

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

November 9, 2010  
Tuesday, 9:45 a.m.

MINUTES OF REGULAR MEETING

The School Board of Broward County, Florida, met in regular session at 9:51 a.m., Tuesday, November 9, 2010, in the Board Room of the Kathleen C. Wright Administrative Center, 600 Southeast Third Avenue, Fort Lauderdale, Florida. Present were: (Chair Jennifer Leonard Gottlieb was absent); Vice Chair Benjamin J. Williams; Members, Robin Bartleman, Maureen S. Dinnen, Phyllis C. Hope, Ann Murray, Dr. Robert D. Parks, Kevin P. Tynan, Esq., Superintendent James F. Notter, and Edward J. Marko, Esq.

**Call to Order** Mr. Williams, Board Vice-Chair, called the meeting to order and led the Pledge of Allegiance to the Flag of the United States of America.

**Minutes for Approval** Motion was made by Mr. Tynan, seconded by Ms. Dinnen and carried, to approve the official minutes for the following Board Meetings: Mrs. Gottlieb was absent. Ms. Murray and Dr. Parks had not yet assumed their seats on the dais. (5-0 vote)

September 21, 2010 – Regular School Board Meeting  
October 5, 2010 – Regular School Board Meeting

**Close Agenda** Upon motion by Ms. Dinnen, seconded by Mrs. Hope and carried, the Agenda was approved and declared closed. Mrs. Gottlieb was absent. Ms. Murray and Dr. Parks had not yet assumed their seats on the dais. (5-0 vote)

**SPECIAL PRESENTATION**

**Governor's Serve to Preserve Green Schools Award to the School Board**

Dr. Parks informed that the Environmental Stewardship Strategic Plan developed a website which encompasses the entire county and there are "hits" on the website from around the world.

Dr. J.P. Keener, Curriculum Specialist, Secondary Science and Committee Chairman, informed that Dr. Parks developed the Broward Green initiative which has worked to consolidate the district's efforts through a districtwide collaboration that culminated with the Broward Schools Green website: [www.browardschoolsgogreen.com](http://www.browardschoolsgogreen.com). On October 12, 2010, the Governor's Serve to Preserve Green Schools Award was presented to the district for their collaborative efforts, Green initiative and website. Additional details may be found in the award-winning Enviro-News newsletter of the Broward County school district.

Dr. Keener stated that he, Ms. Rebecca Malones, Teacher Trainer, Secondary Science, and Mr. Gary Hines, Vice-Chair, Environmental Resource Manager, accepted the award on behalf of Broward County Schools and presented to the Superintendent and the Board, for innovative commitment to protecting and preserving Florida's resources and a Green learning environment. A \$1,500 cash prize was also awarded for teacher professional development in environmental issues.

Dr. Keener acknowledged the Superintendent's Environmental Technical Advisory Committee (SETAC) for all of their hard work, the compilation of the district programs, and the development of the Live Green, Learn Green website, including: Mr. Hines; Dr. Jeanine M. Gendron, Director of Instructional Technology; Ms. Shelley N. Meloni, Director of Planning and Design; Mr. Rob Jindracek, Manager, Energy Conservation & Utility Management; Mr. Edward Hine, Director of Facility Information Systems; Ms. Angela Coluzzi, Director of Network Integration; Ms. Sally Han, Web Master/Systems Analyst; Dr. Alyce Culpepper, Magnet Coordinator; and Ms. Marsy Smith, Communications.

Recognition was also given to Ms. Pamela Krauss, South Plantation High School, 1<sup>st</sup> Place winner for her environmental programs and winner of the Governor's Award. Gratitude was expressed to Dr. Parks for his continued efforts to make the district a Green district, and to the Superintendent and the School Board for their support.

Dr. Parks also thanked the School Board for their support in this initiative.

Board Members Mrs. Bartleman, Ms. Dinnen, Mrs. Hope, Ms. Murray and Mr. Williams praised Dr. Parks for creating the goals for the Environmental Stewardship in the district's Strategic Plan, and bringing focus to this issue.

### **In the Click Seat Belt Compliance Contest**

Ms. Murray informed that In the Click Seat Belt Compliance contest was held at four high schools: Fort Lauderdale, Stoneman Douglas, Flanagan and Deerfield Beach, beginning on October 6, 2010 and finishing on October 20, 2010. Students were recruited to count the number of cars entering the school parking lot and how many students were wearing their seat belts. The contest was part of a campaign to encourage students to wear seatbelts. Winners included: 1st place (a tie) Flanagan and Fort Lauderdale (each winning \$600); 2nd place, Stoneman Douglas (winning \$400); and 3rd place, Deerfield Beach (winning \$300).

Ms. Tara Kirshner and Mr. Schneider from The Schlossberg Foundation, and Mr. Bob Gordon, Gordon and Donner, P.A., joined the School Board in recognizing winners of the "In the Click" Compliance Contest.

Participating schools and students appeared via video conferencing: Flanagan High School and spokeswoman, Ms. Kecia McAlpine, Teacher; and Fort Lauderdale High School, Dr. Maria Wright, Principal, and Mr. James Yach, Teacher.

Ms. Kirschner thanked the School Board and the Superintendent for their support in the Foundation's initiatives and supporting driver's education, and the sponsors who make it possible for students to receive funds.

## **REPORTS**

### **Facilities Task Force – Charlotte Greenbarg**

Ms. Greenbarg reported that the Task Force met on November 4, 2010, at the Hott facility. Board Member-elect Patricia Good will be appointing Ms. Marilyn Soltanipour to the Task Force. Board Members were encouraged to appoint their representatives as soon as possible.

Mr. Notter was informed about the matrix of the past motions discussed at the August meeting, and the Task Force awaits the responses to all of the points covered by the motions in the matrix from the appropriate respondents.

Ms. Jill Young, Director, School Boundaries, presented an update on the process, the amended Interlocal Agreement approved by the state and key points. Although there are no changes to the boundaries for next year, the Task Force reiterated their position that when the boundary changes are contemplated the cost of transportation must be included. The Task Force noted that relocating portables rather than people would avoid a domino effect in boundary changes. By 2014-15, boundary changes will be needed. Due to the failure of Amendment 8, the Florida School Boards Association will file a lawsuit contesting the fines imposed upon districts for failure to comply 100 percent with requirements of the Class Size Amendment. Further, it was confirmed that 5 percent of impact fees can be used districtwide, while 95 percent must be spent in the zone in which they were collected.

Ms. Greenbarg further reported that Tools for Schools had a good turnout for training on October 29, 2010. Mr. Doug Snyder, Chair, informed the attendees that Sustainable Energy & Environmental Design (SEEDS) has been combined with Energy & Environmental Design. He expressed the hope that one of the Board Members would continue to champion the efforts on this important committee.

The Task Force is still working on the Seminole/Plantation middle schools boundary/choice/transportation issues, and will continue to get updates on whether there is a written resolution connected with the timelines of the evolution of the policy.

Ms. Dinnen stated that the cost of moving the portables should be included in the posting. She stated that it costs thousands of dollars to move portables. In addition, Ms. Dinnen stated that the discussion between Seminole and Plantation is continuing, and a compromise has been worked out in a thorough fashion.

A comprehensive written report was submitted to the Board.

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

Ms. Jusevic and DAC extended appreciation to outgoing Board Members: Mrs. Hope, Dr. Parks and Mr. Tynan for their four years of service to parents and children.

Ms. Jusevic reported that DAC will hold their meeting on Wednesday, November 10, 2010, in the Board room.

Broward County Association of Student Councils and Student Advisor to the Board – Graham Rabinowitsch

Graham reported that over the past two weeks he and Maria have held Speak Up, Speak Out sessions at Deerfield Beach High School, Indian Ridge Middle School, and Gulfstream Middle School. There are concerns about the disparity in enforcement of the Code of Conduct rules related to technology usage during non-instructional time, the age and quality of the technology available for use in the classroom, and with the scheduling changes made last month for class size. Reports on these Speak Up, Speak Out sessions will be sent to the Superintendent and the Board.

Through a partnership between the District and Kids Voting Broward, a mock election was available during the weeks before the General Election for students through Virtual Counselor. In addition to questions from the general election ballot, students were asked to express their opinion on issues selected by the Kids Voting Broward Student Advisory Board. Middle school students would like to see more high school credits offered and hands-on teaching. High school students overwhelmingly supported selecting their core classes and running schools on clean energy and renewable resources. High school students opposed switching from traditional paper copy textbooks to online books. They supported selecting courses online and having healthier options in vending machines. High school students narrowly opposed further condensing the class size population.

The next meeting of the Broward County Association of Students Councils is on Thursday, November 18, 2010, at McArthur High School, 4:30 pm.

Mrs. Hope requested having healthier options in vending machines, and to follow up with the vendors to inquire about the nutritional content of the items and provide the Board a status report of the findings.

Mr. Donnie Carter, Chief Operations Officer, responded that a review was conducted of all vending machines, to place healthy items in the machines. The process involved a meeting between the vendors and principals to review a healthy list of available products that was developed by Food and Nutrition Services. Mr. Carter stated that he will follow up with each vendor to ascertain what the present item assortment and to ascertain whether a follow-up visit is needed to review those items. A status report will be provided to the Board.

## **BOARD MEMBERS**

**Ms. Dinnen** informed that Mr. Fabian Cousteau visited Broward County and engaged with South Plantation High School regarding their Restore the Mangroves project they have been developing. Mr. Cousteau's project, "Plant a Fish" encompasses a restoration of the areas that provide food that fish eat, working with a group of students at Dania Beach at John Lloyd Park and also engaged in a literacy campaign. Mr. Cousteau worked with three schools: Plantation Park Elementary School, New River Middle School, and South Plantation High School. Gratitude was expressed to the Cousteau family and their support of the environment and Broward County schools' projects that engage students.

Ms. Dinnen stated that Stranahan High School and Fort Lauderdale High School are celebrating their homecoming game on Friday, November 12, 2010, at Lockhart Stadium, beginning at 7:00 p.m. A half-time celebration will be held between the 54-year rivalry teams at the half-time show, with former alumni attending. Ms. Dinnen stated this is part of the City of Fort Lauderdale Centennial Celebration event.

Ms. Dinnen informed that a \$5.2 million grant was presented to the district and will be received by Boyd Anderson High School and Plantation High School. The grant will be used to support the drop-out program and the re-entry programs in those schools.

Ms. Dinnen attended the Pro Start Management Summit at Atlantic Technical Center to promote the hotel lodging and management field, with presenters such as Ritz Carlton and other entities throughout the county. It is hopeful that the program will be expanded to four or five other schools so that students can be prepared to work in management businesses as well as other positions in the state's tourism business.

Ms. Dinnen informed that the Florida School Boards Association held its Legislative Committee meetings in October 2010. From November 30, 2010 through December 3, 2010, the Florida School Boards Association and the Florida Association of District School Superintendents will hold a joint meeting in Tampa. Ms. Dinnen stated this is a good opportunity to meet as an educational community and discuss current educational issues.

Ms. Dinnen stated that departing Board Members have made significant contributions, they have moved the meetings along in their own personal manner, and they have kept children as their first priority. She said that she has learned from each Board Member and thanked them for their work, dedication and inspiration.

**Dr. Parks** informed that at the Wellness Committee a limited edition book was presented, Let's Fix Dinner. Every book that is sold, \$4.00 will be given to Habitat for Humanity. This book points out all the ways dinner can bring families closer together. Based on research, students do better in school and there is less stress, and only 9 percent of teenagers who eat frequently with their families do poorly in school.

Dr. Parks discussed his surprise farewell lunch presented by the North Area, with principals and staff presenting accolades, accomplishments, and farewell wishes on his retirement. Dr. Parks thanked the North Area, the School Board and district staff for a great and outstanding 24 years. Special thanks was given to his administrative assistant, Mrs. Marcia Simmons.

**Mrs. Bartleman** stated that Dr. Parks has left a legacy to the district through his work and effort in the Urban Teacher Academy, National Board Certification, Environmental Stewardship, I-Zones, and Health and Wellness. She stated these programs have made a difference in the lives of children and teachers. Mrs. Bartleman extended best wishes to Dr. Parks.

Mrs. Bartleman thanked Mrs. Hope and Mr. Tynan for serving the children of Broward County.

Mrs. Bartleman informed that last week she and staff visited the transition schools, J.P. Taravella and Deerfield Beach high schools. She stated that Taravella has the highest number of ESE students getting employed, and the two schools have embraced this program. She further stated that systemic change can happen; a strategic plan was put in place and kids know skills and are out in the field working. Mrs. Bartleman thanked the principals and the Superintendent for their efforts on this issue.

Mrs. Bartleman discussed the Sarcoma walk and student Rachel Stief who was diagnosed with sarcoma. Rachel participated with hundreds to bring awareness at the Sarcoma Foundation Walk, which was held in Plantation on Sunday, October 24, 2010, at Central Park. The walk, which was attended by every special area teacher and Rachel's K-5 teachers, benefited the Sarcoma Foundation of America, a nonprofit group that advocates increased research to find new and better therapies in which to treat sarcoma patients. Further information can be obtained at [www.cure.sarcoma.org](http://www.cure.sarcoma.org).

Mrs. Bartleman stated that she attended a COOPA organization event at Century Village, Pembroke Pines. The COOPA organization donated \$6,000 to Flanagan High School. She suggested that COOPA be acknowledged at a future Board Meeting for raising money for the band.

Referring to the elementary and secondary Struggling Reader Charts, Mrs. Bartleman requested that the schools be surveyed and ensure that materials for the program are available for the next school year.

Mrs. Bartleman met with Crystal Lake Middle School's PTA, who informed that they have been chosen by NASA, the only middle school in the state of Florida who is going to send an experiment on the Space Shuttle in February 2011.

Mrs. Bartleman attended the annual districtwide training for guidance counselors, which was attended by Mr. Notter. She visited Parkside Elementary's Decade of Dreams event, which included a time capsule and a visit from former 4<sup>th</sup> grader, now a college student, sang the national anthem for the event.

Mr. Tynan stated that approximately one year ago his appointment to the district as School Board Member was a difficult time for the district. He stated the Governor provided him a couple of goals that he wanted him to do, which he thinks he has met, and he thanked Governor Crist for his trust in his abilities to fill a role that needed to be filled. Mr. Tynan said that although he was on the Board for a short time he does have a lot of unfulfilled goals, things that he looked forward to doing if he was given a further opportunity to serve.

Mr. Tynan discussed the budget process and the financial challenges facing the district; suggesting a business advisory committee or blue ribbon committee to help the School Board review the budget.

Mr. Tynan stated that he proposed an independent Ethics Code for the School Board, which resulted in a committee to consider the code that he drafted. He informed that he has been asked to remain and complete that process as a committee member. He stated that the county has an Ethics Code for every governmental entity except the School Board and some individual taxing authorities. Mr. Tynan recommended that the county's ordinance be adopted for the School Board. He informed staff that a high school teacher wants to propose an Advanced Placement level honors Ethics class. He requested a status report of this Ethics course.

Mr. Tynan discussed the process of the district's agenda for Board meetings, suggesting the value of the time spent on resolutions and presentations, committee structure, micromanaging, and a review of term limits for School Board Members. Mr. Tynan said that the Board should give the Superintendent guidance and it is Mr. Notter's responsibility to lead the Board. Mr. Tynan also discussed the public discourse for individuals running for office, and other individuals, stating that debate is usually done in front of children which creates a responsibility to debate respectfully and without interruptions. Mr. Tynan stated it is about the kids the Board Members represent and the taxpayers of this county.

In conclusion, Mr. Tynan thanked everyone for making his job easier during his learning process, and said he appreciated everyone opening their arms and hearts to him, and to allow him to participate and listen to him while he served on the School Board.

Mrs. Hope stated that during her tenure on the School Board she spearheaded the Haitian Relief Effort during the earthquake event, and thanked teachers, parents, and School Board Members and others who helped to raise the district 300 tons of supplies. She stated this showed the love and commitment to the people in this country.

Mrs. Hope spoke of chairing the Census Education Committee, with the county counting more people in this census than in the past. She hosted the first-ever Safety Forum in an effort to make sure that schools stay safe; hosted the first Women and Minority Forum to educate people in the community on how to do business with the Broward County School Board, in an effort to make sure that strong community ties are made.

Mrs. Hope extended best wishes to Mr. Art Rose, Assistant Director, Administration, Central Area Superintendent, who is retiring, and acknowledged his efforts in building 16 schools for Kenya, Africa, with four Broward school students traveling and participating in this event.

Other accomplishments by Mrs. Hope included the mentoring of high school student Katrina Mier (sic); created Math and Science Month; worked with staff to bring over 80 medical professionals into the Broward County school system; fought for non-instructional staff who were laid off; anti-bullying policies and the uniform policy. Mrs. Hope stated that she voted to bring teachers back, attended town hall meetings, homeowners meetings, commission meetings, and other political meetings in order to spread the word about educational issues.

Mrs. Hope discussed the various awards that the district has received, including budget and financial awards, curriculum awards, and receiving the Broad award twice. She received personal awards from the Dolphin Democratic Club, Pat Larkin award for her work with minority builders, Caribbean-American Democratic Club for her work in the community, and the Pastor John White award for outstanding service in the community.

Mrs. Hope remembered several district personnel who passed away during her tenure.

Mrs. Hope stated that she left a voice mail message to Board Member-Elect Laurie Rich Levinson and wished her well as the Board Member representing District 6.

Mrs. Hope's hope for the district is more history, civics and ethnic studies in the school curriculum, as the district is too diverse and children need to be educated on the different backgrounds of individuals. Additionally, she requested that more male teachers be recruited to the school system; and to increase graduation rates.

Mrs. Hope praised her Administrative Assistant Ms. Vinita Pullom. She thanked her colleagues and stated she will miss everyone at the district.

This week's missing child was showcased, Chantrall Hightower, 15 year old female, brown eyes and black hair. Anyone with information please call your local police or the National Center for Missing and Exploited Children.

Ms. Murray expressed accolades to Mrs. Hope, Dr. Parks and Mr. Tynan for their compassion, energy, loyalty and the support they have shown to the children in this county. She stated that their accomplishments will endure long past their presence on the School Board.

Ms. Murray informed her colleagues that Sheridan Vocational Center students are providing on-site training at a courthouse for judges wishing to learn Spanish. Several Broward County judges expressed a desire to directly communicate with Spanish-speaking members of the public who come into their courtrooms.



Ms. Murray stated that Hallandale High School Chargers football team became district champions of District 14-3A, who last had a winning championship since 1985. The city will be holding a special presentation for the team. Team members also became big brothers to 47 at-risk students at Colbert Elementary School.

**Mr. Williams** noted that Mrs. Hope, Dr. Parks and Mr. Tynan have played an important part in the Broward County school district, and the impact has been enormous and has benefited the students. Mr. Williams stated that the entire Board has worked together and has done an outstanding job working together. He further stated that departing Board Members will continue to play an important part in the school district, and the incoming Board Members will work together to further move the district to the next level.

Mr. Williams informed that two Dillard High School students traveled the world, playing their violins in five different countries, each one previously taking the musical program in the Performing Arts.

Mr. Williams relayed his trip to California with the Superintendent, with a Broad Foundation representative conducting a workshop. Mr. Williams stated that the Broad Foundation representative praised the school district for doing an outstanding job with students and the impact that has been made by the Board Members.

#### **Speakers**

Billy Davison  
Rhonda Ward  
Keith Roberts  
Linda Lewis

Referring to the concerns by parent/employee Keith Roberts, concerning an incident at Nova High School when his daughter was assaulted, Mrs. Bartleman requested that staff provide full disclosure of the findings to the Board.

Concurring, Ms. Dinnen requested that a report on the findings be provided to the Board.

**CONSENT AGENDA** Following identification of those items Board Members and members of the public indicated they would like considered separately, motion was made by Ms. Dinnen, seconded by Ms. Murray and carried, to approve the Consent Agenda for the remaining items (**identified by \***). Ms. Murray and Dr. Parks had not yet assumed their seats on the dais. (5-0 vote)

## CONSENT ITEMS

### A. RESOLUTIONS

#### A-1. Resolution in Support of World AIDS Day, December 1, 2010 (Deferred)

Motion was made by Mrs. Bartleman, seconded by Mrs. Hope, to adopt Resolution #11-51, in support of World AIDS Day, December 1, 2010. This motion was superseded by a Motion to Defer (below). Mrs. Gottlieb was absent. (7-0 vote)

Mrs. Hope acknowledged that December 1, 2010 is World Aids Day, to take action to tackle the HIV prejudice, and to protect oneself and others from the transmission of this disease.

The following individual addressed this item:

Mr. Michael Rajner

Mr. Rajner voiced concern over the verbiage of the resolution, stating it is deceiving, especially given the crisis where people are living with HIV/ Aids and attempting to access medications. He informed that currently the state has a wait list of approximately 2,400 people waiting to get HIV medications and Broward County has almost 500 people waiting for access to HIV medications. He requested that the resolution be deferred so that verbiage can address the impact of HIV/ Aids on the local community; how HIV/ Aids education is taught in the district, how to partner with community partners to ensure that more resources that do not cost the School Board are brought in to maximize the impact.

Mr. Rajner thanked the School Board for their commitment to revise the resolution.

Mrs. Hope expressed gratitude to Mr. Rajner for his advocacy and vision.

#### Motion to Defer (Carried)

Motion was made by Ms. Dinnen, seconded by Mr. Hope and carried, to defer the agenda item to the November 23, 2010, Regular Board meeting, and that staff meet with Mr. Rajner to work out accommodating language that will address his concerns. Mrs. Gottlieb was absent. (7-0 vote)

A-2. Resolution in Support of The Day in the Life of a Nurse Program  
(Adopted)

Motion was made by Mrs. Bartleman, seconded by Mr. Tynan and carried, to adopt Resolution #11-52, in support of The Day in the Life of a Nurse Program. Mrs. Gottlieb was absent. (7-0 vote)

Mrs. Bartleman read the resolution for the record.

Mr. John Miracola, Director, Career, Technical, Adult and Community Education, thanked the Board for the resolution on behalf of the Pre-nursing programs, health programs at every high school, and the nursing programs at Blanche Ely High School, Atlantic Technical Center, McFatter Technical Center, and Sheridan Technical Center.

Mr. Miracola introduced representatives from Broward College, Broward Health and Memorial Health Care systems: Ms. Jeanne Siever, Corporate Director of Learning, Broward Health; Ms. Tammy Sanborn, Recruiter, Broward College and Broward Health; and Ms. Suzanne Wong, Memorial Healthcare Systems, who thanked the Board for this opportunity.

Mr. Miracola informed the Board that students at the high school level have three programs. Health Science leads students to nursing or other health occupational programs, with an industry credential to illustrate that they have mastered the competencies and are coming into the health care profession with the skills that the industry is requiring. Broward County School District is one of the few districts in the nation that has a practical nursing program at a high school.

Mr. Miracola stated that the district has an articulation agreement with the tech centers and the college that provides students the ability to transition from one level to the next, starting with credits at the high school level that is articulated to post-secondary programs at the tech centers, and college. Within two years students can begin a Registered Nurse career.

Mr. Williams praised this great opportunity for students.

\*A-3. Resolution in Support of National Family Literacy Day – November 1, 2010  
(Adopted)

Adopted Resolution #11-53, in support of National Family Literacy Day – November 1, 2010.

A-4. Resolution No. 11-54, Certificates of Participation, Series 2010B – Refunding of Certificates of Participation, Series 1997A&B and 2001A&B  
(Adopted)

Motion was made by Mrs. Hope, seconded by Mrs. Bartleman and carried, to adopt Resolution No. 11-54, Certificates of Participation, Series 2010B. Refunding of Certificates of Participation, Series 1997A&B and 2001A&B. Mrs. Gottlieb was absent. (7-0 vote)

Adopt Resolution No. 11-54. The School Board has an opportunity to refinance the remainder of the obligations under the series 1991A-1 lease, and the series 1992A-1 lease by current refunding all of the outstanding series 1997A certificates and all of the outstanding 1997B certificates, and refinancing a portion of the obligations under the series 2001A-1 lease, and the series 2001B-1 lease by current refunding a portion of the outstanding 2001A and 2001B certificates and authorizing execution of a certificate Purchase Contract; approving the negotiated sale of Certificates of Participation, Series 2010B in an aggregate principal amount not exceeding \$300 million and approving the form of the documents in the exhibits section below.

The district will realize approximately \$12 million in present value savings over the remaining life of the issue.

Mr. I. Benjamin Leong, Chief Financial Officer, informed the Board that the item is the refinancing of 1997 series and 2001 series certificates, as during those series the interest rates were high and currently the interest rates are historically the lowest, and the district needs to capture this opportunity for refinancing. Mr. Leong further stated that the maturity date will not be extended, and the refinancing will save the district about \$12 million over the life of the financing and save the district the debt service.

A-5. Recommendation to the Broward County Board of County Commissioners Regarding the Current Student Generation Rates and School Impact Fees Contained in the Broward County Land Development Code (Resolution No. 11-55)  
(Adopted)

Motion was made by Ms. Dinnen, seconded by Ms. Murray and carried, to adopt Resolution No. 11-55, which recommends that the Broward County Board of County Commissioners should amend the Broward County Land Development Code to include recommendations made in the "School Impact Fee Study," dated October 21, 2010. Mrs. Gottlieb was absent. (7-0 vote)

The Amended Interlocal Agreement for Public School Facility Planning (ILA), and School Board Policy 1161, require that an update to the student generation rates and school impact fees shall be conducted by the School Board in coordination with Broward County and the Municipalities at least every three years.

On February 12, 2008, the School Board approved the recommendations contained in the "Student Generation Rate/School Impact Fee Study Phase II, Final Report, December 2007" (Phase II Study), via Resolution No. 08-48, and recommended that the Broward County Board of County Commissioners should amend the Broward County Land Development Code (BCLDC) to include recommendations contained in the Study. Subsequently, the Broward County Board of County Commissioners approved amendment of the BCLDC to include the recommendations and in June 2008, the current student generation rates and school impact fees became effective.

To comply with the provisions of the Amended ILA and School Board Policy 1161, the School Board on April 21, 2009, approved the selection of Duncan Associates to conduct and update the Phase II Study. During the update to the Phase II Study, the School District ensured that the update was coordinated with Broward County and the Municipalities. Additionally, Duncan Associates made power point presentations regarding update of the Phase II Study to the School Board, the Oversight Committee for the implementation of the Amended ILA, the School District's Facilities Task Force, the general public at a workshop that included the development community, the Broward County Planning Council (BCPC), and the Broward League of Cities. Concerns stated during these presentations were as applicable incorporated into the update to the Phase II Study, and the result is the "School Impact Fee Study", dated October 21, 2010, and the Ordinance proposed in Attachment "A".

Therefore, it is recommended that the School Board should approve and transmit Resolution No. 11-55, which recommends that the Broward County Board of County Commissioners should amend the BCLDC to include pertinent recommendations stated on Page 43 of the "School Impact Fee Study", dated October 21, 2010, regarding the updated student generation rates and school impact fees schedules, and similarly, the Proposed School Impact Fee Ordinance Amendments depicted in Attachment "A". It should be noted that the next update to the subject Study will commence no later than three years from the effective adoption date of the recommended updated student generation rates and school impact fees schedules.

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

Mr. Chris Akagbosu, Director, Growth Management, informed that the routine transmittal to the Broward County Commission is a recommendation, or requirement, of the Interlocal Agreement to update the study every three years. He stated that the item has previously been presented at a School Board Workshop.

Mrs. Bartleman thanked staff for providing an informative matrix.

Mr. Thomas Lindner, Deputy Superintendent, Facilities and Construction Management, informed the Board that the county has responded with two questions, which have been provided by district staff, a detailed review of issues that will entail discussion at the county level.

Ms. Dinnen stated she was pleased that the issue is being completed in a more timely fashion than in past years, and the process this year was conducted in a smooth manner. Ms. Dinnen said that the individuals chosen were experienced and knew the state issues very well.

Thanking staff for their accomplishments on this issue, Mrs. Hope stated that it will help many people in her district and it will help minimize disruption in their communities.

**B. BOARD MEMBERS**

**D. OFFICE OF THE CHIEF AUDITOR**

**\*D-1. Audit of the Internal Funds of Selected Schools in the North, Central and South Areas (Received)**

Received Audit of the Internal Funds of Selected Schools in the North, Central and South Areas.

Audited the Internal Funds of the schools listed below for the fiscal years ended June 30, 2009 and 2010, as authorized by the State Board of Education Rule 6A-1.087(2), Florida Administrative Code and School Board Policy 1002.1.

\*Atlantic West Elementary School, \*Coconut Creek Elementary School, \*Coral Park Elementary School, \*Cresthaven Elementary School, \*Crystal Lake Middle School, \*Cypress Elementary School, \*Deerfield Beach High School, \*Eagle Ridge Elementary School, \*Forest Hills Elementary School, Liberty Elementary School, \*Lloyd Estates Elementary School, \*Margate Middle School, \*Palmview Elementary School, \*Pompano Beach Elementary School, \*Pompano Beach High School, \*Ramblewood Elementary School, \*Riverside Elementary School, \*Tradewinds Elementary School, \*Castle Hill Elementary School, Larkdale Elementary School, Lauderdale Manors Elementary School,

\*Martin Luther King Elementary School, \*Mirror Lake Elementary School, \*Parkway Middle School, \*Plantation High School, \*Plantation Middle School, Stranahan High School, \*Virginia S. Young Elementary School, \*Apollo Middle School, \*Collins Elementary School, \*Nob Hill Elementary School, \*Royal Palm Elementary School, Thurgood Marshall Elementary School, \*Bethune Elementary School, Dania Elementary School, \*Hawkes Bluff Elementary School, \*Olsen Middle School, \*West Broward High School

\*Denotes Schools With No Audit Exceptions

The Audit Committee reviewed and approved this report for transmittal to the School Board during the Committee's October 25, 2010 meeting.

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

\*D-2. Internal Property Audit Report – Property and Inventory Audits of Selected Locations 2010-2011 (Received)

Received Internal Property Audit Report – Property and Inventory Audits of Selected Locations 2010-2011.

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

The Audit report represents 34 locations in which a total of 27 locations had no exceptions and 7 locations had exceptions.

The Audit Committee reviewed and approved this report for transmittal to the School Board during the Committee's October 25, 2010 meeting.

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

\*D-3. Carr, Riggs & Ingram, LLC – Review of ADA Projects “Various Americans with Disabilities Act Renovation Projects” and “Mandated DOJ Projects” (Received)

Received Carr, Riggs & Ingram, LLC – Review of ADA Projects “Various Americans with Disabilities Act Renovation Projects” and “Mandated DOJ Projects.”

At the request of the Superintendent and in accordance with the Office of the Chief Auditor's Audit Plan for the 2010-2011 fiscal year, Carr, Riggs & Ingram, LLC, was hired to conduct an agreed-upon procedures engagement for various Americans with Disabilities Act Renovation Projects (ADA) and various Department of Justice Mandated ADA Act Corrections Projects. The report focused on eight ADA projects and three Department of Justice Mandated ADA Act Corrections Projects. The report provided a Schedule of Specific Findings and Recommendations and a Schedule of General Findings and Recommendations.

The report disclosed contract administration and contract compliance issues, such as change orders that were not always accompanied by detailed supporting documentation to properly substantiate the pricing of the change order, significant delays in closing-out projects, delays in creating formal change orders for tax savings on owner direct purchase, possible reimbursement for liquidated damages and inadequate recordkeeping of construction projects. Management provided responses to each audit recommendation. This report is intended to be used as a resource tool for management and staff. The Audit Committee reviewed and approved this report for transmittal to the School Board during the Committee's October 25, 2010 meeting.

The source of funds to perform the Internal Audit Report was the General Fund budget allocation for the Office of the Chief Auditor. The Audit fee charged by Carr, Riggs & Ingram, LLC, for performing the audit was \$25,000.

- D-4. S. Davis & Associates – Independent Current Status on a Review of the Operations of the Office of the General Counsel Issued March 23, 2006, for Updated Period July 1, 2008 through April 15, 2010 (Received)

Motion was made by Mrs. Bartleman, seconded by Mr. Tynan and carried, to receive S. Davis & Associates – Independent Current Status on a Review of the Operations of the Office of the General Counsel Issued March 23, 2006, for Updated Period July 1, 2008 through April 15, 2010. Mrs. Gottlieb was absent. (7-0 vote)

In accordance with the Office of the Chief Auditor's Audit Plan for fiscal year 2010-2011, S. Davis & Associates, P.A., was engaged to perform a Current Status on A Review of the Operations of the Office of the General Counsel issued March 23, 2006. The original report (which can be found on the Office of the Chief Auditor's website) contained ten detailed audit findings/recommendations. This current status report disclosed that eight of the audit findings/recommendations were resolved and two remain partially resolved. The two audit findings/recommendations that are partially resolved relate to the evaluation of the Cadre attorneys and the operations of the General Counsel's office.



The Audit Committee reviewed and approved this report for transmittal to the School Board during the Committee's October 25, 2010 meeting.

The source of funds to perform the Internal Audit Report was the General Fund budget allocation for the Office of the Chief Auditor. The Audit fee charged by S. Davis and Associates, P.A. for performing the audit was \$25,000.

Mr. Williams stated that the item will be tabled pending arrival by staff.

Motion to Table (Carried)

Motion was made by Mrs. Bartleman, seconded by Ms. Dinnen and carried, to table the agenda, pending arrival by staff. (7-0 vote)

Following the action of Agenda Item F-21, the following discussion continued:

Mr. Patrick Reilly, Chief Auditor, Office of the Chief Auditor, informed that a review was made of the General Counsel's office through an outside CPA firm conducted in March 2006 and subsequently a follow-up status was done. Mr. Reilly stated that a review was made regarding a change in identifying legal costs versus legal expenses. In addition, any legal invoices were to be brought forward to the General Counsel before payment.

Discussing the evaluation of the finances in the General Counsel's office, Mr. Tynan requested that a review be made of paid invoices of cadre attorneys that the General Counsel's office has used, and that an additional review be made of financial activities of the Office of General Counsel to the audit plan for next year.

**E. CHIEF OPERATIONS OFFICER**

E-1. TUTOR.COM Learning Suite (Approved)

Motion was made by Mrs. Bartleman, seconded by Mr. Tynan and carried, to approve the Agreement for TUTOR.COM Learning Suite® (TUTOR.COM), which includes the full K-12 Student Center, Live Homework Help® (one-to-one tutoring), Proofpoint™; real-time writing help, and 24/7 access to the SkillsCenter™ Resource School. Mrs. Gottlieb was absent. Mrs. Bartleman voted "no." (6-1 vote)

TUTOR.COM is an online classroom that features text chat, a real-time interactive whiteboard, and other tools that make for a robust educational experience online. Students connect to a TUTOR.COM tutor for a one-to-one session online whenever they need help. The service is available 24/7 year-round.

TUTOR.COM services include the full K-12 Student Center. This includes Live Homework Help®, which offers one-to-one tutoring; ProofPoint™, real-time writing help; and 24/7 access to the SkillsCenter™ Resource School. Students access the TUTOR.COM Learning Suite® Web site after authenticating into the School District's system, select the subject in which they need tutoring and connect to a qualified tutor. Learning takes place in TUTOR.COM'S proprietary, Web-based, Online Classroom. Subjects offered include Math, Science, Social Studies and English for all students.

Through this Agreement, TUTOR.COM will provide access for all 9th grade students taking Algebra at Coconut Creek High School, Blanche Ely High School, Dillard High School, Boyd Anderson High School, Hallandale High School, and Hollywood Hills High School (approximately 2,000 students).

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

The total financial impact to provide this service is \$120,000. The funding source is Title I.

Mrs. Bartleman discussed the 24-hour online tutoring of Algebra currently being utilized in libraries. She stated the program is earmarked for 9<sup>th</sup> graders taking Algebra, who have to pass the End of Course exam.

Responding to Mrs. Bartleman's inquiry, Mr. Christopher McGuire, Director, Distance Learning, Broward Virtual School Principal, stated that according to the student survey, the 16<sup>th</sup> Annual Customer Service Report that was released in September 2010, indicated a total of 51,274 high school students answered the item at home, "I have used the following technologies for learning." 46,000 students chose the section indicating that they used the internet for searching, which is 89.9 percent. Mr. McGuire stated that the data was not segregated by participating high schools.

Mrs. Bartleman inquired whether the district can be released from the contract if students did not have access to this program. She stated the previous contract language allows for payment up front but did not allow being released from the contract and re-coup the costs.

Mr. Carter responded that presently it is \$120,000 in one payment, which is the standard type of payment in the market. The vendor was informed that if there were to be a substantial lack of participation the district wanted the option of withdrawing, not having spent the total cost of contract. The contract could be amended to provide for two equal payments as opposed to one single payment.

Motion to Amend (Withdrawn)

Motion was made by Mrs. Bartleman to divide the payment option into two equal payments option; if at any time the program is not being utilized that the contract can be canceled and some of the funds can be recouped.

Mr. Marko advised that making two equal payments does not mean that if the program is not working the funds are recouped. Mr. Marko stated that he would like to review the contract language before making a recommendation.

Mrs. Bartleman stated she would withdraw her Motion to Amend.

Responding to Mrs. Hope's inquiry, Mr. McGuire stated that funding stems from Title I funds and, therefore, it must be Title I schools.

Mrs. Hope requested that staff review whether to obtain a web-based program to help students that are struggling in other schools, not just Title I schools.

Motion to Table (Carried)

Motion was made by Mrs. Bartleman, seconded by Ms. Dinnen and carried, to table the agenda item to later in today's meeting, pending review by the attorney and staff. Mrs. Gottlieb was absent. (7-0 vote)

A vote was taken on the Motion to Table.

Following the action of Agenda Item K-6, Ms. Dinnen removed the item from the table for continued discussion.

Mr. Marko advised that that the vendor has indicated that he has no objection to dividing the money but when the contract is entered into the money is due and owing; whether or not the program is utilized to the district's satisfaction, the license agreement is owed. Mr. Marko presented a similar analogy, leasing an automobile for use for the period of time set forth in the contract; no refunds or recoupment can be made for any of the use of that item.

Mr. Marko further stated, as to the issue on the table, that there is no ability to amend the contract and to divide the payments, as the district will owe it once the contract is signed.

Mrs. Bartleman reiterated her concerns over the end-of-course exams and said the money would be best used to hire teachers to tutor these students after school.

Mr. Carter stated that a determination was made that there would not be an equitable return on investment if the money was spent on tutors to provide the same service, as this online service is 24/7. In addition, the deliverables have to go up front regardless of the amount of time that is used.

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

**\*F-1. Grant Applications (Approved)**

Approved the submission of grant applications to:

- A. BECON Educational Programming, \$30,000
- B. Broward County Farm Bureau School Garden Awards, \$500
- C. Council for Economic Education-Distribution of Curriculum and Teaching Materials Program, \$6,500
- D. Council for Economic Education-Replication of Best Practices Program, \$10,000
- E. Dollar General Youth Literacy Grants, \$7,500
- F. Equipment Assistance Grants for School Food Authorities, \$174,916
- G. Florida Agriculture in the Classroom Teacher Grants, \$1,250
- H. International Baccalaureate IB Grants Program, \$3,900
- I. Innovating Worthy Projects Foundation, \$4,872
- J. Kids in Need Teacher Grants, \$8,698
- K. NEA's Green Across America, \$1,000
- L. Target Field Trips, \$8,300
- M. Wachovia Bank, \$1,000

Copies of the full grant applications are available at the Board Members' Office on the 14th floor of the KC Wright Building.

The positive financial impact is \$258,436 from various sources. There is no additional financial impact to the school district.

**\*F-2. New Agreement with the State of Florida Department of Transportation (Approved)**

Approved a new agreement with the State of Florida Department of Transportation.

The agreement from the State of Florida Department of Transportation will award \$107,652, to the District for the purposes of increasing the number of State-certification and bicycle training sessions provided to accommodate more schools in the bicycle safety program, infusing new walking and bicycling programs into the existing Commit 2B Fit™ campaign, and expanding the training program for walking school bus and bike train programs.

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

The State of Florida Department of Transportation will execute this agreement after School Board approval.

The positive financial impact is \$107,652 from the State of Florida Department of Transportation. There is no additional financial impact to the district.

\*F-3. Charter Application Approval – The National Ben Gamla Charter School Foundation, Inc., (Ben Gamla Charter School Broward) (Approved)

Approved the application for The National Ben Gamla Charter School Foundation, Inc., to open a charter school serving grades K-8 for the 2011-2012 school year. Subsequent School Board approval shall be required prior to the signing of a written charter school agreement (contract) establishing the operation of the charter school.

Section 1002.33, Florida authorizes the establishment of charter schools in Florida. An application for a new charter school may be submitted by an individual, teachers, parents, a group of individuals, a municipality or a legal entity organized under the laws of this state. The National Ben Gamla Charter School Foundation, Inc., submitted a formal application to start a public charter school for the 2011-2012 school year. A district school board may sponsor a charter school in the county over which the board has jurisdiction. The district school board shall receive and review all applications for a charter school.

The Superintendent of Schools appointed a Charter School Review Committee to review and analyze the application from The National Ben Gamla Charter School Foundation, Inc. The committee is comprised of representatives from curriculum, budget, facilities, district administration, transportation, Exceptional Student Education, ESOL and other areas of the organization. Utilizing the Model Florida Charter School application format, the committee reviewed the application in detail.

Based on our review, the application is recommended for approval. The mission and academic design of the application meets the minimum requirements of state law and state standards. The school shall open as a public charter school serving a total of 900 students, grades K-8. The maximum capacity of the school will be 900 students. The school will be organized as a private employer. As a private employer, the school's employees will not participate in the Florida Retirement System. The final updated budget and insurance documents will be required prior to approval of the charter school agreement. The charter agreement shall address any issues identified by district staff, which require revision or further explanation. The charter school has adopted the same 180-day student calendar in place for the Broward County Public School System.

A copy of the full application is available at the Board Members' Office on the 14th Floor of the KC Wright building.

There is no financial impact to the district.

- \*F-4. Charter Application Approval – Advantage Academy of Broward, Inc.,  
(Broward Advantage Academy) (Approved)

Approved the application for Advantage Academy of Broward, Inc., to open a charter school serving grades K-8 for the 2011-2012 school year. Subsequent School Board approval shall be required prior to the signing of a written charter school agreement (contract) establishing the operation of the charter school.

Section 1002.33, Florida authorizes the establishment of charter schools in Florida. An application for a new charter school may be submitted by an individual, teachers, parents, a group of individuals, a municipality or a legal entity organized under the laws of this state. Advantage Academy of Broward, Inc., submitted a formal application to start a public charter school for the 2011-2012 school year. A district school board may sponsor a charter school in the county over which the board has jurisdiction. The district school board shall receive and review all applications for a charter school.

The Superintendent of Schools appointed a Charter School Review Committee to review and analyze the application from Advantage Academy of Broward, Inc. The committee is comprised of representatives from curriculum, budget, facilities, district administration, transportation, Exceptional Student Education, ESOL and other areas of the organization. Utilizing the Model Florida Charter School application format, the committee reviewed the application in detail.

Based on our review, the application is recommended for approval. The mission and academic design of the application meets the minimum requirements of state law and state standards. The school shall open as a public charter school serving a total of 664 students, grades K-8. The maximum capacity of the school will be 910 students. The school will be organized as a private employer. As a private employer, the school's employees will not participate in the Florida Retirement System.

The final updated budget and insurance documents will be required prior to approval of the charter school agreement. The charter agreement shall address any issues identified by district staff, which require revision or further explanation. The charter school has adopted the same 180-day student calendar in place for the Broward County Public School System.

A copy of the full application is available at the Board Members' Office on the 14th Floor of the KC Wright building.

There is no financial impact to the district.

\*F-5. Charter Application Approval – Riverside Science, Inc., (Broward Math and Science Schools) (Approved)

Approved the application for Riverside Science, Inc., to open a charter school serving grades K-8 for the 2011-2012 school year. Subsequent School Board approval shall be required prior to the signing of a written charter school agreement (contract) establishing the operation of the charter school.

Section 1002.33, Florida authorizes the establishment of charter schools in Florida. An application for a new charter school may be submitted by an individual, teachers, parents, a group of individuals, a municipality or a legal entity organized under the laws of this state. Riverside Science, Inc., submitted a formal application to start a public charter school for the 2011-2012 school year. A district school board may sponsor a charter school in the county over which the board has jurisdiction. The district school board shall receive and review all applications for a charter school.

The Superintendent of Schools appointed a Charter School Review Committee to review and analyze the application from Riverside Science, Inc. The committee is comprised of representatives from curriculum, budget, facilities, district administration, transportation, Exceptional Student Education, ESOL and other areas of the organization. Utilizing the Model Florida Charter School application format, the committee reviewed the application in detail.

Based on our review, the application is recommended for approval. The mission and academic design of the application meets the minimum requirements of state law and state standards. The school shall open as a public charter school serving a total of 600 students, grades K-8. The maximum capacity of the school will be 1200 students. The school will be organized as a private employer. As a private employer, the school's employees will not participate in the Florida Retirement System. The final updated budget and insurance documents will be required prior to approval of the charter school agreement. The charter agreement shall address any issues identified by district staff, which require revision or further explanation. The charter school has adopted the same 180-day student calendar in place for the Broward County Public School System.

A copy of the full application is available at the Board Members' Office on the 14th Floor of the KC Wright building.

There is no financial impact to the district.

- \*F-6. Charter Application Approval – Florida Intercultural Academy K-8<sup>th</sup> West, Inc., (Florida Intercultural Academy K-8<sup>th</sup> West) (Approved)

Approved the application for Florida Intercultural Academy K8<sup>th</sup> West, Inc., to open a charter school serving grades K-8 for the 2011-2012 school year. Subsequent School Board approval shall be required prior to the signing of a written charter school agreement (contract), establishing the operation of the charter school.

Section 1002.33, Florida authorizes the establishment of charter schools in Florida. An application for a new charter school may be submitted by an individual, teachers, parents, a group of individuals, a municipality or a legal entity organized under the laws of this state. Florida Intercultural Academy K-8<sup>th</sup> West, Inc., submitted a formal application to start a public charter school for the 2011-2012 school year. A district school board may sponsor a charter school in the county over which the board has jurisdiction. The district school board shall receive and review all applications for a charter school.

The Superintendent of Schools appointed a Charter School Review Committee to review and analyze the application from Florida Intercultural Academy K-8<sup>th</sup> West, Inc. The committee is comprised of representatives from curriculum, budget, facilities, district administration, transportation, Exceptional Student Education, ESOL and other areas of the organization. Utilizing the Model Florida Charter School application format, the committee reviewed the application in detail.



Based on our review, the application is recommended for approval. The mission and academic design of the application meets the minimum requirements of state law and state standards. The school shall open as a public charter school serving a total of 464 students, grades K-8. The maximum capacity of the school will be 692 students. The school will be organized as a private employer. As a private employer, the school's employees will not participate in the Florida Retirement System. The final updated budget and insurance documents will be required prior to approval of the charter school agreement. The charter agreement shall address any issues identified by district staff, which require revision or further explanation. The charter school has adopted the same 180-day student calendar in place for the Broward County Public School System.

A copy of the full application is available at the Board Members' Office on the 14th Floor of the KC Wright building.

There is no financial impact to the district.

- \*F-7. Charter Application Approval – Florida Charter Foundation, Inc.,  
(Franklin Academy C) (Approved)

Approved the application for Florida Charter Foundation, Inc., to open a charter school serving grades K-8 for the 2011-2012 school year. Subsequent School Board approval shall be required prior to the signing of a written charter school agreement (contract) establishing the operation of the charter school.

Section 1002.33, Florida authorizes the establishment of charter schools in Florida. An application for a new charter school may be submitted by an individual, teachers, parents, a group of individuals, a municipality or a legal entity organized under the laws of this state. Florida Charter Foundation, Inc., submitted a formal application to start a public charter school for the 2011-2012 school year. A district school board may sponsor a charter school in the county over which the board has jurisdiction. The district school board shall receive and review all applications for a charter school.

The Superintendent of Schools appointed a Charter School Review Committee to review and analyze the application from Florida Charter Foundation, Inc. The committee is comprised of representatives from curriculum, budget, facilities, district administration, transportation, Exceptional Student Education, ESOL and other areas of the organization. Utilizing the Model Florida Charter School application format, the committee reviewed the application in detail.

Based on our review, the application is recommended for approval. The mission and academic design of the application meets the minimum requirements of state law and state standards. The school shall open as a public charter school serving a total of 750 students, grades K-8. The maximum capacity of the school will be 1340 students. The school will be organized as a private employer. As a private employer, the school's employees will not participate in the Florida Retirement System. The final updated budget and insurance documents will be required prior to approval of the charter school agreement. The charter agreement shall address any issues identified by district staff, which require revision or further explanation. The charter school has adopted the same 180-day student calendar in place for the Broward County Public School System.

A copy of the full application is available at the Board Members' Office on the 14th Floor of the KC Wright building.

There is no financial impact to the district.

- \*F-8. Charter Application Approval – Florida Charter Foundation, Inc., (Franklin Academy D) (Approved)

Approved the application for Florida Charter Foundation, Inc., to open a charter school serving grades K-8 for the 2011-2012 school year. Subsequent School Board approval shall be required prior to the signing of a written charter school agreement (contract) establishing the operation of the charter school.

Section 1002.33, Florida authorizes the establishment of charter schools in Florida. An application for a new charter school may be submitted by an individual, teachers, parents, a group of individuals, a municipality or a legal entity organized under the laws of this state. Florida Charter Foundation, Inc., submitted a formal application to start a public charter school for the 2011-2012 school year. A district school board may sponsor a charter school in the county over which the board has jurisdiction. The district school board shall receive and review all applications for a charter school.

The Superintendent of Schools appointed a Charter School Review Committee to review and analyze the application from Florida Charter Foundation, Inc.

The committee is comprised of representatives from curriculum, budget, facilities, district administration, transportation, Exceptional Student Education, ESOL and other areas of the organization. Utilizing the Model Florida Charter School application format, the committee reviewed the application in detail.

Based on our review, the application is recommended for approval. The mission and academic design of the application meets the minimum requirements of state law and state standards. The school shall open as a public charter school serving a total of 750 students, grades K-8. The maximum capacity of the school will be 1340 students. The school will be organized as a private employer. As a private employer, the school's employees will not participate in the Florida Retirement System. The final updated budget and insurance documents will be required prior to approval of the charter school agreement. The charter agreement shall address any issues identified by district staff, which require revision or further explanation. The charter school has adopted the same 180-day student calendar in place for the Broward County Public School System.

A copy of the full application is available at the Board Members' Office on the 14th Floor of the KC Wright building.

There is no financial impact to the district.

- \*F-9. Charter Application Approval – Imagine – West Broward, Inc.,  
(Imagine Middle School – West Campus) (Approved)

Approved the application for Imagine – West Broward, Inc., to open a charter school serving grades 6-8 for the 2011-2012 school year. Subsequent School Board approval shall be required prior to the signing of a written charter school agreement (contract) establishing the operation of the charter school.

Section 1002.33, Florida authorizes the establishment of charter schools in Florida. An application for a new charter school may be submitted by an individual, teachers, parents, a group of individuals, a municipality or a legal entity organized under the laws of this state. Imagine – West Broward, Inc., submitted a formal application to start a public charter school for the 2011-2012 school year. A district school board may sponsor a charter school in the county over which the board has jurisdiction. The district school board shall receive and review all applications for a charter school.

The Superintendent of Schools appointed a Charter School Review Committee to review and analyze the application from Imagine – West Broward, Inc. The committee is comprised of representatives from curriculum, budget, facilities, district administration, transportation, Exceptional Student Education, ESOL and other areas of the organization. Utilizing the Model Florida Charter School application format, the committee reviewed the application in detail.

Based on our review, the application is recommended for approval. The mission and academic design of the application meets the minimum requirements of state law and state standards. The school shall open as a public charter school serving a total of 132 students, grades 6-8. The maximum capacity of the school will be 396 students. The school will be organized as a private employer. As a private employer, the school's employees will not participate in the Florida Retirement System. The final updated budget and insurance documents will be required prior to approval of the charter school agreement. The charter agreement shall address any issues identified by district staff, which require revision or further explanation. The charter school has adopted the same 180-day student calendar in place for the Broward County Public School System.

A copy of the full application is available at the Board Members' Office on the 14th Floor of the KC Wright building.

There is no financial impact to the district.

- \*F-10. Charter Application Approval – Imagine – Central Broward, Inc.  
(Imagine Schools – Central Campus) (Approved)

Approved the application for Imagine – Central Broward, Inc., to open a charter school serving grades K-8 for the 2011-2012 school year. Subsequent School Board approval shall be required prior to the signing of a written charter school agreement (contract) establishing the operation of the charter school.

Section 1002.33, Florida authorizes the establishment of charter schools in Florida. An application for a new charter school may be submitted by an individual, teachers, parents, a group of individuals, a municipality or a legal entity organized under the laws of this state. Imagine – Central Broward, Inc., submitted a formal application to start a public charter school for the 2011-2012 school year. A district school board may sponsor a charter school in the county over which the board has jurisdiction. The district school board shall receive and review all applications for a charter school.

The Superintendent of Schools appointed a Charter School Review Committee to review and analyze the application from Imagine – Central Broward, Inc. The committee is comprised of representatives from curriculum, budget, facilities, district administration, transportation, Exceptional Student Education, ESOL and other areas of the organization. Utilizing the Model Florida Charter School application format, the committee reviewed the application in detail.

Based on our review, the application is recommended for approval. The mission and academic design of the application meets the minimum requirements of state law and state standards. The school shall open as a public charter school serving a total of 800 students, grades K-8. The maximum capacity of the school will be 1340 students. The school will be organized as a private employer. As a private employer, the school's employees will not participate in the Florida Retirement System. The final updated budget and insurance documents will be required prior to approval of the charter school agreement. The charter agreement shall address any issues identified by district staff, which require revision or further explanation. The charter school has adopted the same 180-day student calendar in place for the Broward County Public School System.

A copy of the full application is available at the Board Members' Office on the 14th Floor of the KC Wright building.

There is no financial impact to the district.

- \*F-11. Charter Application Approval – Imagine – South Broward, Inc.,  
(Imagine Schools – South Campus) (Approved)

Approved the application for Imagine – South Broward, Inc., to open a charter school serving grades K-8 for the 2011-2012 school year. Subsequent School Board approval shall be required prior to the signing of a written charter school agreement (contract) establishing the operation of the charter school.

Section 1002.33, Florida authorizes the establishment of charter schools in Florida. An application for a new charter school may be submitted by an individual, teachers, parents, a group of individuals, a municipality or a legal entity organized under the laws of this state. Imagine – South Broward, Inc., submitted a formal application to start a public charter school for the 2011-2012 school year. A district school board may sponsor a charter school in the county over which the board has jurisdiction. The district school board shall receive and review all applications for a charter school.

The Superintendent of Schools appointed a Charter School Review Committee to review and analyze the application from Imagine – South Broward, Inc. The committee is comprised of representatives from curriculum, budget, facilities, district administration, transportation, Exceptional Student Education, ESOL and other areas of the organization. Utilizing the Model Florida Charter School application format, the committee reviewed the application in detail.

Based on our review, the application is recommended for approval. The mission and academic design of the application meets the minimum requirements of state law and state standards. The school shall open as a public charter school serving a total of 800 students, grades K-8. The maximum capacity of the school will be 1340 students. The school will be organized as a private employer. As a private employer, the school's employees will not participate in the Florida Retirement System. The final updated budget and insurance documents will be required prior to approval of the charter school agreement. The charter agreement shall address any issues identified by district staff, which require revision or further explanation. The charter school has adopted the same 180-day student calendar in place for the Broward County Public School System.

A copy of the full application is available at the Board Members' Office on the 14th Floor of the KC Wright building.

There is no financial impact to the district.

- \*F-12. Charter Application Approval – Kathleen C. Wright Schools, Inc.,  
(Kathleen C. Wright Leadership Academy) (Approved)

Approved the application for Kathleen C. Wright Schools, Inc., to open a charter school serving grades K-8 for the 2011-2012 school year. Subsequent School Board approval shall be required prior to the signing of a written charter school agreement (contract) establishing the operation of the charter school.

Section 1002.33, Florida authorizes the establishment of charter schools in Florida.

An application for a new charter school may be submitted by an individual, teachers, parents, a group of individuals, a municipality or a legal entity organized under the laws of this state. Kathleen C. Wright Schools, Inc., submitted a formal application to start a public charter school for the 2011-2012 school year. A district school board may sponsor a charter school in the county over which the board has jurisdiction. The district school board shall receive and review all applications for a charter school.

The Superintendent of Schools appointed a Charter School Review Committee to review and analyze the application from Kathleen C. Wright Schools, Inc. The committee is comprised of representatives from curriculum, budget, facilities, district administration, transportation, Exceptional Student Education, ESOL and other areas of the organization. Utilizing the Model Florida Charter School application format, the committee reviewed the application in detail.

Based on our review, the application is recommended for approval. The mission and academic design of the application meets the minimum requirements of state law and state standards. The school shall open as a public charter school serving a total of 348 students, grades K-8. The maximum capacity of the school will be 436 students. The school will be organized as a private employer. As a private employer, the school's employees will not participate in the Florida Retirement System. The final updated budget and insurance documents will be required prior to approval of the charter school agreement. The charter agreement shall address any issues identified by district staff, which require revision or further explanation. The charter school has adopted the same 180-day student calendar in place for the Broward County Public School System.

A copy of the full application is available at the Board Members' Office on the 14th Floor of the KC Wright building.

There is no financial impact to the district.

- \*F-13. Charter Application Approval – Advantage Academy of Broward, Inc., (Miramar Charter High School) (Approved)

Approved the application for Advantage Academy of Broward, Inc., to open a charter school serving grades 9-12 for the 2011-2012 school year. Subsequent School Board approval shall be required prior to the signing of a written charter school agreement (contract) establishing the operation of the charter school.

Section 1002.33, Florida authorizes the establishment of charter schools in Florida. An application for a new charter school may be submitted by an individual, teachers, parents, a group of individuals, a municipality or a legal entity organized under the laws of this state. Advantage Academy of Broward, Inc., submitted a formal application to start a public charter school for the 2011-2012 school year. A district school board may sponsor a charter school in the county over which the board has jurisdiction. The district school board shall receive and review all applications for a charter school.

The Superintendent of Schools appointed a Charter School Review Committee to review and analyze the application from Advantage Academy of Broward, Inc.

The committee is comprised of representatives from curriculum, budget, facilities, district administration, transportation, Exceptional Student Education, ESOL and other areas of the organization. Utilizing the Model Florida Charter School application format, the committee reviewed the application in detail.

Based on our review, the application is recommended for approval. The mission and academic design of the application meets the minimum requirements of state law and state standards. The school shall open as a public charter school serving a total of 450 students, grades 9-12. The maximum capacity of the school will be 900 students. The school will be organized as a private employer. As a private employer, the school's employees will not participate in the Florida Retirement System. The final updated budget and insurance documents will be required prior to approval of the charter school agreement. The charter agreement shall address any issues identified by district staff, which require revision or further explanation. The charter school has adopted the same 180-day student calendar in place for the Broward County Public School System.

A copy of the full application is available at the Board Members' Office on the 14th Floor of the KC Wright building.

There is no financial impact to the district.

- \*F-14. Charter Application Approval – Kaizen Education Foundation, Inc., (PBL Academy High School) (Approved)

Approved the application for Kaizen Education Foundation, Inc., to open a charter school serving grades 9-12 for the 2011-2012 school year. Subsequent School Board approval shall be required prior to the signing of a written charter school agreement (contract) establishing the operation of the charter school.

Section 1002.33, Florida authorizes the establishment of charter schools in Florida. An application for a new charter school may be submitted by an individual, teachers, parents, a group of individuals, a municipality or a legal entity organized under the laws of this state. Kaizen Education Foundation, Inc., submitted a formal application to start a public charter school for the 2011-2012 school year. A district school board may sponsor a charter school in the county over which the board has jurisdiction. The district school board shall receive and review all applications for a charter school.

The Superintendent of Schools appointed a Charter School Review Committee to review and analyze the application from Kaizen Education Foundation, Inc. The committee is comprised of representatives from curriculum, budget, facilities, district administration, transportation, Exceptional Student Education, ESOL and other areas of the organization. Utilizing the Model Florida Charter School application format, the committee reviewed the application in detail.



Based on our review, the application is recommended for approval. The mission and academic design of the application meets the minimum requirements of state law and state standards. The school shall open as a public charter school serving a total of 550 students, grades 9-12. The maximum capacity of the school will be 550 students. The school will be organized as a public employer. As a public employer, the school's employees will participate in the Florida Retirement System. The final updated budget and insurance documents will be required prior to approval of the charter school agreement. The charter agreement shall address any issues identified by district staff, which require revision or further explanation. The charter school has adopted the same 180-day student calendar in place for the Broward County Public School System.

A copy of the full application is available at the Board Members' Office on the 14th Floor of the KC Wright building.

There is no financial impact to the district.

- \*F-15. Charter Application Approval – Renaissance Charter School, Inc.,  
(Renaissance Charter School of Broward – East) (Approved)

Approved the application for Renaissance Charter School, Inc., to open a charter school serving grades K-8 for the 2011-2012 school year. Subsequent School Board approval shall be required prior to the signing of a written charter school agreement (contract) establishing the operation of the charter school.

Section 1002.33, Florida authorizes the establishment of charter schools in Florida. An application for a new charter school may be submitted by an individual, teachers, parents, a group of individuals, a municipality or a legal entity organized under the laws of this state. Renaissance Charter School, Inc., submitted a formal application to start a public charter school for the 2011-2012 school year. A district school board may sponsor a charter school in the county over which the board has jurisdiction. The district school board shall receive and review all applications for a charter school.

The Superintendent of Schools appointed a Charter School Review Committee to review and analyze the application from Renaissance Charter School, Inc. The committee is comprised of representatives from curriculum, budget, facilities, district administration, transportation, Exceptional Student Education, ESOL and other areas of the organization. Utilizing the Model Florida Charter School application format, the committee reviewed the application in detail.

Based on our review, the application is recommended for approval. The mission and academic design of the application meets the minimum requirements of state law and state standards. The school shall open as a public charter school serving a total of 913 students, grades K-8. The maximum capacity of the school will be 1504 students. The school will be organized as a private employer. As a private employer, the school's employees will not participate in the Florida Retirement System. The final updated budget and insurance documents will be required prior to approval of the charter school agreement. The charter agreement shall address any issues identified by district staff, which require revision or further explanation. The charter school has adopted the same 180-day student calendar in place for the Broward County Public School System.

A copy of the full application is available at the Board Members' Office on the 14th Floor of the KC Wright building.

There is no financial impact to the district.

- \*F-16. Charter Application Approval – Renaissance Charter School, Inc.,  
(Renaissance Charter School of Broward – South) (Approved)

Approved the application for Renaissance Charter School, Inc., to open a charter school serving grades K-8 for the 2011-2012 school year. Subsequent School Board approval shall be required prior to the signing of a written charter school agreement (contract) establishing the operation of the charter school.

Section 1002.33, Florida authorizes the establishment of charter schools in Florida. An application for a new charter school may be submitted by an individual, teachers, parents, a group of individuals, a municipality or a legal entity organized under the laws of this state. Renaissance Charter School, Inc., submitted a formal application to start a public charter school for the 2011-2012 school year. A district school board may sponsor a charter school in the county over which the board has jurisdiction. The district school board shall receive and review all applications for a charter school.

The Superintendent of Schools appointed a Charter School Review Committee to review and analyze the application from Renaissance Charter School, Inc. The committee is comprised of representatives from curriculum, budget, facilities, district administration, transportation, Exceptional Student Education, ESOL and other areas of the organization. Utilizing the Model Florida Charter School application format, the committee reviewed the application in detail.

Based on our review, the application is recommended for approval. The mission and academic design of the application meets the minimum requirements of state law and state standards. The school shall open as a public charter school serving a total of 913 students, grades K-8. The maximum capacity of the school will be 1504 students. The school will be organized as a private employer. As a private employer, the school's employees will not participate in the Florida Retirement System. The final updated budget and insurance documents will be required prior to approval of the charter school agreement. The charter agreement shall address any issues identified by district staff, which require revision or further explanation. The charter school has adopted the same 180-day student calendar in place for the Broward County Public School System.

A copy of the full application is available at the Board Members' Office on the 14th Floor of the KC Wright building.

There is no financial impact to the district.

- \*F-17. Charter Application Approval – Renaissance Charter School, Inc.,  
(Renaissance Charter School of Broward – West) (Approved)

Approved the application for Renaissance Charter School, Inc., to open a charter school serving grades K-8 for the 2011-2012 school year. Subsequent School Board approval shall be required prior to the signing of a written charter school agreement (contract) establishing the operation of the charter school.

Section 1002.33, Florida authorizes the establishment of charter schools in Florida.

An application for a new charter school may be submitted by an individual, teachers, parents, a group of individuals, a municipality or a legal entity organized under the laws of this state. Renaissance Charter School, Inc., submitted a formal application to start a public charter school for the 2011-2012 school year. A district school board may sponsor a charter school in the county over which the board has jurisdiction. The district school board shall receive and review all applications for a charter school.

The Superintendent of Schools appointed a Charter School Review Committee to review and analyze the application from Renaissance Charter School, Inc. The committee is comprised of representatives from curriculum, budget, facilities, district administration, transportation, Exceptional Student Education, ESOL and other areas of the organization. Utilizing the Model Florida Charter School application format, the committee reviewed the application in detail.

Based on our review, the application is recommended for approval. The mission and academic design of the application meets the minimum requirements of state law and state standards. The school shall open as a public charter school serving a total of 913 students, grades K-8. The maximum capacity of the school will be 1504 students. The school will be organized as a private employer. As a private employer, the school's employees will not participate in the Florida Retirement System. The final updated budget and insurance documents will be required prior to approval of the charter school agreement. The charter agreement shall address any issues identified by district staff, which require revision or further explanation. The charter school has adopted the same 180-day student calendar in place for the Broward County Public School System.

A copy of the full application is available at the Board Members' Office on the 14th Floor of the KC Wright building.

There is no financial impact to the district.

- \*F-18. Charter Application Approval – Advantage Academy of Broward, Inc., (West Broward Academy) (Approved)

Approved the application for Advantage Academy of Broward, Inc., to open a charter school serving grades K-8 for the 2011-2012 school year. Subsequent School Board approval shall be required prior to the signing of a written charter school agreement (contract) establishing the operation of the charter school.

Section 1002.33, Florida authorizes the establishment of charter schools in Florida. An application for a new charter school may be submitted by an individual, teachers, parents, a group of individuals, a municipality or a legal entity organized under the laws of this state. Advantage Academy of Broward, Inc., submitted a formal application to start a public charter school for the 2011-2012 school year. A district school board may sponsor a charter school in the county over which the board has jurisdiction. The district school board shall receive and review all applications for a charter school.

The Superintendent of Schools appointed a Charter School Review Committee to review and analyze the application from Advantage Academy of Broward, Inc.

The committee is comprised of representatives from curriculum, budget, facilities, district administration, transportation, Exceptional Student Education, ESOL and other areas of the organization. Utilizing the Model Florida Charter School application format, the committee reviewed the application in detail.

Based on our review, the application is recommended for approval. The mission and academic design of the application meets the minimum requirements of state law and state standards. The school shall open as a public charter school serving a total of 664 students, grades K-8. The maximum capacity of the school will be 910 students. The school will be organized as a private employer. As a private employer, the school's employees will not participate in the Florida Retirement System. The final updated budget and insurance documents will be required prior to approval of the charter school agreement. The charter agreement shall address any issues identified by district staff, which require revision or further explanation. The charter school has adopted the same 180-day student calendar in place for the Broward County Public School System.

A copy of the full application is available at the Board Members' Office on the 14th Floor of the KC Wright building.

There is no financial impact to the district.

- \*F-19. Deny the Charter School Application of The Hilda Vila Foundation, Inc., (Hilda Vila) (Approved)

Deny the Charter School Application of The Hilda Vila Foundation, Inc., (Hilda Vila), for the opening of a charter school for the 2011-2012 school year.

Section 1002.33, Florida Statutes authorizes the establishment of charter schools in Florida. An application for a new charter school may be made by an individual, teachers, parents, a group of individuals, a municipality or a legal entity organized under the laws of this state. The Hilda Vila Foundation, Inc., (Hilda Vila), submitted a formal application to start a public charter school for the 2011-2012 school year. A district School Board may sponsor a charter school in the county over which the board has jurisdiction. The district School Board shall receive and review all applications for a charter school.

The Superintendent of Schools appointed a Charter School Review Committee to review and analyze the charter application from The Hilda Vila Foundation, Inc., (Hilda Vila). The Committee is comprised of representatives from curriculum, budget, facilities, district administration, transportation, Exceptional Student Education, ESOL and other areas of the organization. Utilizing the new Model Florida Charter School Application format, the committee reviewed the application in detail. Having reviewed The Hilda Vila Foundation, Inc., (Hilda Vila), application and all other applications submitted, the Committee recommends the denial of the school's charter school application.

The Superintendent has received the Committee's recommendation and requests that The School Board of Broward County, Florida, deny the application of The Hilda Vila Foundation, Inc., (Hilda Vila). The grounds of the denial of the charter school application are specified in the executive summary.

A copy of the full application is available at the Board Members' Office on the 14th Floor of the KC Wright building.

There is no financial impact to the district.

- \*F-20. Articulation Agreement between The School Board of Broward County, Florida (SBBC), Broward College (BC), and Florida Atlantic University (FAU) (Approved)

Approved the proposed agreement between The School Board of Broward County, Florida (SBBC), Broward College (BC), and Florida Atlantic University (FAU).

Florida Statutes 1007.271, 1007.272, and 1007.27, authorize and encourage agreements between school boards, community colleges, and/or state universities for the purpose of providing dual enrollment opportunities for eligible high school students enrolled in post-secondary courses creditable toward a vocational certificate, an associate, or baccalaureate degree. As a direct result of ongoing discussions with Broward College and Florida Atlantic University, this agreement provides dual enrollment/early admissions opportunities for secondary students.

The agreement allows for increased collaboration, shared inter-institutional research projects and marketing efforts, and the development of additional acceleration in specialized areas of study.

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

There is no financial impact to the district.

- F-21. Race to the Top – Local Education Agency Application (Approved)

Motion was made by Mrs. Bartleman, seconded by Mr. Tynan and carried, to approve the submission of the Race to the Top – Local Education Agency Application to the Florida Department of Education. Mrs. Gottlieb was absent. (7-0 vote)

The purpose of the Race to the Top Funds is to provide support for participating local education agencies (LEAs) or school districts in the implementation of Florida's Race to the Top application as approved by the US Department of Education. The intent is to implement ambitious plans in four core education reform areas: adopting standards and assessments that prepare students for success in college and the workplace and to compete in the global economy; building data systems that measure student growth and success, and inform teachers and principals about how they can improve instruction; recruiting, developing, rewarding, and retaining effective teachers and principals; and turning around the lowest-achieving schools.

A preliminary application was submitted to the Florida Department of Education on October 13, 2010 for review. The feedback from the review was incorporated into the application. The final application is being submitted after School Board approval. The application is consistent with the State prescribed deliverables and requirements of Race to the Top program.

The positive financial impact will be \$37,364,356 over four years. The source of funding is the Florida Department of Education through the US Department of Education. There is no additional financial impact to the district.

Mrs. Bartleman stated that the district was not able to accomplish some of their school goals.

Ms. Kareen Torres, Grants Planner, Grants Administration, informed that the majority of the 13 goals are districtwide projects; data systems, assessments, great teachers and leaders, professional development, pay-for-performance plan, and differentiated pay. Ms. Torres stated that struggling schools allow the application of strategies directly to those schools, Sunland Park, Larkdale Elementary and Coconut Creek High School. She stated the district is implementing some strategies for the feeder schools of Coconut Creek. Ms. Torres further stated that the remainder of the Race to the Top are districtwide projects that need to be done in order to meet the deliverables under each of those projects.

Mrs. Bartleman urged the union to come to an agreement on the pay-for-performance plan under the Race to the Top, come to the table to discuss this issue.

Ms. Dinnen responded that this is Race to the Top, Part II, and it is important to come to an agreement, having a "talking point" on this issue.

**G. HUMAN RESOURCES**

**\*G-1. Personnel Recommendations for Instructional Appointments and Leaves for 2010-2011 School Year (Approved)**

Approved the personnel recommendations for the 2010-2011 appointments and leaves as listed in the Executive Summary and respective lists for Instructional staff. All recommendations are made with the understanding that these individuals will comply with regulations/policies as set forth by the Florida State Department of Education and The School Board of Broward County, Florida. The teacher approvals on this G-1 item are teachers in subject areas for which there is no surplus and/or layoff teacher in that certification area that could be placed in these positions.

The Personnel Recommendations for Instructional Employees include the following items:

1. Teacher Approvals
2. Teacher – Recall From Layoff
3. Substitute Teachers
4. Interim Substitute Teachers
5. Instructional Leaves

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

**\*G-2. Personnel Recommendations for Instructional Separation of Employment or Discipline for the 2010-2011 School Year (Approved)**

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

The Personnel Recommendations for Instructional Employees include the following items:

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

There will be no financial impact to the school district.



G-3. Personnel Recommendations for Non-Instructional Appointments and Leaves for the 2010-2011 School Year (Approved as amended)

Motion was made by Mrs. Bartleman, seconded by Mrs. Hope and carried, to approve the personnel recommendations for appointments and reassignments as listed on the Executive Summary, respective lists and individual appointments for Non-Instructional Employees. All recommendations are made pending security clearance and with the understanding that these individuals will comply with regulations/policies as set forth by the Florida State Department of Education and The School Board of Broward County, Florida. The Personnel Recommendations for Non-Instructional Employees include the following sections: **This item was amended to add page 15 to Section 8.** Mrs. Gottlieb was absent. (7-0 vote)

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

Funding has been budgeted in 10-11 fiscal year for all appointments through June 30, 2011.

Following a vote on the item, newly-appointed district personnel were identified and congratulated by Mrs. Bartleman and Ms. Murray.

The following individual addressed the Board:

Sandra Casper

Ms. Dinnen requested that the Superintendent and Ms. Gracie Diaz, Associate Superintendent, Human Resources, review this issue again, despite the bumping process being contractual, and provide the Board the information.

Concurring, Mrs. Hope requested that the employee's name (Sandra Casper) be pulled from the agenda item for further discussion.

Mrs. Victoria Kaufman, Director, Non-instructional Staffing, informed that the BTU/TSP contract has a bumping provision, and approximately 45 employees were displaced into new positions and 55 employees were placed on layoff. As a result of the bumping process, the 45 employees are entitled, per the contract, to a 90-day probationary period to demonstrate proficiency. Mrs. Kaufman stated that Ms. Casper was given the 90 days, which did not begin until she returned from vacation in mid-July. During this time Ms. Casper has been afforded training opportunity and assistance, and has failed to be able to perform the duties of that new position. Though Ms. Casper previously had experience as a CAD operator, the contract requires that if the person does not demonstrate proficiency within 90 days the employee will be placed on layoff. She stated that the supervisors have provided detailed and supportive documentation regarding the failure to perform the duties of the position at a proficient level.

Responding to Mrs. Hope's inquiry, Mr. Lindner informed that when cuts were made on the Organizational Chart it was anticipated that the position not be filled and he intends to delete that position in the new year. Mr. Lindner stated that there is not a significant amount of construction work moving forward and the staffing level will be based on the work load.

Dr. Parks stated that the BTU contract adheres to the bumping process, and this person was given an opportunity to demonstrate proficiency in CAD within 45 days. Dr. Parks noted that there will be more cuts during the next Legislative Session.

Ms. Dinnen noted that the employee was laid off and not terminated.

Mrs. Hope stated that she will not ask for a reconsideration, since the item was voted on already, because the position is no longer available. She stated that the employee has valuable skills and is an asset to the district, and valuable employees should not be laid off when there are positions available. She said since there is not a position available where this employee's skills could be used, she would support the item.

G-4. Personnel Recommendations for Non-Instructional Separation of Employment or Discipline(s) for the 2010-2011 School Year (Approved)

Motion was made by Mrs. Bartleman, seconded by Mrs. Hope and carried, to approve the personnel recommendations for separation of employment or discipline as listed on the respective lists for Non-Instructional staff. All recommendations are made with the understanding that these individuals will comply with regulations/policies as set forth by the Florida State Department of Education and The School Board of Broward County, Florida. Mrs. Gottlieb was absent. (7-0 vote)

The Personnel Recommendations include the following items:

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

There is no financial impact to the school district.

Mrs. Bartleman acknowledged Mr. Rose who is retiring from the school system, and Mr. Mark Thomas, Principal, McFatter Technical Center, and thanked them for their years of service.

Ms. Murray informed that she attended the retirement dinner for Mr. Thomas and Ms. Mary Ellen Fowler, his assistant and acknowledged their accomplishments for the benefit of students. She praised Mr. Rose for his work in Kenya, in addition to his contributions to the district.

\*G-5. Supplemental Pay Positions – List #8 (Approved)

Approved the recommended supplemental pay positions of employees for the 2010-2011 school / fiscal year.

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

The Specific Supplemental Pay Positions include the following type of supplements: Secondary department chairpersons high school; secondary department chairpersons and / or team leaders middle school; elementary grade level chairpersons and / or team leaders; athletic supplements; general supplements; and special supplements for the 2010-2011 school years. Individuals may be recommended for task assignments that improve the school's / department's programs and / or operations. A computer-generated list of those names is printed and reveals all individuals recommended for Non-Specific (SPL). Non-Specific Supplements are additional Task Assignments performed beyond the employee's regular day based on the recommendations of the direct supervisor.

Individuals listed meet the requirements for the supplemental positions. The total number of Supplements recommended in this item is **724**.

Funding has been budgeted in 2010-2011 school / fiscal year for all supplements through June 30, 2011.

- \*G-6. Recommendation(s) for Instructional / Noninstructional Discipline for the 2010-2011 School Year (Approved)

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

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

There is no financial impact to the school district.

#### H. ATTORNEY

- H-1. Employment Agreement for General Counsel Emeritus – Edward J. Marko (Withdrawn)

#### I. OFFICE OF THE SUPERINTENDENT

- I-1. Petition For Formal Proceedings (SH) (Received)

Motion was made by Ms. Dinnen, seconded by Mrs. Bartleman and carried, to receive the Petition for Formal Proceedings submitted by the Superintendent in reference to this teacher and that teacher be suspended immediately without pay pending final action on these charges. Mrs. Gottlieb was absent. (7-0 vote)

The Professional Standards/Special Investigative Unit (PS/SIU) completed an investigation into allegations of inappropriate conduct, disrupting the administration of the FCAT. The allegation was thoroughly investigated and the results were presented to the Professional Standards Committee (PSC). PSC found probable cause and recommended termination. A pre-disciplinary meeting was held with the employee, a School Board cadre attorney and a representative from PS/SIU. The cadre attorney prepared the Petition for Formal Proceedings and notice was sent to the employee that a recommendation for termination would be presented to the School Board on November 9, 2010.

There is no financial impact to the school district.

Responding to Mrs. Hope's inquiry, Mr. David Golt, Executive Director, Professional Standards/Special Investigative Unit, informed that the issue is pending at this time, an employee who was investigated for FCAT disruption; the Professional Standards Committee found probable cause, and the Superintendent recommended termination of the employee.

## J. FACILITIES AND CONSTRUCTION MANAGEMENT

### J-1. Change Orders (Approved)

Motion was made by Mrs. Bartleman, seconded by Mrs. Hope and carried, to approve change orders as listed for various school projects, and approve an increase of \$952,968 to the Capital Projects reserve. Mrs. Gottlieb was absent. (7-0 vote)

<b><u>Banyan Elementary</u></b> (Playground Equipment)	Change Order 03	\$24,427 (CREDIT)
Owner Request	\$24,427 (CREDIT)	

<b><u>Banyan Elementary</u></b> (Elementary Playground)	Change Order 03	\$43,481 (CREDIT)
Owner Request	\$43,481 (CREDIT)	

<b><u>Beachside Montessori Village</u></b>	Change Order 09	\$261,220
Consultant Error	\$31,036	
Consultant Omission	\$5,095	
Owner Request	\$37,509	
Unforeseen Condition	\$187,580	

<b><u>Bethune, Mary M. Elementary</u></b>	Change Order 02	\$30,734 (CREDIT)
Owner Request	\$30,734 (CREDIT)	

<b><u>Cresthaven Elementary</u></b>	Change Order 04	\$43,481 (CREDIT)
Owner Request	\$43,481 (CREDIT)	

<b><u>Davie Elementary</u></b>	Change Order 03	\$27,422 (CREDIT)
Owner Request	\$27,422 (CREDIT)	

<b><u>Drew, Charles Elementary</u></b> (ADA Retrofit)	Change Order 04	\$43,481 (CREDIT)
Owner Request	\$43,481 (CREDIT)	

<b><u>Drew, Charles Elementary</u></b> (Playground)	Change Order 02	\$49,765 (CREDIT)
Owner Request	\$49,765 (CREDIT)	

<b><u>Driftwood Elementary</u></b>	Change Order 03	\$5,475 (CREDIT)
Owner Request	\$5,475 (CREDIT)	

<b><u>Ely, Blanche High</u></b>	Change Order 02	\$119,976
Owner Request	\$119,976	

<b><u>Forest Hills Elementary</u></b> (ADA Retrofit)	Change Order 03	\$43,481 (CREDIT)
Unforeseen Condition	\$43,481 (CREDIT)	

<b><u>Forest Hills Elementary</u></b> (Playground Equipment)	Change Order 03	\$49,765 (CREDIT)
Owner Request	\$49,765 (CREDIT)	

<b><u>Hallandale Adult &amp; Community Center</u></b>	Change Order 02	\$38,195 (CREDIT)
Owner Request	\$38,195 (CREDIT)	
<b><u>Lanier-James Education Center (SAAC)</u></b>	Change Order 06	\$64,699
Owner Request	\$32,964	
Unforeseen Condition	\$31,735	
<b><u>Larkdale Elementary</u></b>	Change Order 02	\$24,427 (CREDIT)
Owner Request	\$24,427 (CREDIT)	
<b><u>North Lauderdale Elementary</u></b> (ADA Retrofit)	Change Order 02	\$49,765 (CREDIT)
Owner Request	\$49,765 (CREDIT)	
<b><u>North Lauderdale Elementary</u></b> (Playground & Pavilion)	Change Order 03	\$24,427 (CREDIT)
Owner Request	\$24,427 (CREDIT)	
<b><u>Forman, Blanche (Nova) Elementary</u></b>	Change Order 04	\$43,481 (CREDIT)
Owner Request	\$43,481 (CREDIT)	
<b><u>Palm Cove Elementary</u></b>	Change Order 04	\$43,481 (CREDIT)
Owner Request	\$43,481 (CREDIT)	
<b><u>Park Ridge Elementary</u></b> (Elementary Playground)	Change Order 03	\$44,289 (CREDIT)
Owner Request	\$44,289 (CREDIT)	
<b><u>Park Ridge Elementary</u></b> (Playground w/Pavilion)	Change Order 01	\$52,164 (CREDIT)
Owner Request	\$52,164 (CREDIT)	
<b><u>Park Ridge Elementary</u></b> (Pre-K Playground)	Change Order 03	\$32,837 (CREDIT)
Owner Request	\$32,837 (CREDIT)	
<b><u>Pembroke Lakes Elementary</u></b>	Change Order 02	\$49,765 (CREDIT)
Owner Request	\$49,765 (CREDIT)	
<b><u>Plantation High</u></b>	Change Order 02	\$28,142 (CREDIT)
Owner Request	\$28,142 (CREDIT)	
<b><u>Riverglades Elementary</u></b> (ADA Retrofit)	Change Order 03	\$43,481 (CREDIT)
Owner Request	\$43,481 (CREDIT)	
<b><u>Riverglades Elementary</u></b> (Playground Equipment)	Change Order 02	\$49,765 (CREDIT)
Owner Request	\$49,765 (CREDIT)	
<b><u>Riverland Elementary</u></b> (Playground w/Pavilion)	Change Order 02	\$24,427 (CREDIT)
Owner Request	\$24,427 (CREDIT)	
<b><u>Sea Castle Elementary</u></b>	Change Order 04	\$43,481 (CREDIT)
Owner Request	\$43,481 (CREDIT)	
<b><u>Seagull School</u></b>	Change Order 03	\$11,117
Consultant Error	\$8,840	
Consultant Omission	\$2,277	
<b><u>Silver Ridge Elementary</u></b>	Change Order 03	\$24,427 (CREDIT)
Owner Request	\$24,427 (CREDIT)	

<b><u>Sunshine Elementary</u></b>		Change Order 04	\$0
Unforeseen Condition	\$0		
<b><u>Tropical Elementary</u></b>		Change Order 03	\$10,707
Consultant Omission	\$3,145		
Owner Request	\$7,562		
<b><u>Westchester Elementary</u></b>		Change Order 04	\$43,481 (CREDIT)
Owner Request	\$43,481	(CREDIT)	
<b><u>Westwood Heights Elementary</u></b>		Change Order 02	\$49,765 (CREDIT)
Owner Request	\$49,765	(CREDIT)	
<b><u>Winston Park Elementary</u></b> (ADA Retrofit)		Change Order 04	\$43,481 (CREDIT)
Owner Request	\$43,481	(CREDIT)	
<b><u>Winston Park Elementary</u></b> (Playground Equipment)		Change Order 02	\$49,765 (CREDIT)
Owner Request	\$49,765	(CREDIT)	

The resulting financial impact for the projects listed on the collaboration form (Exhibit 3), will increase the Capital Projects reserve by \$952,968. All credit items will go toward balancing the Capital Projects reserve this 2010-2011 school year. There is no additional financial impact to the district for the remaining projects.

The following individual addressed this item:

Billy Davison

Mr. Lindner informed that a Consultant Error/Consultant Omission is paid by the architect and not the School Board. He stated that Unforeseen Conditions will always occur, even with the qualified architects.

Ms. Dinnen reminded that the district has two operating budgets: Capital and Operating. Salaries are generated through the Operating budget and Capital money cannot be placed into the Operating budget, other than a small amount involving maintenance, per state law.

- \*J-2. Renew Partnership Agreement with Broward County Board of Commissioners (Water Resources Division) (Approved)

Approved the third renewal of the partnership agreement with Broward County Board of Commissioners (Water Resources Division), for an extended period of 12 months commencing January 1, 2011, and approve an additional appropriation of \$202,828, of which fifty percent is to be funded from the Capital Projects Reserve and fifty percent from General Fund Unappropriated Fund Balance.

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

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

Attached in Exhibit 3 is a list of completed projects since the inception of this agreement.

The financial impact is \$202,828 to be funded 50% from Capital Projects Reserve and 50% from General Fund Unappropriated Fund Balance.

- \*J-3. Extension of Sublease Agreement between Mortgage Systems International, LLC, and The School Board of Broward County, Florida (SBBC), for Building H, Sawgrass Technology Park, Sunrise (Approved)

Approved the Extension of Sublease Agreement between Mortgage Systems International, LLC and The School Board of Broward County, Florida for Building H, Sawgrass Technology Park, Sunrise.

Approve and additional appropriation in the amount of \$18,633, which will come from the Capital Projects Reserve.

On June 5, 2007, SBBC entered into a sublease agreement (the "Sublease") with Mortgage Systems International, LLC ("MSI"), for the occupancy of 22,294 square feet of office space within Building H, Sunrise Technology Park in Sunrise, Florida. This space is currently occupied by the South Central Area Superintendent's office.

The primary lease between MSI and the Landlord expires on November 30, 2010. However, as a result of a calculation error by MSI, the Sublease between MSI and the SBBC expires two weeks earlier on November 15, 2010. Notwithstanding the calculation error, SBBC desires to continue occupancy until November 30, 2010, and MSI agrees to extend the term of the Sublease by two weeks up to November 30, 2010.



In exchange, the SBBC agrees to pay \$18,633 to MSI, which represents SBBC's pro-rata share of the November lease expense.

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

The financial impact to the school district is \$18,633. The source of funding will be the Capital Projects Reserve.

\*J-4. Grant of Utility Easement to the City of Lauderdale Lakes for Water Main Line at Boyd Anderson High School (Approved)

Approved the Grant of Utility Easement to the City of Lauderdale Lakes for water main line for the new cafeteria at Boyd Anderson High School.

The proposed Utility Easement is required by the City of Lauderdale Lakes to provide installation of water main lines for the new cafeteria at Boyd Anderson High School.

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

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

\*J-5. Pre-Qualification of Contractors – Approval of Application and Issuance of Certification (Approved)

Approved the recommendations of the Superintendent indicated in Exhibit 1.

The Qualification Selection Evaluation Committee (QSEC) convened on October 27, 2010, to review Contractor Pre-Qualification Staff Application Review Executive Summaries received for the following contractors and makes the following recommendations to the Superintendent of Schools:

Elkins Constructors, Inc. – Approve Appeal to Recommend Re-Certification

Hatcher Construction & Development, Inc. – Issue Recommendation to Not Re-Certify

\*\*Jag Air Mechanical, Inc. (General) – Issue Pre-qualification Re-Certification

\*\*Jag Air Mechanical, Inc. – (Mechanical) Issue Pre-qualification Re-Certification

\*\*Jorda Mechanical Contractors – Issue Pre-qualification Re-Certification

\*\*Lambert Bros., Inc. – Approve Appeal to Recommend Re-Certification

Logitech Construction Group, LLC – Issue Recommendation to Not Certify  
Valcom Design and Construction, Inc. – Issue Recommendation to Not Re-Certify

\*New Certification \*\*Certified M/WBE and/or SBE

The Pre-Qualification Application reviews were conducted and the recommendations were determined in accordance with F.S. 1013.46, State Requirements for Educational Facilities and Board Policy 7003.

Contractor Pre-Qualification Staff Application Review Executive Summaries are available for review at the Design & Construction Contracts Department.

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

- \*J-6. Award of Contract – MBR Construction, Inc. – Press Box, ADA Lift and Scoreboard Installation – Marjory Stoneman Douglas High School, Parkland – Project No. P.001033 (Approved)

Approved the rejection of the bid received from Bazanj Construction Corporation and award of a construction contract for Marjory Stoneman Douglas High School, Press Box, ADA Lift and Scoreboard Installation, Project No. P.001033, to the low bidder meeting the bid specifications, MBR Construction, Inc., in the amount of \$224,000.

Project Consultant: Facilities and Construction Management  
Division, Design Services Department.  
Contractor: MBR Construction, Inc.

**Scope of Work:**

Provide and install a code compliant press box with an ADA compliant lift, and a new scoreboard sign.

The amount of the contract shall be \$224,000. The sources of funds are identified in the Adopted District Educational Facilities Plan, Fiscal Years 2010-2011 to 2014-2015, page 98.

**K. OFFICE OF CHIEF FINANCIAL OFFICER**

- \*K-1. Revision to General Fund Amendment (Approved)

Approved the General Fund Amendment I-1 for Fiscal Year 2010-11.

This amendment is for the purpose of updating The Broward County School District Budget for changes in Revenue and Appropriations due to the recognition of new revenue or the adjustment of projected revenue through 9/30/10.

Recognize changes in Revenues and Appropriations through 9/30/10.

\*K-2. Revision to Special Revenue (Other) Amendment (Approved)

Approved the Special Revenue (Other) Amendment IV-1B for Fiscal Year 2010-11.

This amendment is for the purpose of updating The Broward County School District Budget for changes in Revenue and Appropriations due to the recognition of new revenue or the adjustment of projected revenue through 9/30/10. Recognize changes in Revenues and Appropriations due to new revenue or the adjustment of projected revenue through 9/30/10.

K-3. Revision to Special Revenue – American Recovery & Reinvestment Act (ARRA) Amendment – Part I (IDEA, IDEA-Pre-K, Title I, Title I-Part D and Title I School Improvement) (Approved)

Motion was made by Mrs. Bartleman, seconded by Mrs. Hope and carried, to approve Special Revenue (ARRA – Part I) Amendment IV-1D for Fiscal Year 2010-11. Mrs. Gottlieb was absent. (7-0 vote)

This amendment is for the purpose of updating The Broward County School District Budget for changes in Revenue and Appropriations due to the recognition of new revenue or the adjustment of projected revenue through 9/30/10.

Recognize changes in Revenues and Appropriations due to new revenue or the adjustment of projected revenue through 9/30/10.

Voicing concern over the district's budget shortfall, Mrs. Bartleman stated that this is one-time money and requested the Superintendent to develop a plan to present to the Board regarding how the district is going to account for some of these funds.

K-4. Revision to Special Revenue – American Recovery & Reinvestment Act (ARRA) Amendment – Part II (Head Start, Early Head Start, Title II D – Educational Technology, Title X – Homeless) (Approved)

Motion was made by Mrs. Bartleman, seconded by Mrs. Hope and carried, to approve Special Revenue (ARRA – Part II) Amendment IV-1E for Fiscal Year 2010-11. Mrs. Gottlieb was absent. (7-0 vote)

This amendment is for the purpose of updating The Broward County School District Budget for changes in Revenues and Appropriations due to the recognition of new revenue or the adjustment of projected revenue. Totals reflect budget amendments through 9/30/10.

Recognize changes in Revenues and Appropriations due to new revenue or the adjustment of projected revenue through 9/30/10.

Ms. Dinnen informed that the district has gotten two allotments of federal money that have been substantial; a two-year allotment (ARRA), also known as stimulus bill, which funded IDEA, Title I and Stabilization. Ms. Dinnen stated that the state of Florida subtracted that amount from its ordinary allocation of state money and filled the federal money in the "hole."

Ms. Dinnen further informed that the Jobs Bill was a one-year grant, which is separate from these stimulus funds. She stated that Board needs to be diligent in informing the public of exactly why that money is not forthcoming and what the state plans to do to fill the "hole" this year. Ms. Dinnen stated that individuals were re-hired and taken off layoff with the federal money.

Mrs. Bartleman discussed the unreserved, unrestricted fund balance; the district being at 3.22 percent, with the district needing to stay above 3 percent, which is a very slim margin that she is concerned about.

Mrs. Bartleman maintained her concern over how the Jobs money was spent for next year, stating that some of that money could have been saved for next year's concerns. She requested that a pro/con explanation be made regarding budget decisions this year.

Ms. Dinnen noted that the Board did not make a hasty decision regarding the expenditure of the Jobs money.

\*K-5. Revision to Capital Projects Funds Budget Amendments (Approved)

Approved the Capital Projects Funds Amendments for Fiscal Year 2010-2011. These amendments are for July through September, 2010.

These amendments are being submitted to reflect additional revenues and appropriations of the Capital Projects Funds in order to:

- 1) Recognize an increase in estimated revenue
- 2) Adjust appropriations
- 3) Reallocate budgeted funds
- 4) Allocate time and travel to projects

The financial impact of this agenda item is adjusting Revenue and Appropriation as indicated on schedules A and B for Capital Budget activities as of July through September, 2010.

K-6. Interim Financial Statements for the Period Ended September 30, 2010  
(Approved)

Motion was made by Mrs. Bartleman, seconded by Mr. Tynan and carried, to approve the Interim Financial Statement for the period ended September 30, 2010. Mrs. Gottlieb was absent. (7-0 vote)

Financial Statements are required to be submitted to the School Board, pursuant to State Board Administrative Rule 6A-1.008.

There is no financial impact to the district.

Mrs. Bartleman informed that she is monitoring the Fund Balance very carefully, and she previously stated her concerns over the budget.

**OPEN ITEMS**

**AA. RESOLUTIONS**

**BB. BOARD MEMBERS**

**CC. BOARD POLICIES**

CC-1. Overtime Pay or Compensatory Time (Adopted)

Motion was made by Mrs. Bartleman, seconded by Mr. Tynan and carried, to adopt the revisions to Policy 4300.1, Overtime Pay or Compensatory Time, at this final reading. Mrs. Gottlieb was absent. (7-0 vote)

A desktop audit of overtime expenditures was conducted during January 2009 – March 2009. As a result, the auditors proposed several recommendations to improve the approval, monitoring, tracking, and payment processes for overtime. An Overtime Committee was established to review the auditor's report, analyze the processes and determine which recommendations could be implemented or modified for implementation. The recommendations and the revised Policy 4300.1 – Overtime Pay or Compensatory Time were presented to the School Board at a School Board Workshop on June 8, 2010.

The revised policy was reviewed by general counsel to ensure alignment with the Fair Labor Standards Act and applicable collective bargaining agreements.

There is no financial impact to the school district.

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Mrs. Hope requested an update on this agenda item.

Ms. Diaz informed that the final reading of the policy, which was discussed at a workshop, is to codify the district's overtime and compensatory time procedures so that administrators and employees clearly understand them, and to also improve some of the procedures in SAP programming so there is some set rates for secondary or additional positions, to save some moneys and to ensure there is alignment with the Fair Labor Standards Act.

Ms. Diaz stated that there was a \$30,000 savings for a quarter, as was presented at the workshop. She stated it is difficult to determine, as it depends on the number of additional positions that may be available in the future.

Ms. Dinnen stated that there was some criticism at the workshop of the district's overtime procedures, which resulted in the formulation of the policy.

Mrs. Diaz concurred that the policy will adhere to the Fair Labor Standards Act, as well as all contractual obligations.

CC-2. Instructional Materials Policy 6.5 (formerly known as Textbooks Policy 6.5) (Adopted)

Motion was made by Mrs. Bartleman, seconded by Ms. Murray and carried, to adopt revisions of Instructional Materials Policy 6.5, at this final reading. Mrs. Gottlieb was absent. (7-0 vote)

The revised Textbooks Policy 6.5 was shared with the School Board at the March 23, 2010, School Board Retreat. Policy changes noted are the result of statutory revisions included in summary:

- Title change from Textbooks Policy 6.5 to Instructional Materials Policy 6.5
- Language specific to textbooks or books has been replaced with instructional materials or materials
- Formula has changed for the replacement value of instructional materials from a depreciated amount to the full replacement cost.

There is no financial impact to the district.

Mrs. Bartleman stated that it is important for parents whose children use online textbooks to be able to access them, and many times they cannot be accessed.

Mrs. Bartleman requested that students be given assurance that the option of using the internet to access their textbooks is running at all times and that a reporting mechanism and a back-up system is available.

Concurring, Dr. Parks stated that a support system must be available and functioning. He noted that most textbook companies will offer the electronic textbooks and workbooks to the district, all ancillary materials. Dr. Parks commended staff for working with the Board on this issue, which is now in a policy.

Mrs. Hope inquired whether the district is meeting the CCC requirement that every student is suppose to have a textbook, or whether the material is now available online.

Mr. Carter responded that he will respond to the Board regarding the legality in addressing the online textbooks.

Mr. Marko advised that numerous discussions have been held with staff on how to address the problem of not everyone having the ability to go online, and the question is whether or not the use of those online textbooks would be available to the student population.

Mrs. Hope inquired whether the online availability, with textbooks, would meet the CCC requirement of every student having accessibility to a text.

Mr. Marko responded affirmatively, but said that in all practicality he is not sure how that would be implemented.

Mrs. Bartleman stated that access to the Advanced Placement books and the literature books required for students to read for Advanced Placement English are not online. She requested that an inventory be provided of all the high schools with increased student participation and ensure there are enough books for the AP courses. Mrs. Bartleman further requested that the Board be provided in writing the Advanced Placement courses. Remarking that parents should not have to go online and purchase their own AP books, Mrs. Bartleman suggested that possibly the counties can join in and have some leverage with these textbook companies.

Ms. Dinnen stated if the district does not have a technology situation where books are allowed to be accessed online, they should be available in the library of the individual school where the AP course is offered.

Mrs. Diane Carr, Executive Director, Core Curriculum, responded that a number of schools do that and staff will bring that forward as a Best Practice.

Mrs. Hope suggested that staff try to implement this, since that is part of the CCC settlement, to make sure that the district provides access through textbook format and online format. Mrs. Hope requested that staff provide the percentage that the district is meeting of the CCC requirement.

Mrs. Carr responded that all students have access to both formats, and a hard book is purchased per child.

Ms. Dinnen informed that many inquiries are made throughout the year about adopting a new line of textbooks, and that this is a state mandate and is not within the control of the Board. Ms. Dinnen stated that the Commissioner of Education previously indicated that "this particular text should be adopted." There was not a significant change in the text, the cost factor, and some teachers did not care for the new form to be adopted.

Mrs. Carr informed that a different content area is adopted every year, following a schedule prescribed by the Department of Education. She said the schedule was a six-year rotation but some adjustments will be made to that schedule.

The following individuals addressed this item:

Jeanne Jusevic  
Nora Rupert

Responding to Mrs. Rupert's concerns, Mrs. Hope requested that staff follow-up and ensure that when the Edge series for reading is adopted, that every child in that program has a consumable workbook.

CC-3. Policy 6000.1: Student Progression Plan (Adopted)

Motion was made by Mrs. Bartleman, seconded by Ms. Murray and carried, to adopt revisions to Policy 6000.1: Student Progression Plan, at this final reading. Mrs. Gottlieb was absent. (7-0 vote)

There have been amendments to Florida Statutes 1003.4156 and 1003.42, as well as newly adopted legislation from Senate Bill 4.

The School Board previously decided that all legislative changes are not required to follow the traditional process for policy adoption (i.e., Workshops), as they are legally required elements of our policies and therefore discussion is not necessary.



These policy changes must be enacted immediately as they impact students who have already begun the 2010-11 school year. Therefore, Policy 6000.1, is being amended to align with the legislative changes. This language will be added to the Policy.

There is no financial impact.

Mrs. Bartleman voiced concern about the End of Course (EOC) examinations that are part of this policy, the block scheduling and the ESE issues. She stated that students taking the courses in the spring should be online and there should be on-demand tests. Also, the ESE issues need to be brought forward to the ESE delegation meeting.

Mrs. Bartleman discussed the Algebra as a GEM course in middle school who now have to take the End of Course examination now.

Mr. Ralph Aiello, Coordinator, Core Curriculum, informed that currently 9<sup>th</sup> grade students who took Algebra I in 7<sup>th</sup> or 8<sup>th</sup> grade and earned credit, are being required by the Department of Education (DOE) to take the Algebra End of Course examination this year, despite that it might have been one or two years since they have actually taken the course. Mr. Aiello stated that the student will not be held accountable for the grade, as far as their previous credit earned or previous grade earned. Those scores can and probably will be used in the high school accountability formula; the student is not accountable but the school is. He said that there has been a year-or-two year gap since the course has been taken and the End of Course examination will be administered.

Mr. Aiello further stated that the inquiry regarding whether the score will be on the student's transcript has not yet been determined. The faster system is the transcript system from the DOE and they are currently building new fields for the End of Course examination and it will probably end up on the transcript. Also, it has not yet been determined whether colleges or universities will look at these End of Course exams and factor them into any decisions for college admissions or scholarships.

Mrs. Bartleman requested that the Board be kept apprised and provided with a matrix when identifying problems with the End of Course exam in order to have "speaking points" at the Florida School Boards Association (FSBA) and Florida Association of District Superintendents (FADS) conference.

Mr. Notter stated that it is the DOE's interpretation of the legislation, rather than the actual legislation.

Ms. Dinnen said she would like to know precisely what part of Senate Bill 4 this came from, and that the Board be updated on EOC issues.

The following individuals addressed this item:

Jeanne Jusevic  
Graham Rabinowitsch

CC-4. New Job Description and Minimum Qualifications for the General Counsel Emeritus Position for The School Board of Broward County, Florida (Adopted)

Motion was made by Mr. Tynan, seconded by Ms. Dinnen and carried, to adopt the proposed job description and minimum qualifications for the General Counsel Emeritus position for The School Board of Broward County, Florida. This is the final reading. Mrs. Gottlieb was absent. Mrs. Bartleman and Mrs. Hope voted "no." (5-2 vote)

The job description, for General Counsel Emeritus, has been created to serve the Broward County School District, the General Counsel, and the Superintendent of Schools as a consulting and advisory resource regarding legal and procedural issues of importance to the School District. See Executive Summary.

There is no financial impact to the district.

Mrs. Bartleman stated it is not appropriate to bring the item forward and requested that it be tabled, as there is not a candidate and a new Board will be in place on November 16, 2010. Mrs. Bartleman said that she voted against moving forward with the attorney process during the Special Meeting on October 18, 2010, and she will continue to maintain her position that the item be addressed when the new Board is seated. She said that without a candidate there is not an Emeritus position to fill.

Mr. Tynan stated that a job description is being created, not placing someone in that job description, and the job description can be modified at any time by a new Board and it should not prevent this Board from moving forward.

Concurring, Dr. Parks stated that the position is not being filled and the job description is the final reading, having previously discussed this item. Dr. Parks stated if the new Board decides to advertise for a new attorney, the qualifications can be stated that their application include a Martindale Hubbell directory, which lists all top-rated attorneys.

Mrs. Hope inquired why the salary is not listed.

Mr. Notter responded that the standard job descriptions do not include a salary because the salary schedule changes on an annual basis. The policy is the job description and the pay is set by a School Board-approved contract.

Ms. Murray stated that the job description language will allow flexibility for the Board to negotiate with future candidates. She stated that Mr. Marko has taken some “cheap hits” and he should be given credit for weathering many storms for the district since his employment in the system since 1968, and has also worked in the best interest of the school system.

Ms. Dinnen discussed the wealth of knowledge of Mr. Marko, with other attorneys throughout Florida calling Mr. Marko as their source of educational law. Ms. Dinnen stated that the Board should look for a General Counsel with knowledge and some experience in Florida school law.

Ms. Dinnen requested that she be provided information regarding whether there are comparables around the state as far as the responsibilities of the Chief Counsel; the number of cases that the district handles during the year, what is the district’s track record, and what are the duties of the Chief Counsel and Chief Counsel’s office.

Mrs. Hope stated that she will not support the item because the entire data is not available for review. She stated that verbiage needs to be included as to when Mr. Marko will be leaving office, including setting a salary.

Dr. Parks noted that Mr. Marko’s office produces an annual report that lists every legal item that his office has generated. He stated it is incumbent on the Board to be aware of that document. Dr. Parks credited the monitoring of construction projects and the addition of a construction attorney, which has resulted in credits to the school district. Dr. Parks further stated that the emeritus position is needed.

Mrs. Hope stated that she will not table the item and will not support the item. She stated that the new Board should take control of the process and discuss the salary schedule.

Mr. Marko concurred that within the last 30 days a document was generated that included the budget and where savings were made as compared to last year, indicating salaries of district staff, attorneys’ job descriptions, an organizational chart and a resume of every case that has been handled during the year.

The following individuals addressed this item:

Bernie Schultz  
Patti Good, Board Member-Elect  
Dave Thomas, Board Member-Elect  
Billy Davison  
Charlotte Greenbarg  
Rhonda Ward

Ms. Dinnen stated that the job description is not binding but it puts out an option.

Mr. Marko informed that the School Board has a right to vote, to create the contract for the Emeritus Counsel; the contract will determine the term of the employment, determine salary and compensation, which will be voted on by the Board.

Following the calling of the question by Dr. Parks, a vote was taken.

CC-5. Revisions to School Board Growth Management, Policy 1161 (Adopted)

Motion was made by Mr. Tynan, seconded by Mrs. Hope and carried, to adopt the proposed revisions to School Board Growth Management, Policy 1161, at this final reading. Mrs. Gottlieb was absent. (7-0 vote)

On December 15, 2009, the School Board approved Agenda Item No. J-27, which authorized the formal initiation of proposed amendments to the Amended Interlocal Agreement for Public School Facility Planning (ILA). The proposed amendments were twofold: (1.) To change the Level of Service Standard (LOS) from 110% permanent FISH capacity to 100% gross capacity, (to enable the use of relocatables), from school year 2010/11, and sunset the use of relocatables in school year 2018/19, while retaining the concurrency service areas (CSA's) as individual school boundaries; and (2.) To include amendments proposed by the Staff Working Group (SWG) to address pertinent timeframes and processes in the Amended ILA. The proposed amendments were codified in the Second Amended ILA.

As required by provisions of the Amended ILA, the Second Amended ILA was approved by the School Board, Broward County and 22 municipal signatories to the Agreement, and transmitted to the Florida Department of Community Affairs (DCA) for review and determination of whether the amendments met the requirements of state statutes. In a letter dated August 4, 2010, the DCA notified the School Board, Broward County and the 22 municipalities of its intent to find the Second Amended ILA consistent with the minimum requirements of state statutes.

The DCA also advised that the intent would be published in the Florida Administrative Weekly on August 13, 2010, and as defined by state statutes any affected parties have 21 days to challenge the DCA's findings. If no challenge is filed within the designated timeframe, the DCA's findings become final.

School Board Policy 1161 must be changed to enable the District to implement the provisions contained in the Second Amended ILA, hence the proposed revisions to the Policy. A Summary of the proposed revisions to the Policy is articulated in Exhibit 2. The revisions before the Board were generated by staff in coordination with School Board Cadre Attorney Alan Gabriel, and the Board Item including the amendments were subsequently reviewed by Mr. Gabriel and approved as to form and legal content by the School Board Attorney. Therefore, it is recommended that the School Board should adopt the revisions to the Policy, at this final reading.

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

No discussion was held on this item.

- CC-6. Revision to Policy 7003 – Pre-Qualification of Contractors and Selection of Architects, Engineers, Design Builders, Construction Managers, and Total Program Managers Pursuant to the Consultants Competitive Negotiation Act (Adopted)

Motion was made by Mr. Tynan, seconded by Mrs. Bartleman and carried, to adopt revisions to Policy 7003 and policy attachment 7003.1, at this final reading. Mrs. Gottlieb was absent. (7-0 vote)

Replace existing Policy 7003 and policy attachment 7003.1 (Contractor Pre-Qualification Application Form) with attached revision. Policy 7003, with 7003.1, was brought to the School Board Workshops on November 3 and December 8, 2009, and June 8, 2010. Staff provided Board Members with recommended changes to review revisions and obtain School Board Member feedback. At the direction of the Board, those changes and changes directed by the Board are reflected in these policy revisions.

Revisions include update of statutory reference, restate and revise language to add clarity, correct employee job titles per organization chart, revise composition of QSEC to eliminate School Board Member participation for pre-qualification of contractors and replace School Board Member participation for selection for award of contracts with community member appointed by Chief Operations Officer and Minority Builders Coalition representative, appointee from the general public to be appointed by the school principal for site specific selections and by the Superintendent of Schools for pre-qualification of contractors and county wide selections, quorum to be six for prequalification of contractors, broaden article for lobbying to include Code of Silence, add language that public officers and employees comply with state Code of Ethics, replace financial disclosure form with Conflict of Interests Form, and revise contractor pre-qualification application to reduce time staff spends reviewing.

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

Ms. Charlotte Greenbarg, President, Broward Coalition, stated that all appointees should not have any business dealings with the district in the previous two years.

Ms. Dinnen stated it would be helpful to have the information so that the Board can address the issue.

CC-7. Revisions to School Board Policy 1341 – Use of Broward County School Facilities for Non-School Purposes (Approved)

Motion was made by Mrs. Bartleman, seconded by Dr. Parks and carried, to approve revised School Board Policy 1341, Use of Broward County School Facilities for Non-School Purposes, at this **first** reading. Mrs. Gottlieb was absent. (7-0 vote)

The existing Use of Broward County School Facilities for Non-School Purposes, Policy 1341, addresses School Board rules for the use of school facilities by other groups or organizations. The changes proposed in the Revised Policy 1341 were brought forward primarily to clarify provisions in the existing policy, define commonly used terms, automate the application process by using a central database to store information and produce the lease agreement, adjust the fees to today's reality, and add a matrix to identify requirements and clarify the type of charges to be applied to the four (4) categories of users.

The amendment before the Board was reviewed by ELT and presented to a Board Workshop on October 26, 2010. The Revised Policy was approved as to form and legal content by the School Board Attorney.

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

Mrs. Bartleman thanked staff and Mr. Notter for their involvement of this policy. She stated this is a fair outcome, especially with the Children's Services Council and what they do for children in meeting their needs.

Mr. Notter stated that he expects a "push back" on this item as it is rolled out for implementation. This is due to the fact that previously there was a poor Fidelity of Implementation (FOI) in the past practice. Mr. Notter further stated that in the second half of the year, in the summer, a push back is expected, and there is more confidence in the quality of the work that was done. The Superintendent said this is strictly recouping actual costs.

Mrs. Bartleman noted that the policy is much fairer than before, fairer to the non-for-profit organizations.

**DD. OFFICE OF THE CHIEF AUDITOR**

**EE. CHIEF OPERATIONS OFFICER**

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

**GG. HUMAN RESOURCES**

**HH. ATTORNEY**

**II. OFFICE OF THE SUPERINTENDENT**

**JJ. FACILITIES AND CONSTRUCTION MANAGEMENT**

**KK. OFFICE OF CHIEF FINANCIAL OFFICER**

**Adjournment** This meeting was adjourned at 4:05 p.m.

RT