be more comfortable if it were done through QSEC, alleviating any questions as to why something was being done.

Mrs. Good emphasized to staff she did not want the minutes from the meetings and did not want to be involved at all with whatever procurement processes have taken place. As one Board Member, she felt it was important that the information would be shared with the Board on the dais publicly once the procurement process has ended. The Board has the opportunity to receive all the information shared at the same time, in which the tabulations are usually part of the record, and she did not want to change that process. Mrs. Good expressed she was proud of the District's policy changes that have been made and what has been done to strengthen the procurement process and ethics policies. The fact that there was a cone of silence issue, it happened, but the question was how to best deal with that moving forward. The process should be something that minimizes the District's risk, as well as the staff's risk, and would have the least bit of challenges. Mrs. Good supported a process that is transparent and professional, which will set the tone as to how the bond will move forward.

Mr. Runcie appreciated the comments and stated there was never an aversion to utilizing the QSEC process but wanted to be clear that it was not some panacea either. The QSEC process was used a short while ago and there were a number of issues, such as the cone of silence and other issues that emerged. He asked staff to look at a structure to move forward and address those issues, and they consulted with the legal and procurement departments as well. This was a process that has been used throughout the District for professional services and it was leveraged for that reason. It was absolutely within the District's policies.

Mr. Runcie recognized the nature of the comments he was sure a process could be worked out where this item would be brought through QSEC. He reiterated and wanted to make very clear, the process staff followed was consistent with policy in moving this forward. The District has no control when a vendor calls an employee and that employee picks up the phone and has a conversation with them, rather than telling the vendor they cannot talk about anything. Once that issue was brought to his attention, he immediately contacted the Chief of Staff and asked for an investigation to be done so he would have a clear understanding whether or not it was a cone of silence violation. Once the investigation was completed, this was the next step. Through this process, it was determined there were other ways to minimize the District's risk during the procurement process, while providing additional controls, especially over costs, into the project structure going forward. This meant it would be a little more work on the District's end and may take more resources to accomplish that; however, in the long run it was the right approach to take. If there is consensus with the Board, they will move forward with QSEC given the interest on this particular item.

Dr. Osgood thanked everyone for their comments. The point was made that everything was done within the parameters what the policies allow. She wanted to go on record that she did not want to be copied on any minutes or anything as it relates to the procurement process. Any time something like this comes up it involves the whole team (District) and it would be to everyone's advantage to work together in resolving it as a team. If facts are presented that someone has done something wrong or violated some type of law, there are processes and systems in place to take care of it. Until that takes place, everyone needs to operate in a way that addresses the issue(s), resolve it, and do their best to ensure it does not happen again. Dr. Osgood reminded everyone that Mr. Messier inherited a mess and while steps were being taken to clean it up, there may be things that are missed. She does not feel anyone is trying to do something wrong. If there was a perspective that everyone was a team player and the issue was addressed in that manner, it would allow everyone to move forward. If the perspective was everyone is always hiding something or trying to get away with something, it causes the focus to be on a role that is not constructive or conducive. There are laws, policies, and systems in place to address those things that are not followed. Everyone needs to work in a professional manner and give each other a little grace and a sense of courtesy.

Ms. Murray concurred and stated she was not going to become involved in the procurement process. She said as a result of the Grand Jury session School Board Members from QSEC were removed and School Board Members were removed from the Superintendent's Insurance Advisory Committee. Ms. Murray relied on the Superintendent, staff and legal to handle the issues appropriately under the circumstances.

Mrs. Freedman thanked Mr. Messier for his due diligence, considering the policies, procedures, and consulting with legal counsel and the Superintendent.

Concurring, Mrs. Rich Levinson believes as long as policies are being followed, it should be the discretion of Mr. Messier and Mr. Runcie how they will carry out and execute the program management office services decision. It is the Board's responsibility to ensure they are following policy as they do it. The responsibility of the Board ends there. Mrs. Rich Levinson also expressed no desire in receiving any information beforehand and that it should be presented when it comes to the Board. She believes the strategy spoken about is actually a better strategy than the original one. She likes the idea of costs and program control services not falling under the design and construction service company because there are no checks and balances the way it was going to go out.

Mrs. Rich Levinson stated this was a stronger direction to go and an independent company was needed in looking at the costs and program controls. Mitigating the risk and having this distributed strategy is a much stronger way to go. Mrs. Rich Levinson will leave it to staff and the Superintendent to decide how to move forward with this selection process, provided all policies are being followed.

Mrs. Brinkworth thanked her colleagues and remarked there is a need in the District to be very clear and concise with the processes and to ensure they are within the policies and the law. As previously stated, it is the job of the Superintendent and Mr. Messier to make sure they are doing their job within the policies and within the law, and it is the Board's job to hold them accountable. If the Legal Department has indicated the policies and laws were followed, she will watch to see what happens from this point forward. Perception is very important and it matters how it looks. Everyone needs to be careful when things are brought forward and that they have thought about the processes used and what the perception will be. If that means discussing it ahead of time, then it needs to be discussed ahead of time so there is no chance for someone to say staff went behind the Board's back or went through the back door. That is where the focus should be; being very clear and consistent.

Mrs. Bartleman wanted to add how important it is for staff to work with the Facilities Task Force. Board Members have put their appointees in place to offer advice and act as their watchdogs. The more staff is transparent and works with the Task Force, a lot of these things can be avoided.

Ms. Korn stated this was not applicable to QSEC as QSEC is defined in policy. Therefore, she was not comfortable with this going through QSEC. As previously mentioned, the Board is a policy body. If the Board wants this to go to QSEC, then the policy needs to be changed to say that is applicable here. If the Board goes around policy, they are circumventing themselves. If the Board is uncomfortable going through the procurement process, then change the policy. The Board should not do something outside of policy because they did not like that this particular service was not provided through QSEC. If the Board thinks this is appropriate to QSEC, she believes they need to make a policy change. They should not be giving direction to do something that is outside of policy. If QSEC oversees this, it would be outside of policy. The Board needs to follow policy as it is now or change it. Ms. Korn was very unhappy there was a breach of the cone of silence. When she asked what could be done about the breach, she was told "not much." However, in reading 1100 b., section 12, page three (3), it specifically states if a violation has been committed, a recommended penalty shall be made by the Board, not a committee.

Furthermore, the Board may warn, reprimand, suspend, or prohibit the violator, not the actual entity, from appearing on behalf of any principal, the principal in this case being the vendor, before the Board on any decision-making body under the jurisdiction of the Board for a period of time not to exceed two years. Based on this language, Ms. Korn felt the Board had the ability to take action to prohibit the violator, through a warning, reprimand, suspension, or prohibition, from coming before this body for up to two years. In addition, the Board would impose more severe penalties to individuals previously found to be in violation of this policy. If an individual has breached the cone of silence before, the Board should take action.

Regarding the actual principal, or group itself, Ms. Korn would like the Board to revisit this policy to discuss what parameters they legally have to be able to expand this beyond just the violator to a principal. Ms. Korn requested the Superintendent make a recommendation so the Board could act on pertaining to the violator, after giving reasonable notice to the violator as policy states. She does not ever want an employee indicted or be considered culpable if they receive a phone call. The violator is the lobbyist, principal, or the principal's representative. An employee should never have to feel guilty of something because they received a phone call. The fact that they received a phone and reported it shows they have done the right thing. Ms. Korn stated that ultimately, this is a perception issue and she has not viewed this as anything wrong other than a breach of a cone of silence. Action needs to be taken and direction going forward needs to happen.

Mrs. Good indicated when she previously mentioned the issue regarding QSEC, she also included if there was no prohibition being utilized moving forward. She concurred with the comments made by her colleagues and emphasized the importance that a good discussion should be held between legal and Facilities staff and Mr. Runcie with regard to how this will move forward, issues of perception, and issues of policy. She would be more comfortable with the process that is more transparent and it should not be changed in the midst of what is being done. Mrs. Good also agreed that staff was doing what was best in trying to get the best product. In regards to the legal issue pertaining to a breach of the cone of silence, it is very important. These entities and vendors need to understand that should a breach happen, there are repercussions. Clarification may be needed for vendors that work with the District and have multiple projects who may call for matters not in a cone of silence versus being in a cone of silence. She believes it is paramount that legal is a key partner in what is moving forward.

Mrs. Good stated in moving forward, it will be more of what has already been done and, ultimately, a business decision will be conducted by Mr. Messier and Mr. Runcie, with the Board's input and the Facilities Task Force Committee's input, that will better strengthen whatever the process is. Mrs. Good closed by reiterating she concurred with her colleagues and that everyone wants what is best for the District and the Bond program.

Mrs. Rupert concurred that an employee should never feel bad about coming forward to report something that was irregular. She asked Mr. Carland if everything was okay with Policy 7003 and that there was no conflict.

Mr. Carland responded that he was going to backtrack to find out how and when the opinion was issued. Tom Cooney, Assistant General Counsel, had the discussions between their office and the Facilities Department. He emphasized they work very closely with the Facilities Department on the cone of silence and have provided advice on moving forward. As indicated in his responses to the questions that came forward from the notice, Mr. Carland stated if Policy 7003 did apply, his office would submit a recommendation that moving forward the proposal would go through QSEC. For reasons expressed to the Chair and his understanding of the wording in policy, it did not appear to be a violation. They will certainly backtrack that, involve Mr. Cooney, and work as a team. The problem was someone who was not on staff violated one of the Board's policies and his office has moved forward to address it.

The following individual addressed this item:
Nathalie Lynch-Walsh

A vote was taken on the item.

F. OFFICE OF ACADEMICS

***F-1. Agreement between The School Board of Broward County, Florida and Town of Davie (Approved)**

Approved the continuation agreement between The School Board of Broward County, Florida and Town of Davie. The contract period is April 1, 2015 through March 29, 2018.

Career and technical education high school and adult postsecondary students, 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.

The continuation agreement with Town of Davie will provide McFatter Technical College Emergency Medical Technician students, enrolled in the Broward Fire Academy, on-site/ride time clinical experiences necessary to meet Florida Department of Education mandated student performance standards. This agreement also addresses the requirements of regulatory agencies for students to qualify for certification/licensure examinations upon program completion.

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 Coconut Creek Rehab LLC d/b/a The Health Center of Coconut Creek
(Approved)**

Approved the continuation agreement between The School Board of Broward County, Florida and Coconut Creek Rehab LLC d/b/a The Health Center of Coconut Creek. The contract period is June 30, 2015 through May 31, 2018.

Career and Technical Education High School and Adult postsecondary students, district-wide are enrolled in Health Science Education Programs, participate in clinical learning experiences through contractual agreements with hospitals, nursing homes, and other healthcare related facilities. The agreement with Coconut Creek Rehab LLC /b/a The Health Center of Coconut Creek provides clinical experiences necessary to meet Florida Department of Education mandated student performance standards. This agreement also addresses the requirements of regulatory agencies for students to qualify for certification/licensure examinations upon program completion.

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.

G. OFFICE OF HUMAN RESOURCES

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

Motion was made by Dr. Osgood, seconded by Ms. Murray and carried, to approve 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. (9-0 vote)

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.

There was no discussion on this item.

A vote was taken on the item.

G-2. Personnel Recommendations for Instructional Separation of Employment or Discipline 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 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. (9-0 vote)

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 Probationary Period

There will be no financial impact to the school district.

There was no discussion on this item.

A vote was taken on the item.

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 Mrs. Good 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. 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. (9-0 vote)

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

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

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

Mrs. Rupert appreciated the response from staff to her questions that were emailed prior to the Board meeting, in which she questioned why only two of the nine qualified applicants for Chief Academic Officer were interviewed. She stated the two resumes were very stellar from the two finalists. Her only concern for the person coming forth today was the lack of job stability. Mrs. Rupert further stated if the Board were to move forward with this contract, that it was made clear to the applicant this is to be a long-term contract. In her opinion, this is the most important position in the School Board. Indicating her concern for someone who has moved around in the last couple of years, Mrs. Rupert continued to say that she knew this person was phenomenal but was trying to look after the best interest of the District.

Taking into consideration some of the fabulous people that have worked for the District and then were stolen away, Mrs. Rupert asked staff to discuss during negotiations whether the applicant would be willing to remain in the position for at least three years.

Mrs. Good asked why there were only two applicants interviewed.

Susan Rockelman, Director, Talent Acquisition & Operations, replied when the candidates were screened, those two candidates had more than enough of the performance essential. In the job description, there are several essential performance responsibilities that are needed; both candidates had all of them and screened very high above the other candidates.

When discussing salary, Mrs. Rupert asked why this candidate was at the top of the salary band. Although it is the most important position, she wanted to be sure he was not being over-compensated.

Michael Anderson, Director of Compensation & Human Resource Information Systems, explained the existing salary for the individual being considered was above the top of the range, so the candidate was brought in at the top of the "S" band salary range.

Mrs. Rupert responded that there are many teachers with 30-40 years of experience that certainly deserve to get paid \$180,000, which the District cannot afford. Mrs. Rupert asked if it was comparable to Miami-Dade and Palm Beach district salaries.

Mr. Anderson replied he was not directly involved in the negotiations with the candidate. Based on negotiations to hire that person, it was necessary to go to the top of the range due to the limits of the District's pay structure.

Mrs. Rupert asked who was involved in the negotiations for that salary.

Mr. Runcie replied the salary negotiations were conducted by the former Chief Human Resources Officer, Amanda Bailey, as directed. It was similar to what was done with other positions. This particular candidate was making substantially more than the top of the salary band in this District. In order to attract that person to the district, it was necessary to go to the top of the salary band. Mr. Runcie stated the candidate was making more in a district that was comparable to Broward. Houston Independent School District is the seventh largest district in the country, has approximately the same number of schools, and the level of responsibilities are similar. That was how the salary was determined.

Mrs. Rupert expressed her concern with the salary and would prefer to re-negotiate the salary.

Mrs. Good asked staff to clarify if the individual could go beyond the salary band range.

Mr. Anderson stated people who were not on a contract could not be brought in above the range of the salary band. The highest range of that band is \$185,706. This candidate would not exceed that and would actually be taking a cut in pay from his current salary of \$191,000.

Dr. Osgood commented on the hiring processes and questioned whether the District would be able to attract and keep good people based on the current framework for staff to operate in. People have left the District because they can earn more. Staff operated within the guidelines from policy and responded to inquiries. If the Board disagrees with the salary schedule and it does not appear to be the right framework, the Board should consider changing policy and make the necessary revisions. Dr. Osgood said there needs to be clarity in the practices and structure so staff can operate within those parameters. In this case, Dr. Osgood believes staff operated within the parameters. She commended staff for their efforts through this process.

Mrs. Rich Levinson pointed out that this was one of the most difficult positions to fill in any of the large urban districts and commended Mr. Runcie for getting a man of this experience to join this team. The processes set in place were followed and it was within the salary range. Top dollar has to be paid to attract a Chief Academic Officer to a district. In addition, Mrs. Rich Levinson believes this position is the second most important position after the Superintendent, if not equally as important. She welcomed Daniel Gohl to this District and looks forward to him continuing to move this District in a positive direction.

Mrs. Bartleman thanked Brian Kingsley, Acting Chief Academic Officer, for stepping up to the plate to fill this position in the interim and commended him for doing an excellent job.

Mrs. Freedman thanked Mr. Runcie for going out and looking across the nation for what Broward County truly deserves and what the children deserve. Based on the two applicants, their resumes were both stellar and she was happy to see that the children would have the opportunity to take advantage of individuals who have a wealth of information in this District. Having a business of her own, she knows how important it is to take care of your employees and to attract the best.

When new hires come before the Board and are placed at the top of the salary band, Ms. Korn said it is something that she always questions, and as Board Members, it is appropriate to do so. She concurred that the Chief Academic Officer is as important as the Superintendent. Ultimately he will be held accountable in this category more so than anything else he does.

Ms. Korn further stated if he has been empowered with a salary band for this amount, she will support him if that is what attracted this individual. She also concurs to the point that he will have longevity with the District, which is so critical not only for people but for direction. Ms. Korn wished welcomed Mr. Gohl to the district and Mr. Runcie's team.

Mr. Runcie agreed, stating that he is trying to build a team for the long-term. He shared Mr. Gohl has family and roots in the tri-county area, which is a huge plus. He has a wealth of experience across a number of districts and spent 11 years in the Austin Independent School District, seven years in the District of Columbia, three years in Newark, and a year or two in Houston. Mr. Runcie said he concurred with everyone that this is a very critical role for this District, which is why almost a year was spent trying to identify the right candidate for this position. Mr. Gohl possesses a combination of instructional expertise, technology fluency, has been involved in a lot of innovation in districts, and brings a lot of wealth and experience to be able to connect with and serve students and families in this county.

Mr. Runcie further stated he really appreciated and truly enjoyed working with Mr. Kingsley who has been outstanding. He thanked Mr. Kingsley for agreeing to serve as Acting Chief Academic Officer for the past several months. Mr. Runcie acknowledged it was very challenging for Mr. Kingsley because his position was not back-filled, so he tried to cover things on both ends and appreciates his commitment and effort. Mr. Runcie looks forward to Mr. Kingsley and Mr. Gohl working together as a great team with the rest of the District to move this District forward.

Mrs. Good commented how Mr. Kingsley always introduced himself as the "proud" Acting Chief Academic Officer. Mrs. Good thanked him for taking on this challenge and thought he did a magnificent job, while empowering those around him. She has seen him in the field working diligently and wanted to personally thank him. Mrs. Good concurred that this position is as critical as can be with regard to the District's academic successes and moving this District forward. Mrs. Good also thanked the Superintendent for his due diligence.

The following individual addressed this item:

Rhonda Ward

Following a vote on the item, Board Members Ms. Korn, Mrs. Bartleman, Mrs. Freedman, Ms. Murray, and Mrs. Rupert recognized and congratulated newly appointed District employees.

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

Motion was made by Dr. Osgood, seconded by Mrs. Rupert and carried, to approve the personnel recommendations for separation of employment 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. (9-0 vote)

The Personnel Recommendations include the following items:

Non-Instructional (Non-Managerial) Resignation(s)/Retirement(s)
Non-Instructional (Non-Managerial) 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 school district.

Mrs. Rupert inquired whether there was a discrepancy or different rules for administrators than there are for teachers, or if they all fall under the same set of discipline rules. She stated this person is receiving a three-day suspension but in another item (I-2), they are receiving a 10-day suspension. She would like to have clarity in the future when this is discussed at a workshop. Mrs. Rupert felt the three-day suspension for this incidence was a little light, compared to a similar incidence that received a 10-day suspension.

Mrs. Rockelman replied there were not two different sets of rules. Everyone falls under the same set of rules; however, teachers have a collective bargaining unit agreement, whereas principals have a meet and confer group. When it comes to progressive discipline, the same rules are followed.

Mrs. Rupert thanked staff for clarification.

Mrs. Bartleman acknowledge the retirement of Ann Dilgen, who has been a long-time employee in the District, and wished her happiness, success, and good health on behalf of the Board.

The following individuals addressed this item:

Barry Lazarus
Rhonda Ward
Nathalie Lynch-Walsh

A vote was taken on the item.

***G-5. Supplemental Pay Positions List 13**

(Approved)

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

Employees are recommended for supplemental pay positions by Principal or Department Supervisor 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.

Individual 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

H-1. BID PROTEST - Life Insurance Company of the Southwest, Petitioner vs. The School Board of Broward County, Florida, Respondent; and AXA Equitable Life Insurance Company, Intervenor, Case No. 14-3549BID, DOAH

(Approved)

Motion was made by Mrs. Rupert, seconded by Mrs. Good and carried, to (1) Consider the Recommended Order, rendered on December 31, 2014 by Darren A. Schwartz, Administrative Law Judge, in the matter of Life Insurance Company of the Southwest, Petitioner, vs. The School Board of Broward County, Florida, Respondent, and AXA Equitable Life Insurance Company, Intervenor, Case No. 14-3549BID, before the State of Florida Division of Administrative Hearings; (2) Consider the Stipulated Motion for Agreed Final Order; and (3) Render the Agreed Final Order. Dr. Osgood was absent for the vote. (8-0 vote)

This matter concerns a bid protest arising from an intended award of RFP 15-010P - 403(b)/457(b) Program for School Board Employees ("RFP").

See Supporting Docs for continuation of Summary Explanation and Background.

There is no financial impact to the district.

Items E-4 and H-1 were discussed concurrently.

There was no discussion on this item.

A vote was taken on the item.

I. OFFICE OF THE SUPERINTENDENT

***I-1. The School Board of Broward County, Florida 2015-2016 Personnel Calendars, Year-Round Calendars, and Summer Term Calendar for Community and Technical Colleges (Approved)**

Approved The School Board of Broward County, Florida 2015-2016 Schools & Administrative Offices Calendar, Personnel Work Day Summary, 208 (A-D) Work Calendars, Year-Round Calendars, and Summer Term Calendar for Community Schools and Technical College.

See Supporting Docs for continuation of Summary Explanation and Background.

There is no financial impact to the district.

I-2. Broward County School Board vs. Datty McKenzie (Adopted)

Motion was made by Mrs. Good, seconded by Dr. Osgood and carried, to adopt the Recommended Order, rendered on January 8, 2015, by Darren A. Schwartz, Administrative Law Judge, in the matter of Broward County School Board vs. Datty McKenzie, Case No. 14-3509TTS, before the State of Florida Division of Administrative Hearings and enter the proposed final order. Mrs. Rich Levinson was absent for the vote. (8-0 vote)

See Supporting Docs for continuation of Summary Explanation and Background.

There is no financial impact to the district.

Mrs. Rupert spoke about progressive discipline for teachers, as well as assistant principals. She understands the severity of this item and asked if that was why progressive discipline was not used in this case. She did not see any backup for any previous incidents.

Tria Lawton-Russell, Administrative Counsel, replied they did look at progressive discipline. The 10-day suspension was based on the severity of the facts, the age of the children, the location, and the physical dangers they were susceptible to during the Swim Central field trip. Those were the issues that lead to the suspension.

Mrs. Rupert said the reason she brought that up was because of the other item that involved an AP with older children and felt there was a disparity between the two. She did agree with the action taken.

A vote was taken on the item.

***I-3. Petition Formal Proceedings M.V.**

(Received)

Received the Petition for Formal proceedings submitted by the Superintendent and suspend the teacher, M.V., without pay for five (5) days.

See Supporting Docs for continuation of Summary Explanation and Background.

There is no financial impact to the district.

J. OFFICE OF FACILITIES & CONSTRUCTION

J-1. Approve Authorization to Advertise for Bids Coral Springs Middle School Fire Sprinkler Protection Building 1 Project No. P.000441

(Approved)

Motion was made by Mrs. Rupert, seconded by Mrs. Bartleman and carried, to approve the Authorization to Advertise for Bids, Coral Springs Middle School, Fire Sprinkler Protection, Building 1, Project No. P.000441. Mrs. Rich Levinson was absent for the vote. (8-0 vote)

Project Consultant: ACAI Associates, Inc.

Scope of Work: Furnish and install fire sprinkler system at Coral Springs Middle School, Building 1. In addition, the scope also includes the extension of existing walls to create fire/smoke barriers, added smoke detectors, and smoke dampers that will be tied into the existing fire alarm system.

Budget: \$1,729,886

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There is no financial impact at this time, since the item is seeking approval to advertise for bids. The approved budget for this project is \$1,729,886. The source of these funds is identified in the Adopted District Educational Facilities Plan, Fiscal Years 2014-2015, page 41.

Mrs. Rupert inquired when the advertisement to bid was approved, would it not come back to the Board to ensure the letter of intent to permit was obtained. Also, was there any thought for staff to possibly hold off since they thought it would be a very short order to get this letter in a short amount of time. She stated her question was the same for this item and J-2.

Mr. Messier replied it would not be brought back just for that reason, however, it would be brought back for award. The Board would have to approve the award as a result of the procurement.

Mrs. Rupert asked if it would give the District a second chance or allow staff to delay until the letter arrives.

Mr. Messier answered yes. For these two items there would not be a letter of intent for a design/build project to permit when going out for bid because the design is incomplete. Anything that is design-bid-build, he will not permit it to go out for bid without the letter of intent to permit. Mr. Messier also added, in meeting with building departments they are working on a pre-permit review so when they first start a project as part of the project charter, they have builders go through and identify the things that need to be looked at, even before they start the design.

A vote was taken on the item.

J-2. Approve Authorization to Advertise for Bids Boyd Anderson High School Media Center Renovations Project No. P.001360 (Approved)

Motion was made by Mrs. Rupert, seconded by Mrs. Good and carried, to approve the Authorization to Advertise for Bids, Boyd Anderson High School, Media Center Renovations, Project No. P.001360. Mrs. Rich Levinson was absent for the vote. (8-0 vote)

Project Consultant: M.C. Harry and Associates, Inc.

Scope of Work: Renovation of the existing Media Center including select demolition, removal of existing interior stair, new interior wall layout, finishes, and minor HVAC, plumbing, and electrical work.

Budget: \$2,028,855

There is no financial impact at this time, since the item is seeking approval to advertise for bids. The approved budget for this project is \$2,028,855. The source of these funds is identified in the Adopted District Educational Facilities Plan, Fiscal Years 2014-2015, page 33.

There was no discussion on this item.

J-3. Extend Open End Professional Services Agreement CES Consultants, Inc. Structural Engineering Services (Approved)

Motion was made by Mrs. Rupert, seconded by Mrs. Good and carried, to approve the one-year extension to the Open End Professional Services Agreement for CES Consultants, Inc., for Structural Engineering Services. This Agreement has an expiration date of April 16, 2015 for the base three year Open End Agreement. Ms. Murray was absent for the vote. (8-0 vote)

The original contract date, amount and term are included in Exhibit 1. A recommendation is being made to extend the Agreement by one (1) year from 4/16/15 to 4/15/16.

This is a three (3) year Open End Agreement with a not to exceed amount of \$2,000,000. The agreement may be extended for one (1) year and/or \$300,000 utilizing the provision for extension in the existing agreement. This item authorizes the Chief Facilities Officer to award work up to the contract limit of \$2,000,000 without subsequent Board approval.

See Supporting Docs for continuation of Summary Explanation and Background.

There is no financial impact to this item, since this item is seeking approval of a one-year extension only. Funding is allocated under each individual project that may utilize this service.

Requesting an explanation, Mrs. Rupert stated this authorizes the Chief Facilities Officer to award work up to the contract limit of \$2,000,000 without subsequent Board approval.

Mr. Messier explained these are termed open-ended service agreements and staff is asking permission for a one-year extension, which is part of the contract. The reason for these in particular is for every project moving forward, they are doing a lot of investigations and would use structural services and what is mentioned in J-4, environmental and civil engineering services. These are small assignments on a project-by-project basis, that may be as small as a couple thousand dollars, or they may be an assignment for professional services up to \$20,000-\$30,000. That is the typical type of assignment that would come out of these and is not a new mechanism used by the District.

Mrs. Rupert asked when this last went out for bid.

Mr. Messier replied in 2012. They are developing on writing a new professional service agreement contract and a new Request for Proposal (RFP) to go out for comprehensive services for all design services. This was a stopgap to help staff ensure they develop thorough documents upfront and is not a long-term solution.

Ms. Korn stated that normally there is some type of a survey process for renewals and asked if any kind of survey was done to get feedback, even though there was a short-term extension.

Mr. Messier remarked he is working with Procurement on the pre-qualification, Policy 7003, along with the Facilities Task Force Committee to write into policy a vendor evaluation process that they could then use to impact vendors' ability to get pre-qualified. It would also have to be formalized.

Ms. Korn asked if that would be for a renewal qualification for the survey or new pre-qualifications.

Mr. Messier stated for new pre-qualifications, they would use references.

Mrs. Korn requested staff to comment on record that to his knowledge there have not been any issues that would present challenges to the District regarding the professional services the District has been receiving.

Mr. Messier advised the Board he was not aware of any issues with the two vendors in this item and J-4. He reiterated this is not their long-term solution and they will go out for solicitation no later than July.

A vote was taken on the item.

J-4. Extend Open End Professional Services Agreement Miller Legg & Associates, Inc. Civil & Environmental Engineering Services (Approved)

Motion was made by Mrs. Rupert, seconded by Dr. Osgood and carried, to approve the one-year extension to the Open End Professional Services Agreement for Miller Legg & Associates, Inc., for Civil & Environmental Engineering Services. This agreement has an expiration date of April 16, 2015 for the base three year Open End Agreement. Ms. Murray was absent for the vote. (8-0 vote)

The original contract date, amount, and term are included in Exhibit 1. A recommendation is being made to extend the Agreement by one (1) year from 4/16/15 to 4/15/16.

This is a three (3) year Open End Agreement with a not to exceed amount of \$2,000,000. The agreement may be extended for one (1) year and/or \$300,000 utilizing the provision for extension in the existing agreement. This item authorizes the Chief Facilities Officer to award work up to the contract limit of \$2,000,000 without subsequent Board approval.

See Supporting Docs for continuation of Summary Explanation and Background.

There is no financial impact to this item, since this item is seeking approval of a one-year extension only. Funding is allocated under each individual project that may utilize this service.

There was no discussion on this item.

A vote was taken on the item.

K. OFFICE OF FINANCIAL MANAGEMENT

K-1. General Fund Amendment as of January 31, 2015 (Approved)

Motion was made by Dr. Osgood, seconded by Mrs. Good and carried, to approve the attached General Fund Amendment as of January 31, 2015. Mrs. Freedman was absent for the vote. (8-0 vote)

General Fund Amendment is submitted to the School Board pursuant to State Board Administrative Rule 6A-1.006. This Amendment is for the purpose of updating the Broward County School District Budget for estimated revenues and appropriation changes in the General Fund. Amendment includes information for the month of January 2015. Mrs. Freedman was absent for the vote. (8-0 vote)

There is no additional financial impact to the district.

Ms. Korn requested staff to share the explanation publicly that she previously asked clarification on, specifically the 39% reduction in reference to the revenue source under the "Other" category (page 1 of 5).

Oleg Gorokhovskiy, Director of Budget, responded the Other State Sources line items have \$2.6 million budgeted from the beginning of the year and that amount is being reduced by \$1 million to \$1.6 million. That particular line covers other revenues, in particular the Virtual School Mitigation Plan revenue that they intended to collect. Last year the state came up with a new plan where the District had to invest \$5 million to hire teachers and to have students continue with the District's own Broward Virtual School. The intent was to generate \$10 million. The District invested \$5 million. As of today, the District generated \$9 million, so the \$1 million that will not be generated is the result of the decrease in this line item.

Ms. Korn said she appreciated staff working on this mid-year. She stated that \$1 million, which was General Fund dollars, was not specific to a program and would not impact a program. The District did not generate as much as it anticipated, but the revenue was more than what was invested.

Mr. Gorokhovsky concurred.

Ms. Korn shared that the impact would be to the General Fund and not the program.

***K-2. Special Revenue (Grants) Amendment as of January 31, 2015
(Approved)**

Approved the attached Special Revenue (Grants) Amendment as of January 31, 2015.

Special Revenue (Grants) Amendment is submitted to the School Board pursuant to State Board Administrative Rule 6A-1.006. This Amendment is for the purpose of updating the Broward County School District Budget for estimated revenues and appropriation changes in the Special Revenue (Grants). Amendment includes information for the month of January 2015.

There is no additional financial impact to the district.

***K-3. Interim Financial Statements for the Period Ended January 31, 2015
(Approved)**

Approved the Interim Financial Statements for the Period Ended January 31, 2015.

Financial Statements are submitted to the School Board pursuant to State Board Administrative Rule 6A-1.008. As of January 2015, the fund balance as a percentage of projected revenues was 4.18% and fund balance, excluding Charter Schools revenues, was 4.87%.

There is no financial impact to the district.

L. OFFICE OF PORTFOLIO SERVICES

***L-1. Reciprocal Use Agreement between The School Board of Broward County, Florida and the City of Pembroke Pines
(Approved)**

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

The current Reciprocal Use Agreement (RUA) between The School Board of Broward County, Florida (SBBC) and the City of Pembroke Pines was entered into on August 24, 2010. The Agreement is scheduled to expire on August 23, 2015.

This RUA contains prior School Board approved solutions to issues (such as the District's implementation of its Four-Day Summer Work Week and the potential resultant increase in facility costs and energy cost) certain municipalities raised a few years ago regarding their utilization of the District's school facilities. The City has indicated its desire to renew the RUA with the SBBC, and has reviewed the RUA.

This Agreement has been reviewed and approved as to form and legal content by the Office of the General Counsel, and upon approval by the SBBC, the City will execute the Agreement.

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

***L-2. Donation Agreement between The School Board of Broward County, Florida and the Tiny Tots Academy, Inc. (Approved)**

Approved the Donation Agreement between The School Board of Broward County, Florida (SBBC) and the Tiny Tots Academy, Inc.

In the past few years, the School District commenced a comprehensive process to dispose portables that have been deemed unsatisfactory, and since then, the District has demolished numerous portables. Subsequently, SBBC on December 9, 2014 declared one hundred thirty three (133) portables as surplus due to their obsolete condition, or the continued use of which is uneconomical, inefficient, or which serves no useful function; and as a component of the disposition process, the District established a procedure whereby entities interested in acquiring any of the portables may do so via a donation agreement with SBBC and at their own expense.

See Supporting Docs for continuation of Summary Explanation and Background.

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

OPEN ITEMS

AA. RESOLUTIONS

BB. BOARD MEMBERS

CC. BOARD POLICIES

CC-1. Revised Job Description for the Community Liaison Position

(Approved)

Motion was made by Dr. Osgood, seconded by Mrs. Good and carried, to approve the revised job description for the Community Liaison Position. This is the first reading. Mrs. Rupert was absent for the vote. (8-0 vote)

This job description is being revised to update the education requirement(s) to include the acceptance of "Special Diplomas." This change is requested given that there are several individuals within the District with Special Diplomas who are capable of performing the essential functions associated with the job and do not have career path progression. Any vacant positions in accordance to this job description will follow standard advertising or selection process.

The job description was publicized for rule adoption in compliance with Florida Statutes on Saturday, February 28, 2015. 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 additional financial impact to the district. The revision to the job description does not impact the hourly rate assigned to the positions within the BTU-ESP Salary Schedule.

Items CC-1 and CC-2 were discussed concurrently.

Louis Ruccolo, Transition Supervisor, Exceptional Student Education, spoke about working with students with disabilities and creating jobs for these students. In the past three years, he and his team, along with the technical center programs, have placed over 1,000 students with disabilities into paid employment and 350 students have been placed in paid employment as of the beginning of February. Most of the students do not have diplomas and are working in hundreds of local businesses and/or receiving training in community-based programs. Mr. Ruccolo addressed the issue of "Special" diplomas received by students that were not honored in job descriptions and prevented students from acquiring jobs within the District. This job description has been revised to be more inclusive for students who have received a Special diploma and will include language so those applicants can now apply for a job within the District.

Mrs. Bartleman thanked Mr. Ruccolo for his leadership. Noting that Mr. Ruccolo is well-respected within the community for continuing to push for this program, Mrs. Bartleman stated that Mr. Ruccolo is helping the District move in the right direction and there will no longer be a question of the Special diplomas being just a piece of paper that blocks students from acquiring jobs. Employers will now be able to see the students in the District that have been hired and what they are doing instead of having to visit a local business. Mrs. Bartleman also thanked Mr. Runcie for his support. After audience input, Mrs. Bartleman stated the programs Mr. Ruccolo has set up have been recognized at the state level. He has done a great job and this should be a happy moment. She will not stand by and allow someone to verbally assault an employee who has done a great job. If someone feels there are issues that need to be addressed, they need to be taken to the new Chief Academic Officer. She told Mr. Ruccolo he has done a great job.

The following individual addressed this item:

Rhonda Ward

Mrs. Bartleman stated the programs Mr. Ruccolo has set up have been recognized at the state level. If someone feels there are issues that need to be addressed, they need to be discussed with the new Chief Academic Officer.

CC-2. Revised Job Description for the General Clerk I Position (Approved)

Motion was made by Dr. Osgood, seconded by Mrs. Rupert and carried, to approve the revised job description for the General Clerk I Position. This is the first reading. Mrs. Rupert was absent for the vote. (8-0 vote)

This job description is being revised to update the education requirement(s) to include the acceptance of "Special Diplomas." This change is requested given that there are several individuals within the District with Special Diplomas who are capable of performing the essential functions associated with the job and do not have career path progression. Any vacant positions in accordance to this job description will follow standard advertising or selection process.

The job description was publicized for rule adoption in compliance with Florida Statutes on Saturday, February 28, 2015. 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 additional financial impact to the district. The revision to the job description does not impact the hourly rate assigned to the positions within the Federation of Public Employees (FOPE) Salary Schedule.

Items CC-1 and CC-2 were discussed concurrently.

The following individual addressed this item:

Rhonda Ward

DD. OFFICE OF THE CHIEF AUDITOR

EE. OFFICE OF STRATEGY & OPERATIONS

EE-1. 2015-2016 Opening & Closing School Times (Regular Term) (Approved)

Motion was made by Mrs. Rupert, seconded by Dr. Osgood and carried, to approve the 2015-2016 Opening & Closing School Times (Regular Term). (9-0 vote)

School times are scheduled to open and close at times that will best utilize existing resources to provide required student transportation services and compensate for student and program growth. The 2015-2016 opening and closing school time changes reflect small time adjustments proposed to improve the quality and level of service being provided by alleviating late arrivals and improving routing efficiencies. Student Transportation & Fleet Services has incorporated the use of new tools and technology to monitor to and from school performance.

School times are scheduled to minimize operational costs to the district.

There was no discussion on this item.

EE-2. Transportation Agreements for City and Non-Profit Organization Recreation Programs (Approved)

Motion was made by Mrs. Rupert, seconded by Mrs. Good and carried, to approve agreements between The School Board of Broward County, Florida, and the City of Lauderdale Lakes, the City of Plantation, the non-profit organizations of After School Programs, Inc., New Horizon Community Development Corporation, Inc., and the YMCA of Broward County, Florida, Inc., to provide school bus transportation for recreational programs for the period of one year. (9-0 vote)

The transportation agreements allow the cities and non-profit organizations to utilize District school buses for city/organizational sponsored recreation programs and events that are dependent on transportation. City/organization sponsored recreation programs provide a valuable service to their respective communities.

Transportation services will be provided during the times school buses are not being utilized for service to Broward County Public Schools. The City of Lauderdale Lakes, the City of Plantation, the non-profit organizations of After School Programs, Inc., New Horizon Community Development Corporation, Inc., and the YMCA of Broward County, Florida, Inc., will reimburse the District for the full cost of this service at the approved reimbursement rate. This reimbursement rate fully covers the costs incurred by the District.

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

The cities and non-profit organizations will reimburse the District for the cost of this service at the current approved reimbursement rate of \$70 per hour.

Mrs. Levinson inquired if this item, which talks about the recovery costs being fully recovered by the District, is the same schedule used for the past few years.

Pat Snell, Director, Student Transportation & Fleet Services, replied yes.

Mrs. Levinson asked if there was a reason why salary increases were not reflected in the costs.

Ms. Snell responded they are working on determining if they need to adjust the costs down or up because they have saved money in the department. No decisions have been made; they are still running the numbers.

Mrs. Levinson questioned if Ms. Snell was confident with what has happened on both ends and that this is covering the costs.

Ms. Snell confirmed, absolutely.

Mrs. Levinson encouraged Ms. Snell to go through that as well because, when the Board looks at the costs in Transportation, they still see the salary increases affect the total, regardless, and suggested putting the information in to cover it.

Ms. Korn asked staff to submit a memorandum to the Board after the review has been completed.

Ms. Murray thanked Transportation Department for the efficiency, consideration, and sensitivity pertaining to the the bell times. Last year, there were some serious issues at some of the schools and staff has worked out the situations to be satisfactory for all the parents. She commended the good work going on in Transportation.

The following individual addressed this item:

Rhonda Ward

A vote was taken on the item.

EE-3. Bid Recommendation of \$500,000 or Greater - 15-087T - Refuse Services (POSTPONED 02/18/15 RSBM) (Not Approved)

Motion was made by Mrs. Rupert, seconded by Dr. Osgood, to approve the recommendation to award for the above contract. Contract Term: February 19, 2015, through February 28, 2018, 3 Years; User Department: Physical Plant Operations, Environmental Conservation/Utility Management; Award Amount: \$1,515,000; Vendors Awarded: Progressive Waste Solutions of Florida, Inc. (Primary Vendor); Republic Services of Florida; Limited Partnership (First Alternate Vendor); and Waste Management Inc. of Florida (Second Alternate Vendor); M/WBE Vendor(s): None. (0-9 vote)

The School Board of Broward County, Florida (SBBC) received eight (8) bids for Bid 15-087T - Refuse Services. The bidders were: Great Waste and Recycling Service, LLC; A.J. Panzarella, LLC; Progressive Waste Solutions of Florida, Inc.; Republic Services of Florida, Limited Partnership; Southern Waste Systems, LLC; Sunshine Recycling Services of S.W. Florida, LLC; Waste Management Inc. of Florida; and Waste Pro of Florida, Inc. This Bid will be used to provide refuse services for the cities of Fort Lauderdale, Dania, and Hollywood. The remainder of the cities within the county have sole source refuse franchises.

A copy of the bid documents are available online at:
[http://www.broward.k12.fl.us/supply/docs/contracts/15-087T Refuse Services.pdf](http://www.broward.k12.fl.us/supply/docs/contracts/15-087T%20Refuse%20Services.pdf).

The estimated financial impact will be approximately \$1,515,000 over a three (3) year period; funds that have already been budgeted and will be managed by the PPO Environmental Conservation/Utility Management Department. The financial impact amount represents an estimated contract value; however, the amount authorized will not exceed the bid award amount.

There was no discussion on this item.

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EE-4. Bid Recommendation of \$500,000 or Greater - Bid 15-101V - Fresh Produce for Cafeteria (Approved)
(See Item E-3)

Motion was made by Mrs. Rupert, seconded by Mrs. Good and carried, to approve the recommendation to award for the above contract. Contract Term: April 18, 2015, through July 31, 2018, 3 Years, 3 Months; User Department: Food and Nutrition Services; Award Amount: \$26,220,000; Vendors Awarded: Mac Edwards Produce & Company, Inc. (Primary Vendor) and The Produce Connection, Inc. (Alternate Vendor); M/WBE Vendor: Mac Edwards Produce & Company. Mrs. Bartleman and Dr. Osgood were absent for the vote. (7-0 vote)

The School Board of Broward County, Florida, received two (2) bids for 15-101V - Fresh Produce for Cafeterias. This Bid provides fresh produce to school cafeterias that include, but are not limited to, apples, bananas, carrots, corn, cucumbers, romaine and iceberg lettuce, melons, Florida and California oranges, pears, peppers, pineapples, tangerines, and tomatoes.

See Supporting Docs for continuation of Summary Explanation and Background.

A copy of the bid documents are available online at:
[http://www.broward.k12.fl.us/supply/docs/contracts/15-101V - Fresh Produce for Cafeterias.pdf](http://www.broward.k12.fl.us/supply/docs/contracts/15-101V-FreshProduceforCafeterias.pdf).

The estimated financial impact will be \$26,220,000 for three years. The funding for this contract will come from Food and Nutrition Services' Operating Budget. Rebidding this contract resulted in a savings of \$406,750. The financial impact amount represents an estimated contract value; however, the amount authorized will not exceed the estimated award value.

Mrs. Rich Levinson wanted to commend staff on the \$400,000 savings on the new contracts. She stated when the contracts are reviewed, even if the expected amount of bidders do not participate, it is always important to have the original vendor tighten their belt, which seems to have occurred in this situation. Mrs. Rich Levinson thanked staff for going out and redoing this item.

**EE-5. Piggyback Award Recommendation of \$500,000 or Less - 55-065V-
Information Technology Professional Consulting Services (Approved)**

Motion was made by Mrs. Rupert, seconded by Dr. Osgood and carried, to approve the recommendation to award the above contract. Contract Term: March 18, 2015, through March 17, 2016, 1 Year; User Department: Procurement & Warehousing Services; Award Amount: \$250,000; Awarded Vendor(s): Genesis Consulting Partners, LLC; M/WBE: None. (9-0 vote)

This request is for approval to secure professional consulting services to configure the Contract Management Module in SAP to assist the Procurement & Warehousing Services Department to effectively manage contracts.

See Supporting Docs for continuation of Summary Explanation and Background.

A copy of Attachment B is available online at:
<http://www.broward.k12.fl.us/supply/docs/contracts/55-065V-Attachment-B.pdf>.

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 \$250,000. The source of funds to perform the SAP enhancements will come from the general operating budget of the Procurement & Warehousing Services Department. The financial impact amount represents an estimated contract value; however, the amount authorized will not exceed the estimated award value.

Mrs. Rupert stated she compared the job description for Director of Procurement & Supply Management with what was being requested. Her understanding is this item was to help avoid some of the situations that occurred in the past. This falls under the Information & Technology (IT) configuration, but it has everything to do with procurement and the District's contract. The current configuration will not automatically stop issuing purchase orders when the authorization limit is reached; therefore, this means the District would have to go out externally to do this.

Mr. Runcie responded the purpose for this particular item was to implement the policies indicated by the Board regarding purchasing in April 2014, where the process was changed to not allow contracts to go over the amounts authorized by the Board. That made a change in practice on what existed with prior Boards.

Mr. Runcie stated staff has been working on trying to make a change manually, but it is impossible to do so, especially when the systems have safeguards built into them. This proposed item recognizes it needs to be put on as soon as possible, which is what was committed to the Board. In order to do so, it requires a configuration of the contract's management module and SAP system.

Mrs. Rupert conveyed this also had to do with the Director of Procurement & Supply Management when it comes to contracts. She further stated she would support this item; however, in the future she would like to have a workshop pertaining to the job description for the Director of Procurement & Supply Management and to see if \$250,000 should be spent on this particular process. When looking at the Director of Procurement & Supply Management, Mrs. Rupert said part of their essential responsibilities are to coordinate and update the effectiveness of procedures; supervise the preparation of contract, bid items, and other purchases for the School Board agenda; and to prepare monthly quarterly updates to make sure there is no overspending. This job description has not been reviewed since 2004.

Mrs. Rupert stated that she would support the item and understands it is needed going forward, however, she did not want to duplicate the responsibilities of Procurement & Supply Management with an outside company coming into the District. Mrs. Rupert reiterated she would like a future workshop to discuss the job responsibilities for Director of Procurement & Supply Management.

Mr. Runcie added this is absolutely consistent with the responsibilities of the Director of Procurement & Supply Management to ensure there are systems and controls in place to effectively implement the Board's policies. This item is for technology services and to place it in this project is approximately three months in duration. It is not intended to be any replacement of anyone's responsibilities. In fact, it is a support and recognition of what those responsibilities are and putting those structures in place to effectively implement those responsibilities.

Mrs. Rupert disagreed with Mr. Runcie and requested a workshop to update the job description for the Director of Procurement & Supply Management in light of this item going out to bid.

Mrs. Good asked if a Request for Information (RFI) was completed on the piggyback.

Mrs. Crenshaw replied yes.

Mrs. Good stated there were five vendors from the RFI, three of which met the needs of the department. She asked staff for clarification on the decision to go with the piggyback model instead.

Mr. Runcie responded that the standard approach would be to go out and do a traditional procurement process which is to put out an RFP, a process that can take six (6) months or longer. It was made clear to him that the Board wanted the changes made as soon as possible, so staff was directed to find the most expeditious way to do that within the confines of policy. An RFI process was done as the quickest way to get responses and to ensure they were very good, solid ones. He stated staff did not want to see change orders where the work would not be completed on time, so the vendors were invited to look at the system and be very clear what the scope of work entailed. Then the vendors provided staff with pricing and laid out all the detailed deliverables. He asked staff to ensure they would actually be paying for deliverables and not time so the vendors would be paid for work that is actually completed. Quotes were received from two vendors within the range, of which one was selected. This item was to complete the work as quickly as possible.

Mrs. Good inquired if the piggyback process would be for a one-year period.

Mrs. Crenshaw said yes.

Mrs. Good was very pleased this item came before the Board. A district of this size and magnitude needs to have a better system in place that has all the necessary safety measures that will assist not only the individual overseeing the department, but those that work for that individual, and other departments. Mrs. Good stated anytime the District invests in the most appropriate manner, those are dollars that would be spent in the best interest of students and the District. She thinks this a step in the right direction. Mrs. Good requested staff to provide follow-up to the Board through the Superintendent for this one-year period of time, as to how this system functioned, what could be strengthened or done differently, etc. She questioned how staff will be trained to utilize this program.

Mrs. Crenshaw replied part of the scope of work was training from the vendor. They will go into the District's system to ensure staff knows how to set the contracts up, understanding how the alerts work, and it will be hands-on training, one-on-one with each of the procurement agents.

Maurice Woods, Chief Strategy & Operating Officer, added that, in addition to the training, the contract requires significant documentation on existing processes, how processes changed, and what the new processes will be, so they will have that for onboard purposes when they get new staff in the future.

Mrs. Good inquired if this would be utilized for other end-users not part of the procurement department or is it something staff envisions procurement will solely be responsible.

Mr. Woods responded it would be specifically for a procurement feature or functionality. Under the IT Strategic Plan, staff is reviewing SAP from a broader district perspective, but the scope of this work is specifically for the procurement function related to the areas of payment that were previously discussed.

Mrs. Good stated some of the issues that had been raised a while back, have been the end-users and the ability of certain over-spending to occur based on what the Board felt was a threshold of dollars or funding attributable to a particular bid. She wanted to ensure information would be shared with all end-users so they understood this was going to be put in place, and to provide the person in charge of procurement ample opportunity for coming up to standards and understanding this new process. Mrs. Good hopes the amount of time and energy spent discussing the concerns and obstacles was a step in the right direction, would assist the District in further strengthening what is being done, and provide additional resources to the procurement department.

Mr. Runcie explained it was not only about controls; it was about additional management reporting capabilities (i.e., providing early notification when a contract is depleted). That information will be available to other departments, but it would provide management tools in addition to the controls to further the objectives the Board has directed staff to do.

Mrs. Bartleman supports this item and felt hiring an outside company would be the only way at this time to have the module installed. The IT department is currently overwhelmed with projects and would be unable to accomplish this task.

Mr. Runcie remarked this is the most fiscally responsible way to do it. Once the work is done, those resources would be released, thus the reason not to hire staff permanently to do the work.

Dr. Osgood was in agreement on this matter, however, she constantly hears in the media of the overspending and asked Mr. Runcie to comment on that topic.

Mr. Runcie replied the concept of overspending boils down to a change in direction for the better. There was a practice in the past where the spending authority was limited to the budget of a particular department or school. That situation allowed for enterprise-wide contracts, whether for office supplies, computers, or janitorial supplies, so as schools and departments spend, in some cases they would go over the estimated amount for the District-wide contract. Previously the Board said that was okay because what they authorized for departments was the actual limit on the budget. The change that occurred last spring was this Board indicated they wanted two levels of control: to maintain the control at the contract level, so as to not go over the contract, while also, simultaneously, maintaining control on departmental budgets.

Mr. Runcie stated that is the direction the District has been moving and as it continues to make that transition, it has been cleaning up some of the contracts and items that have gone over the contract amount, but stayed within the department and school budget balances authorized by the Board. There is no intentional overspend that is going on in this District. It is a consequence of practices, which has been made clear those practices need to change. In doing so, there has to be sensitivity toward the needs of the schools and District in terms of resources they need to receive in a timely basis in order to be able to function properly.

Dr. Osgood responded that the remarks just made were important to her as a Board Member. When policies in place, the Board wants to follow them and make sure they align with each other. As a Board Member she is fiscally responsible for the District and the practices in the District. It was important to her to get the explanation from Mr. Runcie on record publicly for those who are always questioning the overspending. It is important to have these systems of control in place now before the rollout of the Bond.

Mrs. Brinkworth thanked her colleague on the question of training. She heard the Superintendent state this contract pertains to deliverables, not time. She asked staff if the time given for training (12-16 weeks) would be enough to be completed before the beginning the next school year.

Mrs. Crenshaw stated the contract management module will be completed.

Mrs. Brinkworth noted that the contract states training would be on an "as needed basis" and encouraged staff to ensure everyone in their department receives the training and that it is not a request-type of training. There are multiple departments purchasing off the contracts which has caused an overspend in the past.

Mrs. Brinkworth stated one of the things that will be very important moving forward with this system is the flag at the 25% of budget remaining. She indicated the end-user would not necessarily see those flags, and asked if there would there be any type of forecasting done with those departments to indicate what the spends would be for the upcoming months. It would help staff be proactive knowing beforehand if a department is getting close to the 25% before they place an order.

Mrs. Crenshaw stated they were currently providing quarterly reports to departments on what their balances were on those contracts. It is easier to track from their office since they actually process the requisitions. It will not go through if there is not any money and the department/school would have to be notified.

Mrs. Brinkworth's concern was reaching that threshold and then stop purchasing on that contract. There are needs in the schools and she does not want anyone put in a position where they cannot order. If the system itself cannot address those issues, there has to be a process in procurement that goes above and beyond what the system can do.

Mr. Runcie agreed and said they would put the notification process in place to users of particular contracts. If it is department-specific, such as Facilities, they can always be communicated with directly. When it is District-wide, broad notices would be sent out to everyone and should have leading indicators associated with this work so it could be brought to the Board ahead of time if it is anticipated they may exceed the spend. The task for management is not to guess, but to be as accurate as possible.

Ms. Korn stated the District Chief of Police said there is a management system he was looking at and would like to bring into the District. The Facilities department uses management services to see what they are doing. Ms. Korn opined that bringing in a management company to do what the Board has asked does not require them to look at job description and, therefore, she would not be comfortable requesting a review of a job description.

**EE-6. Bid Recommendation of \$500,000 or Greater - 55-117R - School Buses
(Approved)**

Motion was made by Mrs. Rupert, seconded by Mrs. Good and carried, to approve the recommendation to award for the above contract. Contract Term: March 18, 2015, through December 31, 2015, 9 Months; User Department: Student Transportation and Fleet Services (STFS); Award Amount: \$10,603,000; Vendor(s) Awarded: Florida Transportation Systems, Inc.; LBS South; and Matthews Buses, Inc.; M/WBE Vendor(s): None. Mrs. Bartleman and Dr. Osgood were absent for the vote. (7-0 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 public or governmental agencies. School Districts within the State of Florida utilize the Florida Department of Education bid for the purchase of school buses. This request is for the purchase of ninety-eight (98) school buses. Ninety-five (95) of the buses are for STFS (in accordance with the District's Educational and Facilities Plan, Fiscal Year 2014-15 to 2018-19) and three (3) of the buses are for the technical high schools.

A copy of the Florida Department of Education School Bus Bid #2015-01 is available online at:

[www.fapftflorida.org/schoolBusSpecification/2014-2015%20Pricing%20&%20Ordering%20Guide Final.pdf](http://www.fapftflorida.org/schoolBusSpecification/2014-2015%20Pricing%20&%20Ordering%20Guide%20Final.pdf)

The estimated financial impact will be \$10,603,000. As outlined in the adopted District Educational Facilities Plan, the School Board approved the capital funding on September 23, 2014, in the amount of \$10,300,000. The funding source for the \$303,000 purchase by the technical high schools will be allocated to the Workforce Development Reserve Fund.

There was no discussion on this item.

EE-7. Recommendation for Additional Spending Authority 13-011N - Art Equipment (Approved)

Motion was made by Mrs. Good, seconded by Mrs. Rupert and carried, to approve the recommendation for additional spending authority. Contract Term: September 1, 2012, to August 31, 2015, 3 Years. User Department: Various Locations; Award Amount: \$100,000. Vendors Awarded: C.A.S. Industries, Inc., D/B/A Commercial Art Supply; DGS Educational Products; Dick Blick Company D/B/A Blick Art Materials, Highwater Clays of Florida, Inc; and Schoolhouse Products, Inc. M/WBE Vendors: None. Mrs. Bartleman and Dr. Osgood were absent for the vote. (7-0 vote)

The School Board of Broward County, Florida, approved a bid for art equipment to five (5) vendors: C.A.S. Industries, Inc., D/B/A Commercial Art Supply, DGS Educational Products, Dick Blick Company D/B/A Blick Art Materials; Highwater Clays of Florida, Inc.; and School house Products, Inc. The contract has reached 95% of the spending authority and will require additional funding to continue uninterrupted purchases throughout the term of the contract. Schools and departments utilize the contract for items such as: art tables, kilns, mat cutters, ceramics equipment, and other art equipment needed in art classrooms.

See Supporting Docs for continuation of Summary Explanation and Background.

A copy of the bid documents are available online at:
[http://www.broward.k12.fl.us/supply/docs/contracts/13-011N %20Art %20Equipment.pdf](http://www.broward.k12.fl.us/supply/docs/contracts/13-011N%20Art%20Equipment.pdf).

Bid 13-011N was approved on August 21, 2012, with a spending authority of \$100,000. The current recommendation is to increase the spending authority by \$15,000. Funds for these purchases will come from school and department budgets.

Mrs. Good inquired what the plans were moving forward after the funds are depleted in August.

Mr. Runcie replied he would have to check the terms of the agreement, but the renewal would come to the Board before terminating.

Mrs. Good responded that she was in favor of this but would like the Board to receive follow-up from staff as to what the plans are moving forward. She would like to know what the intentions are, is the District in the mid-way process to put out another bid, and what is being done to deal with the supplies, etc.

Mr. Runcie asked Mr. Woods to follow-up with the requested information.

EE-8. Grant Applications - Post-Submission

(Approved)

Motion was made by Mrs. Rupert, seconded by Mrs. Good and carried, to approve the submission of the following grant applications (Items A - K):
A. College for Every Student Closing the Gap Awards, \$75,000 (requested)
B. Dairy Council of Florida, \$2,500 (awarded) **C.** Exxon/Mobil Educational Alliance Program - Broadview Elementary, \$500 (awarded)
D. Exxon/Mobil Educational Alliance Program - Pembroke Lakes Elementary, \$500 (awarded) **E.** Exxon/Mobil Educational Alliance Program - Peters Elementary, \$500 (awarded). Mrs. Bartleman and Dr. Osgood were absent for the vote. (7-0 vote)

List is continued in the Summary Explanation and Background section below.

F. Exxon/Mobil Educational Alliance Program - Quiet Waters Elementary, \$1,000 (awarded) **G.** Florida Department of Agriculture - Fresh Fruit and Vegetable Program 2015-2016, \$600,000 (requested) **H.** Rathmann Challenge, \$100,000 (requested) **I.** The OCHO Project: Read for a Need, \$1,000 (awarded) **J.** Tree Fund Arboriculture Education Grant Program, \$4,985 (requested) **K.** Whole Kids Foundation, \$2,000 (awarded).

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 Public Schools eAgenda at: <https://webappe.browardschools.com/eagenda/>.

The potential positive financial impact if all projects are awarded is \$787,985 from various sources.

Mrs. Rupert recognized the Exxon/Mobil Educational Alliance Program - Quiet Waters Elementary, (\$1,000) and the Florida Department of Agriculture - Fresh Fruit and Vegetable Program 2015-2016, (\$600,000). Mrs. Rupert recognized several elementary schools in her district who were recipients of the Florida Department of Agriculture Grant: Charles Drew, Cresthaven, Tedder, Sanders Park, and Pompano Beach elementary schools. She added this was a great opportunity for all the schools.

Mrs. Rich Levinson recognized the Rathmann Challenge Grant which seeks support for Student Service's Homeless Education Resource Assistant Team (HEART). She thinks this is very much needed and is happy to see the District move forward. Mrs. Rich Levinson recognized South Planation High as a recipient of the Tree Fund Arboriculture Education Grant, which will provide a wetlands area at the high school campus. She thinks this is fabulous and commends the science teacher, Gustavo Junco, who has been very involved and has accomplished some amazing things.

Ms. Korn acknowledged all those that requested one of these grants and may not have been awarded one. The fact that they took the time to make the request deserves an acknowledgement. She said most of the grants had already been mentioned by her colleagues. Ms. Korn recognized the College for Every Student Closing the Gap Grant request for \$75,000 for Miramar High. She thanked Pamela Carroll, Assistant Principal at the school and District staff.

FF. OFFICE OF ACADEMICS

FF-1. Recommendation for Additional Spending Authority for the Agreements with Thirteen Apprenticeship Agencies (Approved)

Motion was made by Mrs. Rupert, seconded by Dr. Osgood and carried, to approve a higher spending authority of \$1.2 million financed through the Workforce Development Education Fund, to support the increase in apprenticeships for a variety of Building/Construction Trade Programs at Atlantic Technical College. (9-0 vote)

See Supporting Docs for continuation of Requested Action.

The School Board of Broward County, Florida approved a contract for award with thirteen apprenticeship agencies on May 30, 2012, Item FF-2. The contract was awarded for \$2,200,00 per year for 3 years (July 1, 2012 through June 30, 2015). An additional spending authority increase of \$1.2 million is needed to cover increased student enrollment for Atlantic Technical College Apprenticeship Programs.

With the additional request for spending authority of \$1.2 million the estimated financial impact will be \$7,800,000. The source of funds is the Workforce Development Education Fund. The financial impact amount represents an estimated contract value; however, the amount authorized will not exceed the estimated value. There is no additional financial impact to the District.

There was no discussion on this item.

GG. OFFICE OF HUMAN RESOURCES

GG-1. Re-opener of the Collective Bargaining Agreement between The School Board of Broward County, Florida and the Broward Teachers Union-Education Support Professionals (BTU-ESP) effective July 1, 2014 - June 30, 2016 (Adopted)

Motion was made by Mrs. Good, seconded by Mrs. Rupert and carried, to adopt the amendments to the Collective Bargaining Agreement between The School Board of Broward County, Florida and the Broward Teachers Union-Education Support Professionals (BTU-ESP) effective July 1, 2014 through June 30, 2016. (9-0 vote)

For the 2014-2015 school year, this Agreement provides a 2.2% salary increase to the salaries of eligible employees covered under the Broward Teachers Union-Education Support Professionals (BTU-ESP) unit, effective July 1, 2014. Beginning in the 2015-2016 school year, employees on a 196 day work calendar who are covered under the BTU-ESP unit, shall return to work on the last teacher's planning day before the students return for the purpose of planning/training.

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

The estimated financial impact for the 2.2% salary increase for eligible employees will generate a total payroll cost of approximately \$1,086,003 for the 2014-2015 school year, including fringe benefits.

Items GG-1 and GG-2 were discussed concurrently.

Mr. Moquin spoke on behalf of Dorothy Davis, Director of Employee & Labor Relations, and Lorenzo Calhoun, Manager of Employee & Labor Relations who were at a conference and asked Mr. Moquin to read a statement regarding GG-1 and GG-2. The statement read, they were pleased to present the ratified and collective bargaining agreements and salary schedules for the Broward Teachers Union-Educational Support Professionals (BTU-ESP) and the Federation of Public Employees (FOPE). The BTU-ESP covers all employees who provide assistance to the District's teachers, classrooms, and students of Broward County Public Schools (BCPS). FOPE covers campus monitors, facilities services, maintenance, security specialists, and transportation groups. The labor team would like to take this opportunity to thank the dedicated cabinet members and their staff and the implementation team for working with them to achieve these tentative agreements. The team would also like to thank the Board for their continuous support and direction, and Mr. Runcie for his leadership and support throughout the bargaining process.

The following individuals addressed this item:

Bernie Kemp, Vice President, (BTU-ESP)
Dan Reynolds, President, (FOPE)
James Silvernale, (FOPE)

**GG-2. Re-Opener of the Collective Bargaining Agreement between The School Board of Broward County, Florida and the Federation of Public Employees (Maintenance, Facilities Service, Transportation, Security Specialists and Campus Monitors) effective July 1, 2014 - June 30, 2016
(Adopted)**

Motion was made by Mrs. Good, seconded by Mrs. Rupert and carried, to adopt the amendments to the Collective Bargaining Agreement between The School Board of Broward County, Florida and the Federation of Public Employees (Maintenance, Facilities Service, Transportation, Security Specialists and Campus Monitors) effective July 1, 2014 through June 30, 2016. (9-0 vote)

For the 2014-2015 school year, this Agreement provides a 2.2% salary increase to the salaries of eligible employees covered under the Federation of Public Employees (Maintenance, Facilities Service, Transportation, Security Specialists and Campus Monitors) effective July 1, 2014.

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

The estimated financial impact for the 2.2% salary increase for eligible employees will generate a total payroll cost of approximately \$3,264,350 for the 2014-2015 school year, including fringe benefits.

Items GG-1 and GG-2 were discussed concurrently.

There was no discussion on this item.

HH. OFFICE OF THE GENERAL COUNSEL

HH-1. Final Acceptance and Settlement Agreement between The School Board of Broward County, Florida, and Lemartec Corporation f/k/a Lemartec Engineering & Construction Corp. (Approved)

Motion was made by Mrs. Rupert, seconded by Dr. Osgood and carried, to approve the Settlement Agreement between The School Board of Broward County, Florida and Lemartec Corporation f/k/a Lemartec Engineering & Construction Corp., and approve the Final Acceptance and Payment for the New Replacement Facility, Project number P.000077 (f.k.a. 0405-99-01) at Lanier-James Educational Center. (9-0 vote)

This Settlement Agreement is the result of extensive efforts to resolve differences regarding a claim asserted by Lemartec Corporation f/k/a Lemartec Engineering & Construction Corp. ("LEMARTEC") pursuant to a Construction Agreement ("Agreement") between Lemartec and The School Board of Broward County, Florida (the "SBBC").

See Supporting Docs for continuation of Summary Explanation and Background.

The total financial impact of this item is \$136,000, which shall come from the Lanier-James Educational Center Project, P.000077.

There was no discussion on this item.

II. OFFICE OF THE SUPERINTENDENT

II-1. 2014-2015 Annual Comprehensive Safety Inspection Reports (Received)

Motion was made by Mrs. Good, seconded by Dr. Osgood and carried, to receive the 2014-2015 Annual Comprehensive Safety Inspection Reports. Mrs. Rupert was absent for the vote. (8-0 vote)

The Department of Education requires that a state certified fire inspector, along with a Department of Education trained safety and casualty inspector, inspect each facility owned or leased within the District. Exhibits 1 and 2 are the corresponding reports for all school board owned public school sites. Exhibit 3 contains the inspection reports for leased or off-campus sites throughout the District. Exhibit 4 contains the inspection reports for charter schools sponsored by the District. The Safety Department conducts joint fire inspections with the local fire departments in Broward County, where schools are located, to maintain compliance with Florida State Statute 1013.12. The fire departments that have participated in our comprehensive inspection program are listed in Exhibit 5. An instruction sheet describing each column of the inspection report is listed in Exhibit 6.

The current general fund and capital projects budgets will address these corrections.

There was no discussion on this item.

II-2. Broward County School Board vs. Randy Corinthian (Approved)

Motion was made by Mrs. Rupert, seconded by Mrs. Good and carried, to approve the Superintendent's settlement of disciplinary action. (9-0 vote)

In order to avoid the uncertainties and expense of further proceedings, the parties reached a settlement agreement, in which, the employee will waive his right to an administrative hearing.

See Supporting Docs for additional information.

The financial impact to the District will be back pay in the amount of approximately \$28,500.00 for the suspension period as set forth in the Agreement.

There was no discussion on this item.

II-3. Broward County School Board vs. Edouard Jean (Adopted)

Motion was made by Mrs. Rupert, seconded by Dr. Osgood and carried, to adopt the Recommended Order, rendered on December 23, 2014, by John Van Laningham, Administrative Law Judge, in the matter of Broward County School Board vs. Edouard Jean, Case No. 14-2214TTS before the State of Florida Division of Administrative Hearings and enter the proposed final order. (9-0 vote)

No exceptions to the Recommended Order were filed. Attached hereto as Exhibit 3 is a Final Order that has been approved as to form and legal content by the Administrative Counsel.

See Supporting Docs for continuation of Summary Explanation and Background.

The financial impact to the district will be approximately \$46,000.00 back pay for the period in which Mr. Jean was suspended without pay.

There was no discussion on this item.

II-4. Florida Atlantic University Cost-Reimbursable Research Agreement #SRJ71, Centers of Excellence in Elementary Teacher Preparation - Collaborative Transformation: Establishing Excellence in Elementary Preparation (CTE3P) Program subcontract (Approved)

Motion was made by Mrs. Rupert, seconded by Dr. Osgood and carried, to approve Florida Atlantic University (FAU) Cost-Reimbursable Research Agreement #SRJ71, Centers of Excellence in Elementary Teacher Preparation - Collaborative Transformation: Establishing Excellence in Elementary Preparation (CTE3P) Program subcontract. (9-0 vote)

FAU's College of Education was awarded a Florida Department of Education Centers for Excellence in Elementary Teacher Preparation grant. Broward County Public Schools (BCPS) is a partner in the design and implementation of the grant.

The School Board of Broward County, Florida's portion of the award is designated to hire a grant facilitator for the duration of the grant and who will coordinate and collaborate on the redesign of FAU's teacher preparation program. The redesign will improve FAU's pre-service elementary teacher training in core subject areas (math, science, social studies, and English language arts/reading). This project will provide better-prepared novice teachers to employing districts.

The Agreement will be effective on the date that the subcontract has been executed by both parties.

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

The positive financial impact to the District for Year One is \$105,933.00. The three-year project is funded through a subcontract from FAU as the fiscal agent for the Florida Department of Education's Race to the Top Fund for Year One and FLDOE Title II, Part A, Teacher and Principal Training and Recruiting Fund for Years Two and Three.

Mrs. Rich Levinson stated there is such a need to coordinate, collaborate, and re-design teacher programs. She commended Talent Development in working with FAU and being forward-thinking and progressive with the re-design in the Establishing Excellence in Elementary Preparation Program. Mrs. Rich Levinson looks forward to having teachers aligned with what is wanted in this District and to move forward in teaching. She thanked staff and looks forward to the results.

Ms. Murray remarked this item was excellent. She would like to have a follow-up to let the Board know what is happening and what the end-product is with the young teachers coming and participating in this program from FAU.

Mr. Runcie agreed and wanted something in place to track those individuals and look at their performance throughout this system. He also would like to ensure the teachers selected into this program are actually the high-achieving ones at FAU. They should be the "cream of the crop" if the District is investing \$105,000, and will be a requirement. The way this was structured, it did not guarantee the individuals would come to Broward County, so he has asked staff to have some type of agreement for these individuals stating if they were selected, they effectively have a contract to teach in this District. Staff could possibly make early offers to them, especially in the areas of STEM (science, technology, engineering, and math). There over 1,400 teaching colleges/ universities in this country and the quality of how they are structured varies greatly.

Mr. Runcie stated it is time for the school districts to work with these universities so they recognize the school districts are actually the customers for them. They need to be developing teachers in a way where they can hit the road running and align with the changes going on in the education system.

Ms. Korn said it is not just about hiring the quantity of teachers needed, but the quality as well. This was exciting to see the District creating a pipeline to help fill those vacancies in a very strategic way. The following individual addressed this item:
Nathalie Lynch-Walsh

JJ. OFFICE OF FACILITIES AND CONSTRUCTION

JJ-1. Change Order #1 Parkway Middle Advanced Roofing, Inc. Roof Replacement Buildings 22 and 24 Project No. P.001617 (Approved)

Motion was made by Mrs. Rupert, seconded by Dr. Osgood and carried, to approve Change Order #1, Parkway Middle, Advanced Roofing, Inc., Roof Replacement Buildings 22 and 24, Project No. P.001617, in the amount of \$27,210, -20- days. (9-0 vote)

Change Order #1, \$27,210, -20- days
Parkway Middle
Advanced Roofing, Inc.
Roof Replacement Buildings 22 and 24
Project No. P.001617

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.

There was no discussion on this item.

JJ-2. Change Order #1 Atlantic Technical College ABC Construction Inc. Front Canopy Replacement Project No. P.001490 (Approved)

Motion was made by Dr. Osgood, seconded by Mrs. Rupert and carried, to approve Change Order #1, Atlantic Technical College, ABC Construction, Inc., Front Canopy Replacement, Project No. P.001490, in the amount of \$16,805, -5- days. (9-0 vote)

Change Order #1, \$16,805, -5- days
Atlantic Technical College
ABC Construction, Inc.
Front Canopy Replacement
Project No. P.001490

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. (9-0 vote)

There was no discussion on this item.

JJ-3. Photovoltaic for Schools Pilot Program Contract with Florida Power & Light (FPL) Driftwood Middle School (Approved)

Motion was made by Mrs. Bartleman, seconded by Mrs. Rupert and carried, to approve the contract between The School Board of Broward County, Florida, and Florida Power & Light (FPL) for the Photovoltaic for Schools Pilot Program at Driftwood Middle School. (9-0 vote)

Florida Power & Light (FPL) will be donating a total of two (2) ten (10) KW photovoltaic systems (solar) over a five (5) year period. FPL has agreed to install a solar array at Driftwood Middle School. FPL will install, own, and maintain each solar system for a period of five (5) years from the in-service date, and will transfer ownership to The School Board of Broward County, Florida, at the end of the five (5) year period.

FPL will provide teacher training and educational materials for each school where the system is installed. FPL will oversee design and construction by engineers and electrical contractors of each system. FPL will provide a five (5) year warranty on each installation.

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 at this time. After the five (5) year period, the District will be responsible for routine maintenance of the solar array.

See Supporting Doc for continuation of Financial Impact.

Items JJ-3 and JJ-4 were discussed concurrently.

Mrs. Rich Levinson thanked Mr. Vader for his part in increasing the number of schools each year that receive donations from FPL. It provides a valuable learning experience for the children.

The following individual addressed this item:

Greg Vader, Account Representative, FPL

JJ-4. Photovoltaic for Schools Pilot Program Contract with Florida Power & Light (FPL) Maplewood Elementary School (Approved)

Motion was made by Mrs. Bartleman, seconded by Mrs. Rupert and carried, to approve the contract between The School Board of Broward County, Florida, and Florida Power & Light (FPL) for the Photovoltaic for Schools Pilot Program at Maplewood Elementary School. (9-0 vote)

Florida Power & Light (FPL) will be donating a total of two (2) ten (10) KW photovoltaic systems (solar) over a five (5) year period. FPL has agreed to install a solar array at Maplewood Elementary School. FPL will install, own, and maintain each solar system for a period of five (5) years from the in-service date, and will transfer ownership to The School Board of Broward County, Florida, at the end of the five (5) year period. FPL will provide teacher training and educational materials for each school where the system is installed. FPL will oversee design and construction by engineers and electrical contractors of each system. FPL will provide a five (5) year warranty on each installation.

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 at this time. After the five (5) year period, the District will be responsible for routine maintenance of the solar array.

See Supporting Doc for continuation of Financial Impact.

Items JJ-3 and JJ-4 were discussed concurrently.

The following individual addressed this item:

Greg Vader, FPL

KK. OFFICE OF FINANCIAL MANAGEMENT

LL. OFFICE OF PORTFOLIO SERVICES

LL-1. License Agreement with the Greater Fort Lauderdale/Broward County Convention Center to Hold the 2015 Teacher Recruitment Fair (Approved)

Motion was made by Dr. Osgood, seconded by Mrs. Rupert and carried, to approved the License Agreement between the Greater Fort Lauderdale/ Broward County Convention Center and The School Board of Broward County, Florida, to hold the 2015 Teacher Recruitment Fair. (9-0 vote)

The School Board of Broward County, Florida, will hold the 2015 Teacher Recruitment Fair at the Greater Fort Lauderdale/Broward County Convention Center on May 29, 2015. The venue will be used on May 28, 2015 for set up of the event.

It is the policy of the Greater Fort Lauderdale/Broward County Convention Center for the operator to execute the agreement last.

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

There is no financial impact to the School District's general fund; however, the total estimated expense of \$12,043.00 will be paid with Title II A grant funds. Therefore, this item does not require a collaboration form from the Capital Budget Department.

There was no discussion on this item.

Following the discussion on Item EE-5, the following Attorney-Client Session commenced at 1:06 p.m.

Attorney-Client Session

““The School Board of Broward County, Florida, will meet in an Attorney-Client Private Session in accordance with Florida Statutes, Section 286.011(8), today, March 17, 2015, beginning at 12:45. 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: Burke Construction Group, Inc. vs. The School Board of Broward County, Florida, Case No. 13-027283, before the Circuit Court of the 17th Judicial Circuit in and for Broward County, Florida.

“The following persons will attend the Attorney-Client Session: Present were: Chair Donna P. Korn, Vice Chair Dr. Rosalind Osgood; Members Robin Bartleman, Heather P. Brinkworth, Abby M. Freedman, Patricia Good, Laurie Rich Levinson; Ann Murray; Nora Rupert; Robert W. Runcie, Superintendent of Schools; Oscar E. Soto, Esq.; Felena Talbott, Esq.; 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 Session concluded and the School Board Meeting reconvened at 1:50 p.m.

Adjournment. This meeting was adjourned at 4:31 p.m.

dvn