

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

June 23, 2020  
Tuesday, 9:30 a.m.

MINUTES OF SPECIAL MEETING

The School Board of Broward County, Florida, met in special session at 9:34 a.m. via electronic communication due to the Coronavirus. Present were: School Board Members Donna P. Korn, Chair; Dr. Rosalind Osgood, Vice Chair; Lori Alhadeff; Robin Bartleman; Heather Brinkworth; Patricia Good; Laurie Rich Levinson; Ann Murray; Nora Rupert; Robert W. Runcie, Superintendent of Schools; and Barbara J. Myrick, Esq.

**Call to Order** The Call to Order was followed by the Pledge of Allegiance to the Flag of the United States of America.

**Moments of Silence** None.

**Added/Changed Items**

• **Item 1** - Additional Information: Life Insurance Company of the Southwest, d/b/a National Life Group vs. Broward County School Board and AXA Equitable Life Insurance Company

**Close Agenda** Upon motion by Mrs. Rupert, seconded by Dr. Osgood and carried, the Agenda was approved and declared closed. (9-0 vote)

**Purpose of Meeting** For The School Board of Broward County, Florida to conduct official business of the District, and any other items the Board deemed necessary.

**Superintendent's Recommendation(s)**

1. **Life Insurance Company of the Southwest, d/b/a National Life Group (LSW) vs. Broward County School Board and AXA Equitable Life Insurance Company (Final Order)**

Motion was made by Mrs. Rupert, seconded by Dr. Osgood and carried, to consider (1) the Recommended Order, rendered on March 24, 2020, by the ALJ in the matter of Life Insurance Company of the Southwest, d/b/a National Life Group, Petitioner, vs. Broward County School Board, Respondent, and AXA Equitable Life Insurance Company, Intervenor, Case No. 19-5140BID; (2) Rule upon the Petitioner's Exceptions and the Response thereto; (3) Rule upon the School Board's Motion to Award Costs; and (4) render a Final Order based upon the actions in numbers (1) through (3) above. Mrs. Rich Levinson and Ms. Murray were absent for the vote. (7-0 vote)

Motion (Carried)

Motion was made by Mrs. Bartleman, seconded by Dr. Osgood and carried, that The School Board modify Paragraph 146 of the Recommended Order to correct the scrivener's errors that (1) typed "RPF 20" instead of "RFP 20"; and (2) typed "Section 5.2 of the RFP" instead of "Section 5.3 of the RFP." Mrs. Rich Levinson and Ms. Murray were absent for the vote. (7-0 vote)

A vote was taken on the Motion.

Second Motion (Carried)

Motion was made by Dr. Osgood, seconded by Mrs. Alhadeff and carried, to reject the Petitioner LSW's Exception to Paragraphs 146 and 147 of the Recommended Order as the findings of fact contained in those paragraphs are supported by competent substantial evidence and as the Conclusions of Law contained in those paragraphs are not ones over which The School Board has substantive jurisdiction nor do they interpret any administrative rules over which The School Board has substantive jurisdiction. Mrs. Rich Levinson and Ms. Murray were absent for the vote. (7-0 vote)

A vote was taken on the Second Motion.

Third Motion (Carried)

Motion was made by Dr. Osgood, seconded by Mrs. Rupert and carried, to award costs in favor of The School Board of Broward County, Florida and against LSW in the amount of \$34,810.92. Mrs. Rich Levinson and Ms. Murray were absent for the vote. (7-0 vote)

Motion to Amend (Carried)

Motion was made by Dr. Osgood, seconded by Mrs. Rupert and carried, to amend language in 3. Suggested Motion as to Cost, of the Respondent SBBC Proposed Rulings on Exceptions, to read as follows: Due to the fact that the costs were used for a useful purpose, there would be an award cost in favor of The School Board of Broward County and against LSW in the amount of \$34,810.92. Mrs. Rich Levinson and Ms. Murray were absent for the vote. (7-0 vote)

A vote was taken on the Third Motion as Amended.

Fourth Motion (Carried)

Motion was made by Dr. Osgood, seconded by Mrs. Alhadeff and carried, to enter a Final Order adopting and incorporating by reference the Recommended Order of the Administrative Law Judge as modified by The School Board to correct two (2) scrivener's errors; dismissing the Formal Written Protest filed by Petitioner Life Insurance Company of The Southwest, d/b/a National Life Group ("LSW"). Mrs. Rich Levinson and Ms. Murray were absent for the vote. (7-0 vote)

A vote was taken on the Fourth Motion.

This case was video-recorded by Broward Educational Communications Network (BECON) and a certified court reporter was also present.

Barbara J. Myrick stated that the Board had completed its obligations and a Final Order would be prepared for the Chair's signature, based upon the Board's ruling.

**Adjournment** This meeting was adjourned at 10:17 a.m.

/dvn