

Approved in Open Board Meeting, July 24, 2012

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

**May 30, 2012
Wednesday, 10:15 a.m.**

MINUTES OF REGULAR MEETING

The School Board of Broward County, Florida, met in regular session at 10:22 a.m., Wednesday, May 30, 2012, in the Board Room of the Kathleen C. Wright Administrative Center, 600 Southeast Third Avenue, Fort Lauderdale, Florida. Present were: Chair Ann Murray; Vice Chair Laurie Rich Levinson; Members Robin Bartleman, Maureen S. Dinnen, Patricia Good, Donna P. Korn, Katherine M. Leach, Nora Rupert, Benjamin J. Williams; Superintendent Robert W. Runcie, and J. Paul Carland, II., Esq.

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

Minutes for Approval Motion was made by Ms. Dinnen, seconded by Mrs. Rupert and carried, to approve the official minutes for the following Board Meetings, as amended: (9-0 vote)

May 1, 2012 – Regular School Board Meeting
May 15, 2012 – Special – Expulsions

Referring to the May 1, 2012, Regular School Board Meeting, Mrs. Bartleman noted corrections to page 48, which were previously noted, corrected by staff, and submitted to Board Members.

Referring to the May 1, 2012, Regular School Board Meeting, Ms. Dinnen noted corrections to page 25, which were previously noted, corrected by staff, and submitted to Board Members.

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

SPECIAL PRESENTATIONS

McArthur High School Dance Team National Champions

Ms. Murray presented the McArthur High School Dance Team National Champions video clip. The dance team, Principal Todd LaPace, and coaches appeared through video conference.

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Ms. Murray announced that McArthur's Dance Team recently claimed the National Championship title for the first time at the Champion Dance National Competition held at the University of Central Florida in Orlando, and the first time the team competed in the event. McArthur competed against teams from performing arts schools, parochial, private and public schools for the best in their region from across the country.

The dance team of 50 students competed in the open category which is a variety of dance styles. The team won 1st Place in the Small Team Open category and the overall award for the Open category for the entire competition. They also received a rating of Superior in the Hip-Hop category.

Principal LaPace introduced the Dance Team (inaudible).

Ms. Murray stated that extra-curricular activities plays a major role in children's lives. Team sports, clubs, and other after-school activities help children to succeed in their studies and become well-rounded adults. All Dance Team members increased their GPA average and completed over 100 community hours toward their graduation. The students practice for an average of 15 hours per week, and most of the members participate in two or more after-school activities and clubs.

Ms. Murray, on behalf of the School Board, congratulated McArthur High School Mustangs and said she looked forward to next year's competition.

Project Bridge Safe Schools/Healthy Students 2012 Prevention Schools of Excellence

Mr. Amalio Nieves, Curriculum Supervisor, introduced the following individuals: Mrs. Michaelle Valbrun-Pope, Director, Diversity Cultural Outreach and Prevention; Ms. Pat Castillo, Executive Director, United Way of Broward County Commission on Substance Abuse, and Co-Chair of Project Bridge Safe Schools/Healthy Students.

Mr. Nieves stated that the presentation illustrates the efforts of the schools, despite all the challenges facing them, to imbed prevention as part of their school culture. He stated that these are the "best of the best" individuals in the schools.

Ms. Castillo recognized that dynamic leaders come together to ensure that a vision is developed for the children of the communities, that systems are in place that prevent and protect children from substance abuse and all of its related causes, which could not occur without a partnership from Broward County School Board. These leaders help to guide the young individuals in the community, the majority of them doing fantastic things under tremendous pressures in excelling.

Ms. Murray recognized the following Principals and Prevention Liaisons, who appeared on behalf of their schools via video conference and at today's Board meeting: Wilton Manors Elementary, Mark Narkier and Dr. Ana Leon; Challenger Elementary, Maria Bach and Joy Solomon; Lauderhill Middle School, Jeannie Floyd and Arnetta Davis; Falcon Cove Middle School, Dr. Mark Kaplan and Daniel Slowik; Silver Lakes Middle School, Kathryn Sullivan and Jillian Mostal; Gulfstream Middle School, Brian Kingsley and Stacie Conner.

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Continuing, Ms. Murray recognized New Renaissance Middle School, Janet Morales and Diana Cabot; Glades Middle School, Dorys Palacio (appearing on behalf of Krista Herrera) and Jennifer Lostumbo; Whispering Pines School, Michael Gleason and Ann-Marie Brown; and Coral Glades High School, Michael Ramirez and Timothy Winburn.

Mr. Nieves recognized the following Prevention Liaisons of Distinction (present at the Board meeting): Dr. Ana Leon, Wilton Manors Elementary; Dr. Wendy Schaal, Margate Elementary; Victor Calderon, Sunrise Middle; Jennifer Lostumbo, Glades Middle School; Diana Cabot, New Renaissance Middle; Laura Rountree, Stoneman Douglas High School; Lucas (Luke) Williams, Millennium Middle School; Kim Young, Rickards Middle School; Suzanne Murphy, Northeast High School; and Sumitra Rios, Floranada Elementary School.

Mrs. Valbrun-Pope congratulated all schools and individuals for their recognition, and thanked the School Board and Superintendent for their support.

Mrs. Good congratulated all the schools and individuals, Mrs. Good stated it is clearly not all about academics, it is about having caring students who are better citizens of society. Gratitude was expressed to Mrs. Valbrun-Pope and Mr. Nieves for their leadership in the Prevention department, developing programs within the schools and assisting schools to implement programs that clearly provide a great asset to students and to the community as a whole.

Mrs. Good especially thanked Principal Morales, New Renaissance Middle, Ms. Palacios, Glades Middle School, and Mr. Gleason, Whispering Pines School, stating that she has seen firsthand the programs that have provided to their schools. Mrs. Good stated that all schools are coming to the plate to provide wonderful programs for students.

Mrs. Rupert, who congratulated all schools and Office of Prevention, stated that these schools exemplify Best Practices. She said that the School Board is supportive of all programs where schools have a happy, safe environment where children are learning. She encouraged all schools to learn from these schools.

Mrs. Korn stated that having served on the Children's Services Board she observed the monumental task of bringing together key individuals throughout the county to form the Project Bridge program. She thanked district staff for developing these programs for the schools, which has touched many students (many with tragic stories) with positive results.

Ms. Murray extended gratitude to all principals for being involved with a program that has made a difference to schools and their communities and has improved the lives of children.

Partners in Education: Recognizing Wheelabrator Technologies Inc.

Ms. Nina C. Randall, Coordinator, Partners in Education, recognized Wheelabrator Technologies for their Annual Environmental Symposium recognition. For 18 years, Wheelabrator has supported working with three or four middle schools in the county; developing and solving an environmental problem that may exist in their school or community, and working on that problem throughout the year.

Ms. Randall stated that beginning in May, all ten (10 schools), from New Hampshire to Broward County, are invited to one community whereby half of the team (8th graders) present their project to the rest of the group, approximately 100 students. This year the team traveled to Florida for a two-day symposium, where they present their projects and solutions to a panel of educators, politicians and local community volunteers.

Ms. Randall introduced West Glades Middle School students (via video conference), Mr. James Cecil, Sawgrass Springs Middle School, New River Middle School Principal Melinda Frame-Wessinger and teacher Barbara Rapoza (appearing at the Board meeting).

These educators spoke to the Board on what their students are doing, have done, and how much of an impact this hands-on after-school project has made for their schools. They emphasized the Best Practices and stated that Wheelabrator Symposium helps foster environmental and social awareness in today's youth and is an experience that many students will remember for the rest of their lives, an experience that enriches and motivates everyone who participates.

Ms. Randall stated that hopefully the program will be back in Broward County for a 7th year and encouraged everyone to see the program. She noted that a professor of physics at Fisk University sits on the panel and for the last five years the school has been offering scholarships to students who participate in the program.

Mrs. Rich Levinson thanked Ms. Randall for presenting to the Board each month a Partners in Education feature. She thanked Wheelabrator Technologies for their 18-year commitment to the school district, a true business partner that provides critical hands-on learning experience for students. Mrs. Rich Levinson also thanked the schools for taking the initiative to participate in what Wheelabrator is offering.

Ms. Dinnen stated that Wheelabrator Technologies is a wonderful partnership, dedicating 18 years to the children of Broward County. Ms. Dinnen joined in celebrating with the schools who participated in this program.

Mrs. Korn stated that the partnership between the district and Wheelabrator is the epitome of partnerships and as the district expands its partnerships, this is the type of model that should be followed.

Mrs. Korn spoke of her visit to West Glades Middle School's hydroponics program, how it has reached the ESE population at the school, and the level of involvement and intrigue that causes a child to have life-long learning.

Mrs. Leach spoke of her experience as a teacher at Sawgrass Springs Middle School with Wheelabrator being a partner, and teaching a self-contained classroom cluster for children with autism. She stated that Wheelabrator provided funding for the school to be able to implement some community-based instruction programs.

Broward Teachers Union and First Book Distribution

Mr. Williams announced a new partnership between the Broward Teachers Union and First Book, a national non-profit group. This is a partnership about books for kids. First Book's mission is to provide high-quality, new books to schools and children in need.

The American Federation of Teachers (AFT) and its affiliates, including the BTU, have been partners with First Book for the past several months, already having given away almost 100,000 books to students across the country.

In Broward County, the BTU's First Book program will kick off by concentrating on three (3) schools serving Title I students. The initial rollout will provide books at North Fork Elementary School, Rock Island Elementary School, and Sunland Park Elementary School. The BTU and First Book are going to distribute brand new books to a total of 2,200 children at these three schools.

Mr. Williams stated that the BTU has invited the School Board to a kick-off event on June 6, 2012 where these summer books will be passed out to the students. He stated that schools and students need good news right now and this program is great news.

Ms. Bernie Schultz stated that the BTU and the national union, AFT, are very proud to work together with First Book. A Harris Survey found that the high interest in reading nearly tripled in children who receive books through First Book. First Book works with top publishers to distribute top children's books and they are brand new.

Ms. La Frances Trotter, BTU representative, stated that she is instrumental in going to the schools, working with the principals and teachers, and is the contact person for First Book. She stated that the books will be distributed to children as part of the Summer Reading Challenge and children are currently signing pledge cards, pledging that they are going to read the books.

Ms. Trotter further stated if the BTU and First Book raise money, it is hopeful that a second book will be provided in the fall to welcome students back to school and reward them for reading throughout the summer. By working together, the program will grow until it serves every single child in the district, and every child should find their favorite book and learn to love reading. For some children this will be the first book they have ever owned.

School Board Members were invited to attend the kick-off event on June 6, 2012, at Rock Island Elementary School.

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A flyer was presented to the Board, with a bookmark that will be put in every book with the child's name.

Ms. Murray extended gratitude to Mr. Williams, the BTU, and First Book for providing books to these children. She noted that Barnes and Noble is a partner with her to help some of her district's schools.

Ms. Dinnen praised this cooperative venture to benefit children and thanked the BTU.

Acknowledgement of Selah Selah

Mrs. Bartleman introduced Selah Selah, Northeast High School 9th grade student, Principal Jonathan Williams, and Mazon Hazen, Selah's mother. She stated that Selah was at the beach on May 14, 2012 when he heard someone screaming, and noticed that a father and his two young children were caught in a rip tide in the water. Selah swam out to the children, bringing a little girl to shore and went back in the water and brought the young boy safely to shore on his boogie board. Meanwhile, other Good Samaritans on the beach were in the process of rescuing the father, and the family was taken to the hospital and subsequently released.

On behalf of the School Board, Mrs. Bartleman praised Selah for his heroic efforts and said that Broward County School District is fortunate to have him in the county and for doing the right thing.

Selah thanked everyone for the recognition.

Remarking that Northeast is proud of Selah, Principal Williams quoted Dr. Martin Luther King, "The time is always right to do what is right."

Extending gratitude to Selah on behalf of students in District 3, Ms. Dinnen stated that Selah is an outstanding example to all students.

REPORTS

Broward County Association of Student Councils and Student Advisor to the Board – Maria Brown and Blair Hirt

Maria reported that BCASC held its annual convention on May 18, 2012 at Pompano Beach High School. Students attended workshops presented by their peers and elected new officers for the 2012-2013 school year.

Newly-elected officers/schools include: Coral Glades High School, President; Flanagan High School, Vice-President; Westglades Middle School, Vice-President; Boyd Anderson High School, Secretary; McArthur High School, Treasurer; Pompano Beach High School, Parliamentarian.

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BCASC projects for next year include: Wacky Olympics, an environmental project, spring food drive, holiday cards for VA hospitals, destination diploma, Care Finders, and the Joe DiMaggio Love Challenge.

Maria further reported that 40 Broward County students were selected to represent their schools at the Hugh O'Brien Youth Leadership Seminar at Lynn University. Two Broward students were selected to represent them at the international level, World Leadership Seminar.

Employee Unions – Linda Lewis

Ms. Lewis, Federation of Public Employees, stated that the union has a responsibility to protect and retain employment for its members. She spoke of an employee who is being terminated without due process, not knowing until today that she was on the agenda to be terminated. Ms. Lewis stated that managers are continuing to "bully" FOPE employees; there are job descriptions and deletion of job titles without negotiation with the union; e-mails and voicemails not being responded to.

Referring to Mr. Chester Tindall, Director, Transportation & Fleet Services, Ms. Lewis stated that he has been non-responsive to e-mails, and these issues continue. She requested the Board to investigate this issue. Ms. Lewis inquired whether there are any surprises with Transportation for 2012-2013, as many of 192 day-employees are afraid, not knowing whether they will have jobs.

Ms. Lewis voiced concern over job cuts being made at the bottom level rather than cuts being made at the top level.

Charter School Task Force – Ruth Roman Lynch

Ms. Lynch (Board Member Williams' appointee) informed that the last few Task Force meetings were held with a full quorum with guests attending from Broward County.

Student achievement, student safety, and communication between the district and the charter schools are the three most important aspects of the Task Force. Ms. Lynch stated that the focus should be on making sure that everyone understand the purpose of the Task Force, to make the lives different for all children in the Broward County School District. The Task Force meets to gather information, discuss options for improvements, and be the "eyes and ears" to the School Board members and report that information.

Ms. Lewis commended the School Board for choosing some of the best Task Force members she has ever worked with on any committee. The members are committed and are concerned over issues that are occurring in the district, which will be followed up by a report to the Board.

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District Advisory Council – Jodi Klein

Ms. Klein reported that DAC held its last general meeting on May 9, 2012 and elections were held. She will be serving for one additional year as Chair; Robert Mayersohn, Vice-Chair; and Recording Secretary Natalie Lynch Walsh.

The Transitional Steering Meeting will be held on June 13, 2012. The new Organizational Chart was presented at the last general meeting, and she met with Ms. Tracy Clark, Public Information Officer, and School Board Member Mrs. Leach.

A review of the feedback to Policy 6000.1 was made and a decision was made to meet on a weekly basis in a work group to review the New Organizational Chart so that the parents and community can ascertain how the students can best be served.

Mrs. Bartleman inquired how DAC will involve the Parent Task Force as part of the work group process.

Ms. Klein stated that invitation was extended to area advisories, special advisories, and to any member of the area advisories or the special advisories, anyone on the school level that has ever been to a school advisory forum meeting or has put their name on the school level at any one of the e-mail lists. It has also been advertised in the newspaper as an open attendance, Facebook site, and the DAC website.

BOARD MEMBERS

No Board Reports were presented at this meeting.

Ms. Murray wished everyone a safe and healthy summer, and thanked staff for working hard this school year to help children become successful. Ms. Murray noted that 85% of high school seniors will be attending Florida universities.

Speakers

(Mr. Jeffrey Moquin, Chief of Staff (Task Assigned) substituted for Superintendent Runcie during a portion of this delegation).

Norman Grad
Rashid Gray
Rhonda Ward
Mary Fertig
Ernestine Price

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 Mrs. Rupert and carried, to approve the Consent Agenda for the remaining items (**identified by ***). (9-0 vote)

CONSENT ITEMS

A. RESOLUTIONS

- A-1. Resolution No. 12-96, to Declare the 120 Portables Contained in Year One (1) of the Portable Reduction Plan as Surplus (Adopted)

Motion was made by Ms. Dinnen, seconded by Mrs. Bartleman and carried, to adopt Resolution No. 12-96, to declare the 120 portables contained in Year One (1) of the Portable Reduction Plan (PRP) as surplus. Mrs. Rupert was absent for the vote. (8-0 vote)

Section 1013.28, Florida Statutes (FS), subject to the rules of the State Board of Education, allows a school board to dispose of any land or real property that is by resolution of the board, determined to be unnecessary for educational purposes as recommended in an educational plant survey.

The PRP is a phased Plan to remove portables that are at least twenty (20) years and older and carry student stations from the District's portable inventory. The PRP is contained in each annual Five-Year District Educational Facilities Plan (DEFP) and designed to dispose of a total of 1,180 portables over an eight-year period (2010/11 – 2018/19). A detailed list of the portables (including location) scheduled for disposition in that pertinent year is also contained in each annual DEFP. Thus, a detailed list of the portables slated for disposition in the first year of the PRP is contained in the 2011/2012 – 2015/16 Adopted District Educational Facilities Plan (ADEFP), and in the Board's adoption of the DEFP on September 8, 2011, it approved the elimination of student stations from the listed portables, and subsequently, their disposition.

The PRP is consistent with Section 1013.21 F.S., which directs school districts to dispose of portables that are twenty (20) years of age and older. Currently, approximately over seventy-six (76%) percent of the portables in the District's inventory are twenty (20) years and older. Furthermore, the PRP is intended to address the requirements of pertinent provisions in the Second Amended Interlocal Agreement (SILA) which established the Level of Service (LOS) Standard for the implementation of Public School Concurrency (PSC) in Broward County at 100% of a school's gross capacity (to include the use of capacity from portable facilities) until the 2018/19 school year. Thereafter, commencing in the 2019/20 school year, the LOS will revert back to 110% of a school's permanent capacity (and exclude the use capacity from portable facilities). However, before the portables can be disposed of, they must be declared surplus to comply with the provisions of Section 1013.28, Florida Statutes.

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

Mrs. Good stated that some of the school sites have portables that are under 20 years old; six portables less than 20 years old at Chapel Trail. She inquired whether any portables will be moved from Chapel Trail.

Mr. Lindner responded that all portables have to be taken out of service but the portables can remain as long as they are not counted as capacity. If there are less than 20 portables they will not be demolished.

Mr. Lindner stated that the school is severely under-enrolled and they need to be taken out of service so they do not count as capacity.

Mr. Chris Akagbosu, Director, Growth Management, stated that by law portables less than 20 years old cannot be disposed. He stated that the portables are on the list because all schools are affected; the school-by-school criteria is the school's level of service, which for the six portables is 65%.

Mrs. Good noted that the portables are not counted as part of the utilization, they are not counted as any capacity and the numbers remain the same.

Concurring that this process is to remove them from the FISH capacity, Mr. Akagbosu stated that the goal is to eliminate capacity from the portables that have capacity and are 20 years and older. Any school lower than 100% level of service is identified, and if the portables are less than 20 years old they cannot be disposed of. At some point in time the portables will become 20 years and older and they will be disposed of.

Mrs. Good inquired whether spot surveys were conducted for the sites that have portables.

Mr. Akagbosu responded that the 120 portables included in the report have been disposed of; seven portables have issues with telecommunication equipment and will be left on site and dealt with later. Mr. Akagbosu concurred that all the portables listed had surveys conducted and the DOE has indicated they can be removed from FISH.

Mrs. Good stated that the gross capacity is the capacity at the schools, the gross and the net is exactly the same. Mrs. Good voiced concern over the chart showing gross capacity when the portables do not have capacity and they are not reflected anywhere.

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Responding that the list is included in the District Educational Facilities Five-Year Plan, Mr. Akagbosu stated that once the Board approves the plan the capacity from the portables is automatically gone, they are no longer reflected in FISH. The list is then submitted to the state for authorization to dispose the portables. Mr. Akagbosu further stated that the Five-Year Plan approved in 2011 eliminated capacity from those portables, so the portables on site are going through the process and they no longer carry capacity.

Addressing the Chapel Trail portables, Mr. Akagbosu stated that the six portables on site are less than 20 years old and they are not scheduled for demolition.

Mrs. Good remarked that the focus should be on portables above 20 years old. Referring to Perry Elementary, Mrs. Good stated there are six portables over 20 years old but only four portables are being demolished.

Mr. Akagbosu responded that when the disposition committee met, some of the portables had some IT equipment which would affect the connectivity throughout the school campus. The committee decided to leave the portables on site until that issue could be addressed.

Mrs. Good stated it would be helpful to understand why these portables cannot be demolished based on technology.

Mr. Lindner informed that the equipment referred to was funded through E-rate and ETS wants to salvage that equipment because it has value. Mr. Lindner stated that he did not know the specific reason for those portables.

Mrs. Good, who remarked that she contacted the schools in her district to ascertain the use of the portables, stated that Perry Elementary has two portables being used for Head Start.

Mr. Lindner stated that those portables would not be taken, they are funded with federal dollars. The portables that would remain would house VPK and Pre-K programs. The Head Start portables are on a separate inventory.

Voicing concern that it is not known which four of the portables are being demolished, Mrs. Good stated that this information needs to be clearly identified. Mrs. Good further stated that statutorily the district is not required to demolish portables under 20 years old, as far as capacity.

Mr. Akagbosu responded that the district is not demolishing portables less than 20 years old.

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Mrs. Good inquired why portables less than 20 years are listed for disposition.

Mr. Akagbosu responded that the total number of portables are shown on the site and then they are separated by what portables are 20 years and older and what portables are less than 20 years. He stated that the state has given the district permission to go forward and demolish 120 portables.

Mrs. Bartleman inquired about the cost to demolish 8 portables.

Mr. Lindner responded that money has been allocated in the contingency for portable demolition this fiscal year and the next fiscal year, knowing the requirements for the district. He stated that the portables can be demolished for \$5,000 apiece, followed by the issue regarding removal of electrical and remediation of the space at the cheapest possible cost. Mr. Lindner stated if a decision is made to not demolish the portables, staff will board the portables, disconnect the electrical, remove air-conditioning, and they will remain on site until funding is available for demolition. Mr. Lindner was of the opinion they should be removed because they are sitting on play courts and play fields.

Mr. Lindner further stated that the average maintenance cost for portables and operating costs for portables is the same price annually as it would be to demolish them one time. Noting that there would be different budgets, Mr. Lindner stated that in the long term it is more expensive to keep them because the more pressing issue is the impact on the community and the appearance of the school. If the portables are not being used animals can inhabit them, such as rats and raccoon nests during the summer months, and it becomes a health and safety issue.

Mrs. Rich Levinson stated that these portables are going to be declared surplus and a subsequent discussion will be held as to the disposition of the portables.

The following individual addressed this item:

Rhonda Ward

Mr. Runcie informed that he has met with Mr. Tindall and the Haitian Consulate to discuss the shipment of buses and portables to Haiti. The Superintendent acknowledged that Mr. Williams has also had conversation on this issue.

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Responding to Mrs. Korn's inquiry, Mr. Lindner stated that this agenda item does not automatically move the portables into the demolition stage; the portables will be discussed individually at a future time. Mr. Lindner stated he did not see the need to demolish the portables immediately.

Mrs. Good requested that updates be provided to the Board as the item moves forward.

A-2. Resolution Opposing Overemphasis On High-Stakes Testing
(Adopted)

Motion was made by Ms. Dinnen, seconded by Mrs. Bartleman and carried, to adopt Resolution #12-97, opposing overemphasis on high-stakes testing. (9-0 vote)

The School Board of Broward County, Florida, requests that the State of Florida reexamine its public school accountability system and develop a system that does not rely as heavily on extensive standardized testing. It requests that multiple forms of assessment be used to more accurately reflect the broad range of student learning, and to support students and improve schools.

The resolution also calls on the federal government to overhaul the No Child Left Behind Act (NCLB), reduce the testing mandates, promote multiple forms of evidence of student learning and school quality in accountability, and not mandate any fixed role of student test scores in evaluating educators, as has been approved.

Many parents and educators believe the FCAT and other mandated tests create unhealthy stress on students and take away from valuable instructional time.

There is no financial impact to the district.

Mrs. Rich Levinson informed that she is presenting a resolution that opposes the over-emphasis on standardized high-stakes testing because it is time to say to local school boards, parents, teachers, community members and students, "We want more for our children."

Remarking that accountability is important, Mrs. Rich Levinson stated that testing should be used diagnostically and to measure gains, not punitively, not that there is so much pressure that it sacrifices student health and lowers teacher morale. Mrs. Rich Levinson noted that hundreds of millions of tax dollars are spent paying companies to develop and grade these tests while science, social studies, art, music and physical education classes are cut.

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Mrs. Rich Levinson further stated that test-obsessed teaching does not produce well-rounded students to think critically. It is time to empower teachers once again and let them do what they do best; let them teach innovatively and creatively instead of teaching students how to bubble in tests.

Mrs. Rich Levinson read the resolution, the same resolution that will be distributed throughout the country and approved by several school districts.

Expressing gratitude to Mrs. Rich Levinson for bringing forward the resolution, Mrs. Korn stated that opposition to high-stakes testing has been advocated by parents and the community for sometime. She stated that the emphasis that is placed on one high-stakes test ultimately changes the direction of what occurs in the classroom. Mrs. Korn recalled that when she taught high school (prior to FCAT) creative teaching for critical thinking is what was emphasized in the classroom. The focus today for teachers is how to structure the school year around FCAT.

Acknowledging that forms of evaluation are needed, Mrs. Korn stated that students do not always perform their best and they do not show what they are capable of in one test and one format, and these formats are still valuable. Mrs. Korn stated that a unified voice from the 6th largest school district in the country is a good beginning.

Ms. Dinnen, who thanked Mrs. Rich Levinson for bringing forward the resolution, informed that originally in the late 1980s and early 1990s in the state of Florida the Blue Print 2000 program was created to attempt educational reform. The program evolved into the establishment of the Sunshine State Standards. In the late 1990s attitudes changed and the FCAT was created, with controversy in the beginning as to whether the test should be used to diagnose what needs to be done or to evaluate what is being done. Ms. Dinnen stated that the evaluation model took over and the FCAT began to be used to evaluate and not to promote those new avenues of learning.

Ms. Dinnen stated that some of the uses of FCAT is the grading of schools and the distribution of funds to successful schools. She acknowledged that some remedial programs resulted but the evaluation of some teachers falls strictly on the FCAT and the manner in which some students perform in the entire school. Ms. Dinnen further stated that FCAT began to be used as a basis for programs such as No Child Left Behind.

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Noting that many individuals cautioned about the teach-to-the-test mentality, Ms. Dinnen stated that telling a person that their pay is dependent on a particular “something” will result in advocating for that “something.” Teachers still care for their students and education, but they will take this teach-to-the-test mentality into consideration. Ms. Dinnen said that the test has become a goal in itself, not a means to a goal.

Ms. Dinnen spoke about the unhealthy pressure on students; colleges ignore and do not consider the FCAT; it is now used for some of the national programs; FCAT is not used in private schools, yet public money is given to private schools (McKay Scholarships) even though the test is not considered a value. In addition, companies have been hired to grade the test (some graders are not professional); grades have been turned in late and it makes scheduling difficult for the following year, not knowing whether students have passed a grade. Ms. Dinnen stated that the test requirements for students with disabilities and speakers of other languages have varied year to year.

Ms. Dinnen further stated that there is poor communication about what FCAT emphasizes each year; this year the writing test emphasized grammar. In the preceding years the emphasis was not on grammar; people giving the test were told to emphasize the text and the reading of it, how it sounded, and they were not told to emphasize the grammar components.

Ms. Dinnen informed that grading of the writing is determined by the funds available; one grader is now used and it used to be two graders. Remarking that the test is not nationally normed, Ms. Dinnen stated it is vital to compare students with other students in the country, not just other students within the state, and she has not seen where the FCAT has raised the graduation rate. Ms. Dinnen further stated that there are multiple measures used to evaluate a student and to also diagnose those problems, and professional teachers need to be involved in the redesign of educational reform in Florida. Remarking that the resolution is the first step in reform, Ms. Dinnen urged her colleagues to support it.

Mrs. Rupert stated that the authority behind all the testing should be parents, teachers, students, and local communities. There should be more voices to be the decision makers, not bureaucrats. Mrs. Rupert said that important decisions about students and teachers should include multiple sources of assessments and documented evidence that shows progress, not punishment.

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Mrs. Rupert further stated that schools that need the most help and are serving underprivileged students should not be punished by withholding money from those schools that need it most. Schools cannot be run as businesses; business models assume that human beings are chess pieces that can be moved about according to rewards and sanctions. Teaching is an art, it is not a science and it cannot be reduced to mathematical figures or points on data.

Mrs. Rupert spoke about the solution, to focus on what really matters rather than the test scores; form partnerships with businesses instead of test companies. They will help to create meaningful curriculum and authentic assessment. Mrs. Rupert stated that students need to connect with real internships, on weekends and afternoons, rather than the kill-and-drill mentality; create business aligned certifications for work-ready students instead of test scores; and develop on site school-business partnerships, such as Farmer's Garden, Art Kiosks, et cetera, to help students get experience with their resume and their job search.

Mrs. Rupert further stated that students need to be connected with mentors in their selected fields; instead of copying words off a board or bubbling in circles, students can be competing in challenges that business communities develop for help. There needs to be a shift from testing to training, which would transform schools from one-size-fits-all to each child finding what fits him or her.

Mrs. Rupert further stated that the billions of dollars spent on test preparation each year could be redirected toward helping students discover and develop their passions and career, which is what schools should be about.

Thanking Mrs. Rich Levinson for bringing forward the resolution, Mrs. Leach stated that as a Special Education teacher she was focused on data-driven positions, and the test may not be giving the data needed to better educate students. Mrs. Leach spoke of her child (3rd grader) who took the test this year for the first time and observed the stress she underwent, despite scoring well. She voiced concern over the effects of stress on a struggling student. Mrs. Leach further stated that she supports the de-emphasis of one high-stakes test as the measure and requested that the district continue to make data-driven decisions based on student achievement with a variety of measures.

Thanking Mrs. Rich Levinson for presenting the resolution, Mrs. Bartleman stated that she could not emphasize enough her distaste for the FCAT and the FCAT A+ system in the state. Mrs. Bartleman spoke of having taught children with severe emotional disabilities and putting them in a high-stakes testing situation where one test was the end-all, be-all, which was unfair to those students, and it took away all her creativity as a teacher.

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Mrs. Bartleman stated that anyone walking into a classroom in the state of Florida will observe that every 4th grader is writing the same. She stated that the system has created robots instead of ensuring that students are creative.

As an administrative principal, Mrs. Bartleman stated when FCAT first came out her school was a "D" school; not one student was a "D" student, "D" teacher, or "D" parent in the school. The FCAT is used to label schools and label communities, which becomes a self-fulfilling prophesy by telling a community their schools is a "D" or "F" school.

Mrs. Bartleman spoke of the stress and self-esteem issues of FCAT testing on children. She relayed a story about a student running off the bus because he was afraid of taking the FCAT. Mrs. Bartleman stated that the FCAT is a criterion reference test, not a norm-reference test; students cannot be compared to other students in the state and other states in the country.

Questioning how Florida students are actually performing, Mrs. Bartleman stated that the FCAT is destroying education, the teaching profession and children. She stated that students should be excited about learning and not be afraid of being punished from one test. Mrs. Bartleman, who encouraged all school districts in the state to support this resolution, stated that Broward County School District wants children to have a well-rounded education, focusing on the whole child and not only on a test score.

Mrs. Rich Levinson praised the unity of the Board in moving forward with the resolution, and thanked Mrs. Jeanne Jusevic, former District Advisory Council Chair, for bringing this issue to her attention, and Ms. Rita Solnet, co-founder, Parents Across America, a nonpartisan national group committed to bringing the parent voice and common sense to local, state and national education issues. Mrs. Rich Levinson stated that the parent voice has not been present in state and federal policy that is being imposed on school districts across the country. She said this is an opportunity for parents to get involved and express their feelings to state and federal legislatures of what this test is doing to children, and that another method is needed to help assess children.

Mrs. Rich Levinson spoke of the 81% to 27% percentage drop on the FCAT writing test, and stated that there is inherently something wrong with the test as it is statistically impossible to have this huge drop in measuring accountability.

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Mrs. Rich Levinson stated, when she was a student her only preparation for the end-of the school-year test was to bring two Number 2 pencils. She stated that “we” must get back to that and trust our teachers to teach the students.

Superintendent Runcie thanked the Board for their leadership on this issue, as it is absolutely critical to the mission of this organization. Mr. Runcie stated that there will always be some form of accountability, FCAT, Partnership for Assessment of Readiness for College and Careers (PARCC) (the common core assessments), or National Assessment of Educational Progress (NAEP), the nation’s report card. Speaking of the challenges for school districts, Mr. Runcie stated that globally, the United States used to be ranked at the top, now down to 23 or 25, depending on the subject matter, and there has been a decline in educational achievement and not just only on the assessment.

The Superintendent stated that the organization needs to have courage to focus on true student learning, providing the opportunities for students to acquire the skills that they need to succeed in this world; critical thinking, taking information, solve problems and work collaboratively, and be able to effectively communicate their ideas and defend them. Mr. Runcie further stated if the district moves to an environment and culture where student learning is the focus, the results will be achieved, regardless of the type of assessments being put in place. The Senior Leadership Team is committed to working hard with principals, teachers and unions to change the school culture so that there is a real focus on student learning and move away from a test-centric environment. The Superintendent said this is a good moment in the history of Broward County Schools to be national leaders in systemic whole-district reform on how the culture can be changed so that teachers can go back to enjoy teaching and students love learning. This is the goal and mission of the district until the results are achieved.

The following individuals addressed this item:

Rhonda Ward
Blair Hirt
Maria Brown
Ernestine Price
Bernie Schultz
Ruth Roman Lynch
Zayra Lenchus
Joe Cobo
Jeanne Jusevic
Jodi Klein
Florida Senator Nan Rich

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Thanking everyone for their support, Ms. Murray urged the community to speak out on this issue. She stated that the Florida School Boards Association (FSBA) will convene in June 2012 and the majority of school boards will be meeting to develop a strategy in the upcoming Florida Legislative Session. Ms. Murray stated that the mistakes of the Legislature can be corrected by individuals speaking out against FCAT.

Expressing gratitude to Mrs. Rich Levinson for presenting the resolution, Mr. Williams stated that he recently met with 500 to 600 seniors, some of whom are going to college, and they voiced their concern and inquired as to why not one college asked about the FCAT.

B. BOARD MEMBERS

E. CHIEF OPERATIONS OFFICER

F. CURRICULUM/EDUCATIONAL PROGRAMS & STUDENT SUPPORT

F-1. School Improvement Waivers 2012-2013 – Middle Schools (Approved)

Motion was made by Ms. Dinnen, seconded by Mrs. Leach and carried, to approve 4 waivers for the 2012-2013 school year in accordance with Policy 1403. Mrs. Rupert was absent for the vote. (8-0 vote)

School Board Policy 1403, provides a procedure whereby schools can request waivers to School Board Policy and /or the BTU contract to remove barriers to school improvement. All waivers must be approved by 66 2/3 percent of the faculty and be shared with the school community at a public meeting(s). Each waiver was reviewed and recommended by the District Review Panel, appropriate level Executive Principals' Committees, and the Area Superintendents. The following waiver requests are submitted for approval for a five-year period:

Instructional Schedule

Apollo MS – six periods per day with 90-minute first period

Lauderdale MS – straight seven periods per day

Parkway MS – students attend 6.5 hours daily, a reduction from 7 hours

Seminole MS – eight periods that meet on even/odd days

These waiver applications may be viewed in their entirety at:
<http://www.broward.k12.fl.us/schoolimprove>.

The full application is available online via the Broward County Public Schools eAgenda at:
<http://eagebda3.broward.k12.fl.us/cgi-bin/WebObjects/eAgenda>.

Approved in Open Board Meeting, July 24, 2012

There is no financial impact to the district.

Mrs. Rich Levinson stated that she did not have a concern with these schools changing their schedules. She inquired whether each school community had a public meeting to discuss the waivers.

Dr. Mark Quintana, Coordinator, School Improvement Officer, responded that the process includes two SAC meetings and in-between this time there must be community meetings. All the documentation has to be submitted to the district, providing evidence such as pictures of how they advertised, parent-linked scripts, and the minutes and attendance rosters. This information was confirmed by staff.

Mrs. Rich Levinson stated that the high school schedules have been standardized this year and it is unknown what will happen with middle school schedules. Voicing concern over the five-year waiver, Mrs. Rich Levinson inquired what will happen with these waivers if every middle school goes on a uniform schedule.

Dr. Quintana responded that this year, the direction that the Superintendent provided with this year's high school waivers did supercede the instructional schedules for those schools. It takes them out of the waiver process.

Mrs. Leach voiced concern over minimizing the instructional hours by 30 minutes for students and stated that Parkway Middle is requesting a waiver, as several schools, going from a 7 hour day to a 6 hour day of instruction. Mrs. Leach stated there are several middle schools that are creating professional development for the additional 30 minutes per day for their teachers. She inquired whether Parkway has any data that shows this is improving the quality of their teachers.

Mr. Bradley Mattair, Principal, Parkway Middle School, informed that after meeting with the community he determined that it would be beneficial for the school to have additional professional development time to better prepare staff for instruction, professional learning communities, RTI studies, common core studies, and a better understanding of the process for IEP process and EP meetings to provide the parents with more in-depth information. This will also provide the school additional time to better provide research-based strategies for parents to utilize at home and to help staff to have meaningful conversation to better help the child to achieve academically.

Mr. Mattair further stated that the waiver will improve the school, as the school only missed a "B" grade by one point.

Approved in Open Board Meeting, July 24, 2012

Mrs. Bartleman thanked staff from all the schools for staying at this late meeting.

- *F-2. Continuation of Interagency Agreement with The Children's Diagnostic & Treatment Center, Inc., for 2012-2015 (Approved)

Approved the Agreement between The School Board of Broward County, Florida, and The Children's Diagnostic & Treatment Center, Inc.

The Broward County Interagency Transition Agreement with The Children's Diagnostic & Treatment Center, Inc. Early Steps Program for Infants and Toddlers has been in effect since 1996 and Early Head Start children with disabilities program since 2000. This written agreement is required by Children's Medical Services. The Early Steps process assures an appropriate, timely enrollment in an Exceptional Student Education (ESE) program for children with disabilities at age three, who have previously been enrolled in Early Steps below age three. Activities may include gathering evaluation data by reviewing Early Steps records and completing individual assessments of children by school district evaluation specialists.

The ongoing systematic communication between school district ESE staff and the Early Steps staff facilitates quality outcomes for families and appropriate educational instruction for eligible ESE preschoolers. Florida Diagnostic and Learning Resources System (FDLRS) office assumed responsibility for the Early Steps Program community phone referral process in 1993 with the purpose of expanding their efficient intake system for children in Broward County from birth up to three (3) years of age who have, or are at-risk for, developmental delays and other handicapping conditions.

Its purpose is to implement collaborative procedures to ensure smooth referral and intervention services for infants and toddlers who are eligible for both Early Steps and the Early Head Start Programs. Early Steps provides interdisciplinary evaluation, family support plan development, and in-service training for staff.

This agreement is effective as of July 1, 2012.

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

There is no financial impact.

Approved in Open Board Meeting, July 24, 2012

***F-3. Continuation Agreement with VITAS Healthcare Corporation of Florida
(Approved)**

Approved the Continuation Agreement between The School Board of Broward County, Florida, and VITAS Healthcare Corporation of Florida. The contract period is May 31, 2012 through April 30, 2015.

Career and Technical Education high school and adult postsecondary students district-wide, who are enrolled in Health Science Education Programs, participate in clinical learning experiences through contractual agreements with hospitals, nursing homes, and other healthcare related facilities. The Continuation Agreement with VITAS Healthcare Corporation of Florida provides clinical experiences necessary to meet Florida Department of Education mandated student performance standards. This agreement also addresses the requirements of regulatory agencies for students to qualify for certification/licensure examinations upon program completion.

In accordance with a School Board request, staff in the Career, Technical, Adult and Community Education Department developed a survey to measure the effectiveness of the clinical experience. This survey was completed by students, Health Science teachers, and selected staff of the facility. The results of the survey will be used to make recommendations for modifying clinical agreements that will strengthen the student's job-site clinical experience and strengthen the overall Health Science Program. A summary of the survey responses from each group indicates an overall rating of 80% or higher as Excellent or Above Average for each survey question.

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

There is no financial impact to the district.

**F-4. Charter School Agreement – Renaissance Charter School, Inc.
(Renaissance Charter School of Broward) (Approved)**

Motion was made by Ms. Dinnen, seconded by Mrs. Leach and carried, to approve the charter school agreement for Renaissance Charter School, Inc., (Renaissance Charter School of Broward). Mrs. Rupert was absent for the vote. (8-0 vote)

On November 9, 2010, The School Board of Broward County, Florida, approved a charter application to start a new K-8 school during the 2011-2012 academic year. The applicant was granted a one-year deferral in order to secure a suitable facility for the school.

Approved in Open Board Meeting, July 24, 2012

The charter applicant, Renaissance Charter School, Inc., will be the non-profit entity contracting with The School Board. Renaissance Charter School of Broward will serve students in grades K-8 and will open in August 2012.

Pursuant to Section 1002.33(8)(b), Florida Statutes, the terms and conditions for the operation of a charter school shall be set forth by the charter school and by The School Board of Broward County, Florida, in a written contractual agreement. This agreement shall constitute a school's charter. In accordance with Florida Statutes, The School Board shall monitor and review the charter's revenues, expenditures and progress toward the goals established in the charter.

A copy of all supporting documents is available online via the Broward County Public Schools eAgenda at:
<http://eagenda3.broward.k12.fl.us/cgi-bin/WebObjects/eAgenda>.

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

There is no financial impact to the district.

Mrs. Leach inquired whether the applicant has obtained a suitable facility for the school.

Mrs. Jody Perry, Director, Charter Schools Support, responded that the applicant has indicated they have a facility, and at contract they are required to provide a location.

Mrs. Bartleman stated the charter schools on the agenda are all K-8 schools, a business model that charter schools are using to capture the district's children.

Ms. Dinnen noted that school employees in this charter school, as well as several others, are not participating in the Florida Retirement System.

Mrs. Perry concurred that this is the trend, they get their own 401K or they receive no retirement at all.

- *F-5. Charter School Agreement – Renaissance Charter School, Inc.,
(Renaissance Charter School at Cooper City) (Approved)

Approved the charter school agreement for Renaissance Charter School Inc., (Renaissance Charter School at Cooper City).

Approved in Open Board Meeting, July 24, 2012

On November 9, 2010, The School Board of Broward County, Florida, approved a charter application to start a new K-8 school during the 2011-2012 academic year. The applicant was granted a one-year deferral in order to secure a suitable facility for the school. The charter applicant, Renaissance Charter School, Inc., will be the non-profit entity contracting with The School Board. Renaissance Charter School at Cooper City will serve students in grades K-8 and will open in August 2012.

Pursuant to Section 1002.33(8)(b), Florida Statutes, the terms and conditions for the operation of a charter school shall be set forth by the charter school and by The School Board of Broward County, Florida, in a written contractual agreement. This agreement shall constitute a school's charter. In accordance with Florida Statutes, The School Board shall monitor and review the charter's revenues, expenditures and progress toward the goals established in the charter.

A copy of all supporting documents is available online via the Broward County Public Schools eAgenda at:
<http://eagenda3.broward.k12.fl.us/cgi-bin/WebObjects/eAgenda>.

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

There is no financial impact to the district.

- *F-6. Charter School Agreement – Renaissance Charter School, Inc.,
(Renaissance Charter School at University) (Approved)

Approved the charter school agreement for Renaissance Charter School, Inc., (Renaissance Charter School at University).

On November 9, 2010, The School Board of Broward County, Florida, approved a charter application to start a new K-8 school during the 2011-2012 academic year. The applicant was granted a one-year deferral in order to secure a suitable facility for the school. The charter applicant, Renaissance Charter School, Inc., will be the non-profit entity contracting with The School Board. Renaissance Charter School at University will serve students in grades K-8 and will open in August 2012.

Pursuant to Section 1002.33(8)(b), Florida Statutes, the terms and conditions for the operation of a charter school shall be set forth by the charter school and by The School Board of Broward County, Florida, in a written contractual agreement. This agreement shall constitute a school's charter. In accordance with Florida Statutes, The School Board shall monitor and review the charter's revenues, expenditures and progress toward the goals established in the charter.

Approved in Open Board Meeting, July 24, 2012

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

<http://eagenda3.broward.k12.fl.us/cgi-bin/WebObjects/eAgenda>.

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

There is no financial impact to the district.

F-7. Agreement with Lexington School District One, South Carolina for High School Football Games (Approved)

Motion was made by Ms. Dinnen, seconded by Mrs. Good and carried, to approve Agreement with Lexington School District One, South Carolina and The School Board of Broward County, Florida, for a two-year term between Lexington High and Cooper City High to play interscholastic high school football. The games will be played at Lexington High School Stadium. Mrs. Leach, Mrs. Rich Levinson and Mrs. Rupert were absent for the vote. (6-0 vote)

Lexington High School is a public high school in Lexington, South Carolina that provides education for ninth through twelfth grades, serving the communities of Lexington, Lake Murray and Oak Grove, South Carolina. Lexington High is the second largest public high school in the state of South Carolina with a student population of 3,234. Lexington High has invited Cooper City High to play at Lexington High Stadium on Friday, September 21, 2012, and Friday, September 27, 2013.

Both games are under consideration to be aired on national television by ESPN-U. Pursuant to the Agreement, there is no cost to The School Board of Broward County, Florida. Lexington High will pay for and provide Cooper City High all meals and hotel lodging costs. Cooper City High shall be responsible for funding and arranging transportation to and from Lexington High. Cooper City High will be provided at no cost to the school two nights of lodging in Lexington for each football game (September 20 and 21, 2012 and September 26 and 27, 2013). It is anticipated that the series with Lexington High will increase national and regional attention for the Broward County Public School system. This field trip request has been reviewed and approved by the South Area Office.

This agreement has been reviewed and approved as to form and legal content by the Office of the General Counsel. The Superintendent of Schools for Lexington School District One has signed and approved the agreement.

There is no financial impact to the district.

Approved in Open Board Meeting, July 24, 2012

Mrs. Korn inquired about page 3, 3.04, of the Interagency Agreement, and the cancellation of the agreement with or without cause during the term of 120 days with notice. She inquired whether the agreement could be expanded with the inclusion of force majeure, in the event of a natural disaster. Mrs. Korn stated that 120 days is a big window of time to not be able to terminate.

Referring to 3.13, Force Majeure, Mr. Carland stated that neither party is obligated to perform any duty for an intervening event.

*F-8. Continuation Agreement with John Knox Village of Florida, Inc.
(Approved)

Approved the Continuation Agreement between The School Board of Broward County, Florida, and John Knox Village of Florida, Inc. The contract period is June 20, 2012 through May 31, 2015.

Career and Technical Education high school and adult postsecondary students district-wide, who are enrolled in Health Science Education Programs, participate in clinical learning experiences through contractual agreements with hospitals, nursing homes, and other healthcare related facilities. The Continuation Agreement with John Knox Village of Florida, Inc., provides clinical experiences necessary to meet Florida Department of Education mandated student performance standards. This agreement also addresses the requirements of regulatory agencies for students to qualify for certification/licensure examinations upon program completion.

John Knox Village of Florida, Inc., is fully licensed, accredited, and approved for Medicare/Medicaid patients. This nursing home received satisfactory ratings, in accordance with their standards, in the areas of Health Inspections, Nursing Home Staffing, and Quality Measures.

In accordance with a School Board request, staff in the Career, Technical, Adult and Community Education Department developed a survey to measure the effectiveness of the clinical experience. This survey was completed by students, Health Science teachers, and selected staff of the facility. The results of the survey will be used to make recommendations for modifying clinical agreements that will strengthen the student's job-site clinical experience and strengthen the overall Health Science Program. A summary of the survey responses from each group indicates an overall rating of 82% or higher as Excellent or Above Average for each survey question.

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

Approved in Open Board Meeting, July 24, 2012

There is no financial impact to the district.

- *F-9. Continuation Agreement with Coconut Creek Rehab LLC d/b/a The Health Center of Coconut Creek (Approved)

Approved the Continuation Agreement between The School Board of Broward County, Florida, and Coconut Creek Rehab LLC d/b/a The Health Center of Coconut Creek. The contract period is June 30, 2012 through May 31, 2015.

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

Coconut Creek Rehab LLC d/b/a The Health Center of Coconut Creek is fully licensed, accredited, and approved for Medicare/Medicaid patients. This nursing home received satisfactory ratings, in accordance with their standards, in the areas of Health Inspections, Nursing Home Staffing, and Quality Measures.

In accordance with a School Board request, staff in the Career, Technical, Adult and Community Education Department developed a survey to measure the effectiveness of the clinical experience. This survey was completed by students, Health Science teachers, and selected staff of the facility. The results of the survey will be used to make recommendations for modifying clinical agreements that will strengthen the student's job-site clinical experience and strengthen the overall Health Science Program. A summary of the survey responses from each group indicates an overall rating of 84% or higher as Excellent or Above Average for each survey question.

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

There is no financial impact to the district.

Approved in Open Board Meeting, July 24, 2012

- *F-10. Charter School Agreement – Advantage Academy of Broward, Inc., d/b/a West Broward Academy at Excelsior, (West Broward Academy at Excelsior) (Approved)

Approved the charter school agreement for Advantage Academy of Broward, Inc., d/b/a West Broward Academy at Excelsior, (West Broward Academy at Excelsior).

On November 9, 2010, The School Board of Broward County, Florida, approved a charter application to start a new K-8 school during the 2011-2012 academic year. The applicant was granted a one-year deferral in order to secure a suitable facility for the school. The charter applicant, Advantage Academy of Broward, Inc., will be the non-profit entity contracting with The School Board. West Broward Academy at Excelsior will serve students in grades K-8 and will open in August 2012.

Pursuant to Section 1002.33(8)(b), Florida Statutes, the terms and conditions for the operation of a charter school shall be set forth by the charter school and by The School Board of Broward County, Florida, in a written contractual agreement. This agreement shall constitute a school's charter. In accordance with Florida Statutes, The School Board shall monitor and review the charter's revenues, expenditures and progress toward the goals established in the charter.

A copy of all supporting documents is available online via the Broward County Public Schools eAgenda at:
<http://eagenda3.broward.k12.fl.us/cgi-bin/WebObjects/eAgenda>

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

There is no financial impact to the district.

- *F-11. Charter School Agreement – Excelsior Charter of Broward, Inc., d/b/a Everest Charter School (Everest Charter School) (Approved)

Approved the charter school agreement for Excelsior Charter of Broward, Inc., d/b/a Everest Charter School, (Everest Charter School).

On November 9, 2010, The School Board of Broward County, Florida, approved a charter application to start a new K-8 school during the 2011-2012 academic year. The applicant was granted a one-year deferral in order to secure a suitable facility for the school. Advantage Academy of Broward, Inc., was the original applicant. Excelsior Charter of Broward, Inc., will be the non-profit entity contracting with The School Board. Everest Charter School will serve students in grades K-8 and will open in August 2012.

Approved in Open Board Meeting, July 24, 2012

Pursuant to Section 1002.33(8)(b), Florida Statutes, the terms and conditions for the operation of a charter school shall be set forth by the charter school and by The School Board of Broward County, Florida, in a written contractual agreement. This agreement shall constitute a school's charter. In accordance with Florida Statutes, The School Board shall monitor and review the charter's revenues, expenditures and progress toward the goals established in the charter.

A copy of all supporting documents is available online via the Broward County Public Schools eAgenda at:
<http://eagenda3.broward.k12.fl.us/cgi-bin/WebObjects/eAgenda>.

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

There is no financial impact to the district.

G. HUMAN RESOURCES

*G-1. Personnel Recommendations for Instructional Appointments and Leaves for 2011-2012 School Year (Approved)

Approved the personnel recommendations for the 2011-2012 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 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. 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 2011-2012 School Year (Approved)

Motion was made by Ms. Dinnen, seconded by Mrs. Korn and carried, to approve the personnel recommendations for separation of employment or discipline as listed in the respective lists for instructional staff.

Approved in Open Board Meeting, July 24, 2012

All recommendations are made with the understanding that these individuals will comply with regulations/policies as set forth by the Florida Department of Education and The School Board of Broward County, Florida. Mrs. Rupert was absent for the vote. (8-0 vote)

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.

Ms. Dinnen recognized the retirees and thanked them for their years of experience.

Concurring, Ms. Murray stated that Driftwood Middle is losing their media teacher who is one of the top teachers in the system, which will leave a big hole for them to fill.

G-3. Personnel Recommendations for Non-Instructional Appointments and Leaves for the 2011-2012 & 2012-2013 School Years (Approved)

Motion was made by Ms. Dinnen, seconded by Mrs. Rupert 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 Department of Education and The School Board of Broward County, Florida. (9-0 vote)

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

1. Non-Instructional Approval(s)
2. Non-Instructional Reassignment(s) – Promotion(s)
3. Non-Instructional Reassignment(s) – Demotion(s)
4. Non-Instructional Substitutes/Temporary Employees
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)

Approved in Open Board Meeting, July 24, 2012

10. School-Based / District Managerial / Professional / Technical Leave(s) – Layoff(s)
11. Salary Adjustment

Funding has been budgeted in 2011-2012 school / fiscal year for all appointments through June 30, 2012.

Mrs. Leach inquired whether employees working at charter schools are granted leaves to work at public schools. She further inquired whether district employees are capped at how many years of leave they can take.

Ms. Gracie Diaz, Associate Superintendent, Human Resources, responded that it depends on their employer. The district is governed by statute, permitting the employee to take a leave, and they are not capped; this is the only leave that they can renew every year.

Concurring with Mrs. Leach's comments, an employee can renew their leave every year and the district would have to provide them with a job if they were to leave the charter schools and come back to public schools. Ms. Diaz noted that for administrators the district does not have to provide them a job. Only if the job is available for teachers then they would have to be placed back in the position.

Referring to the Research Specialist, Grant Funded position, Mrs. Korn inquired whether the individual is a new hire or someone is moving within the district.

Ms. Diaz responded that the individual is a new hire.

Mrs. Korn inquired whether the rationale regarding an employee being hired above the initial pay grade amount will be presented at a future workshop.

Responding affirmatively, Ms. Diaz stated that the Technical Support Professional (TSP) position is governed by the contract, years of experience must be considered and the placement is based on the contract language.

Mrs. Korn inquired whether there is language stating that this position is grant funded and it only goes until the end of the grant funding period.

Ms. Diaz responded that when the advertising is run it states that the position is grant funded; each year, through the renewal process of employee contracts, the individual is reminded of the length of the grant. Ms. Diaz informed that the position is a Race to the Top grant of which two years remain. At the end of the grant, a financial assessment is made whether there are additional grant dollars that can support the same priority of these grant positions.

Approved in Open Board Meeting, July 24, 2012

Referring to the approval of four law clerks to assist the General Counsel's office, Mrs. Korn inquired whether two or four law clerks were hired.

Mr. Carland responded that the General Counsel's office has voluntarily reduced the usage under the contract, now using only two law clerks. One of the clerks will be taking a job during the summer at a law firm, and these individuals will work through the summer and it is not adding an additional person.

Mrs. Bartleman recognized one newly-appointed district employee.

G-4. Personnel Recommendations for Non-Instructional Separation of Employment or Discipline(s) for the 2011-2012 School Year (Approved)

Motion was made by Mrs. Korn, seconded by Ms. Dinnen 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 Department of Education and The School Board of Broward County, Florida. Mrs. Rupert was absent for the vote. (8-0 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.

No discussion was held on this item.

G-5. Supplemental Pay Positions – List #19 (Approved)

Motion was made by Ms. Dinnen, seconded by Mrs. Leach and carried, to approve the recommended supplemental pay positions of employees for the 2011-2012 school/ fiscal year. Mrs. Rupert and Mr. Williams were absent for the vote. (7-0 vote)

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

Approved in Open Board Meeting, July 24, 2012

In accordance with School Board Policy 6210, (Supplements), a waiver has been submitted by the location and approved by the Area Superintendent or appropriate Division Head for employees receiving more than two (2) supplements.

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 2011-2012 school year.

Individuals may be recommended for task assignments that improve the school's/department's programs and/or operations. A computer-generated list of those names is printed and lists all individuals recommended for Non-Specific Supplements. Non-Specific Supplements are additional task assignments performed beyond the employee's regular day based on the recommendation of the direct supervisor.

Individuals listed meet the requirements for the supplemental positions.

Funding has been budgeted in the 2011-2012 school / fiscal year for all supplements through June 30, 2012.

Mrs. Korn voiced concern over the submission of the supplemental list this late in the year.

Ms. Diaz responded that most are spring sports or activities and this is the time the action is inputted into the payroll system. She stated that depending on when the school enters the action into the payroll system, after the sport is completed, will generate a Board item at a later time. Ms. Diaz further stated if someone leaves and they have to replace an individual, the supplement would come later.

Mrs. Korn stated that she would not be voting on an item that already has been completed, as the Board vote has no impact on the action.

Ms. Diaz stated that the schools attempt to enter the action into the system prior to the activity being done but it is not always possible to do so.

Mrs. Korn stated she would like to see the item prior to the service having taken place. She stated that the list includes a lot of exceptions at the end of the school year.

Concurring, Ms. Murray requested that the activity be identified.

Approved in Open Board Meeting, July 24, 2012

Mrs. Victoria Kaufman, Director, Noninstructional Staffing, responded that staff would need to call the school. She reiterated that with athletics it would delay them working with the children if the approval is obtained prior to the entry.

Mrs. Rich Levinson stated that some of the individuals on the list have been coaching these sports all year round, and a few were honored by the Board recently. Mrs. Rich Levinson noted that there are winter sports, different sports that are just now being entered into the system. She concurred that the Board is rubber-stamping an item and that does not make sense.

Responding to Ms. Dinnen's inquiry, Mrs. Kaufman stated that once it is entered into the system it is automatic and their payments start.

Ms. Diaz clarified that the Board action is generated based on when it is entered into the system and the list is pulled. Some individuals have been coaching all year and it has already generated a payment.

Remarking that she did not want anybody working that is not getting paid, Ms. Dinnen requested that in the future a timely list be provided to the Board. She concurred that there may be exceptions.

Remarking that the information being entered should require approval before payment is made, Mrs. Good stated that the whole process needs to be evaluated. Mrs. Good said that these individuals are deserving of the pay but an item coming to the Board after the fact is disrespectful. Payment should come after Board action.

The following individual addressed this item:

Rhonda Ward

- G-6. Recommendation(s) for Instructional/Noninstructional Discipline for the 2011-2012 School Year (Approved)

Motion was made by Ms. Dinnen, seconded by Mrs. Leach and carried, to approve the recommendation(s) for discipline as listed on the Instructional/Noninstructional staff list. All recommendation(s) are made with the understanding that these individuals will comply with regulations/policies as set forth by the Florida Department of Education and The School Board of Broward County, Florida. Mrs. Rupert was absent for the vote. (8-0 vote)

Approved in Open Board Meeting, July 24, 2012

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. This case was reviewed with the Superintendent of Schools, who agreed to this discipline. The employees signed a disciplinary agreement and agreed to the recommended discipline. The District has 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.

No discussion was held on this item.

H. ATTORNEY

I. OFFICE OF THE SUPERINTENDENT

*I-1. Petition for Formal Proceedings – CM (Received)

Received the Petition for Formal Proceedings submitted by the Superintendent in reference to this teacher and that teacher be suspended without pay for three days, subject to the teacher's appeal rights.

The teacher, Christopher Marshall, has failed to follow directives required of him as a math teacher. Due to the severity of the infractions, a three-day unpaid suspension is recommended. The cadre attorney prepared the Petition for Formal Proceedings and notice was sent to the employee that a recommendation for a three-day suspension without pay would be presented to the School Board on May 30, 2012. The teacher has the right to request a hearing with the Division of Administrative Hearings (DOAH) within 21 calendar days of the School Board action. If the teacher requests a hearing within the timeframe, the suspension is held in abeyance until there is a ruling by the DOAH Administrative Law Judge. If the teacher does not request a hearing within the timeframe, the teacher will serve the suspension beginning August 13, 2012.

There is no financial impact to the school district.

*I-2. Administrative Complaint (Received)

Received the Administrative Complaint submitted by the Superintendent to immediately suspend without pay Theresa Liquori pending the termination of Theresa Liquori's Professional Service Contract.

Ms. Theresa Liquori, a Professional Service Contract teacher, received two unsatisfactory IPAS evaluations dated September 19, 2011 and April 26, 2012, for failure to correct noted performance deficiencies within two ninety-day (90) calendar day performance probationary periods during two consecutive school years, 2010-2011 and 2011-2012. Ms. Liquori received formal assistance, support and feedback in compliance with provisions contained within The School Board of Broward County, Florida, and the Broward Teachers Union Collective Bargaining Agreement. This action is being taken in accordance with Section 1001.51, 1012.27(5), 1012.33 and 1012.34, Florida Statutes.

The cadre attorney prepared the Administrative Complaint, and notice was sent to the employee that a recommendation for suspension without pay and termination of employment would be presented to the School Board on May 30, 2012.

There is no financial impact to the school district.

J. FACILITIES AND CONSTRUCTION MANAGEMENT

- J-1. Approve Contract Extension – Carivon Construction Company – Construction Services Emergency Projects IV – Bid No. 2009-02-FC
(Approved)

Motion was made by Ms. Dinnen, seconded by Mrs. Leach and carried, to approve the contract extension for an additional one-year period for Construction Services Emergency Projects IV, Bid No. 2009-02-FC with Carivon Construction Company. Mrs. Rupert was absent for the vote. (8-0 vote)

The School Board of Broward County, Florida, approved the award of contracts for Construction Services Emergency Projects IV on June 2, 2009, with a contract period of three (3) years from the date of execution. The contracts may, by mutual agreement between The School Board of Broward County, Florida, and the Contractor, and upon final School Board approval, be extended for one (1) additional one-year period in the original amounts, at the sole discretion of The School Board of Broward County, Florida.

Scope of Work:

Establish a pool of qualified contractors to provide construction services and other related services, as needed, in response to declared emergencies such as, but not limited to, a hurricane impacting the District.

Approved in Open Board Meeting, July 24, 2012

At the March 20, 2012, School Board Meeting, the Board approved extension of contracts for 25 contractors. At that time, Carivon Construction Company was not pre-qualified. Currently, Carivon is pre-qualified as a general contractor and has no pending litigation with The School Board of Broward County, Florida. This item is the addition of extension for Carivon Construction Company. This Board action will extend the Construction Services Emergency Projects IV contract for one (1) additional year.

In the event of a declared emergency, funding for these services would come from District Reserves and staff would seek reimbursements from FEMA, the District's excess insurance carriers, or other appropriate agencies. This item does not require a collaboration form from the Capital Budget Department.

Responding to Mrs. Korn's inquiry, Mr. Lindner stated that the company's pre-qualification expired and they were brought back for renewal. They had to submit the paperwork and asked to be included in the work of emergency contractors. Mr. Lindner explained that the company was originally pre-qualified, but for the district to extend the contract they have to maintain that pre-qualification. Their contract extension will expire at the same time as the other companies.

J-2. First Amendment to Reciprocal Use Agreement between the City of Parkland and The School Board of Broward County, Florida (Approved)

Motion was made by Mrs. Leach, seconded by Mrs. Korn and carried, to approve the First Amendment to the Reciprocal Use Agreement between the City of Parkland and The School Board of Broward County, Florida. Mrs. Rupert was absent for the vote. (8-0 vote)

This Agreement will allow the City to use School Board facilities and allow the various schools within the City to use city facilities. Without this Agreement, each party would be required to provide proof of insurance and indemnification on a case-by-case basis. This Agreement provides these items and eliminates the need for this continuing repetitive documentation. The City will be able to utilize school facilities for summer programs and other activities on non-school days. This Agreement will allow both parties to address pending issues with the Reciprocal Use Agreement with the intention of incorporating the agreed upon solution(s) into a renewed Reciprocal Use Agreement.

The term of the Agreement is for a period commencing upon expiration of the original Reciprocal Use Agreement and terminating on September 30, 2012, at no cost to the School Board.

The City of Parkland will execute this agreement after School Board approval.

Approved in Open Board Meeting, July 24, 2012

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

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

Mrs. Leach inquired whether this agreement is similar to the same reciprocal use agreements the district has with other municipalities.

Responding affirmatively, Mr. Moquin stated that the contract has a shorter time frame due to the Board accepting a modification to a reciprocal agreement with the City of Cooper City approximately a year ago. This was promulgated because of the district's four-day work week, with Fridays being non-work days, and an assessment was made for personnel and energy assessments, the costs that the cities were incurring began to go up. In order to mitigate those costs, once the change was made, the district made this available to the other municipalities.

Mr. Moquin further stated that an issue has arisen regarding offsets for legitimate expenses that they incur for School Board use or schools' use at their sites. The city of Parkland did not want to enter into a reciprocal use agreement and decided to wait and see the outcomes of those efforts, to see what the potential changes would be and how that would impact them. Mr. Moquin said they asked for an extension only through September, to get them through the summer and cover their summer camps that they offer at the district's schools.

K. OFFICE OF CHIEF FINANCIAL OFFICER

OPEN ITEMS

AA. RESOLUTIONS

BB. BOARD MEMBERS

CC. BOARD POLICIES

- CC-1. Revision to Policy #1100A, Rules for the Scheduling of Meetings and Establishment and Disposition of Agendas (Not approved)

Motion was made by Ms. Dinnen, seconded by Mrs. Rupert, to approve the revisions to Policy 1100A, Rules for the Scheduling of Meetings and Establishment and Disposition of Agendas, at this first reading.
(0-9 vote)

Approved in Open Board Meeting, July 24, 2012

School Board Policy 1100A, is being revised to clarify the rules and procedures for scheduling and conducting meetings and for public comment/ speaking at said meetings.

These revisions were discussed at the September 15, 2011 Workshop, the February 23, 2012 Public Rule Development Meeting, and the April 10, 2012 School Board Workshop.

There is no financial impact to the district for this proposed revision.

Mrs. Good discussed the maximum amount of time afforded to public speakers, and inquired whether public speakers will only be allowed a total of 12 minutes inclusive of Consent, public speaking and Open Agenda items.

Concurring, Mr. Carland stated that Mrs. Good had asked this question prior to the Board meeting and that issue was in the original proposal that came to the Board. This would apply to all aspects of public speaking.

Mrs. Good stated that the intent is to formulate some language that deals with decorum to ensure that meetings are running in a professional manner. She voiced concern in having any public participation limited, especially in regard to Open Agenda items. Mrs. Good stated that there are meetings whereby extensive discussion is held and there could be a multitude of topics that the public has every right to speak on. It should not be at the discretion of the Chair or the Board to decide how many items an individual can speak on. She noted at workshops there is no limit on the number of items that an individual can speak on, yet there is a more restrictive process at public Board meetings which are televised.

Mrs. Good asked that the Board be sensitive on the issue of individuals not clapping or applauding, and there should not be a determination by the Chair as to when it is or is not appropriate to clap.

Mrs. Good further stated she would prefer to see every Board meeting filled to capacity with people wanting to speak to every item and provide their valuable input. The Board should not do anything that would take away from this opportunity for the community and the district to enhance the communication aspect. Mrs. Good said she would not support the policy as written.

Mrs. Rupert addressed page 2, subsection 14, stating that the Board should not be moving in this direction, as there have been attempts to become transparent and more open to the public, employees and constituents. She offered an amendment to this section, as she would not support it as stated.

Approved in Open Board Meeting, July 24, 2012

Mrs. Rupert stated there has been a big improvement on the delivery of the agenda, receiving the agenda seven (7) days prior. She voiced concern over the verbiage in sub-section 8, and suggested changing the sentence, "...as determined by the presiding officer of the Board..." to: ...with full vote of the Board.

Mrs. Rupert stated if the Board feels it cannot make a valued decision or the public does not have enough time to make a valued decision, an agenda should not have added items that day.

Mrs. Korn agreed that a limitation of 12 minutes is not necessary and in a typical meeting she was hopeful that the public is as well versed on these topics that they need to talk for more than 12 minutes. Mrs. Korn stated that she would support an amendment to eliminate the 12 minutes duration, total amount of time to speak.

Referring to the clapping and applauding, Mrs. Korn stated this is a form of public expression that should not be viewed as disruptive, unlike heckling and shouting. She agreed with eliminating the two words.

Referring to page 3, 24., Mrs. Korn discussed personal cell phone conversations, and stated that a conversation is intended to be verbal and is not to be considered texting.

Mr. Carland concurred that the language as written is intended to be audible.

Mrs. Korn stated that she is comfortable with the language regarding added items. If there was an item approved by the Chair that the Board wanted to postpone, if the Board is not comfortable with the item coming forward, at the time of the vote it can be postponed to another time.

Responding to Mrs. Leach's inquiry about the 7-day delivery of the agenda, Mr. Carland stated that the statute requires the advance notice of the meeting agenda, and the good cause language is also a provision in statute and as a part of the school code gives the Chair authority to add an item if the Chair finds there is good cause.

Mrs. Leach stated that a policy should not be created for a few people that affects many people. A public speaker may speak on every item which may not be efficient, but the speaker should not be limited to speak and limit everyone else's speech as a result of one individual.

Mrs. Leach inquired whether the statute addresses the determination of good cause.

Approved in Open Board Meeting, July 24, 2012

Concurring, Mr. Carland advised that the statute gives discretion to the Chair.

Mrs. Leach concurred that the Board would have the ability to postpone an item that is added.

Mrs. Bartleman inquired why the Board is requesting amendments when a full Board Workshop was held to discuss the policy.

Mr. Carland responded that he prepared the changes based on comments by the Board at the workshop; there was not clear consensus. Referring to number 9., Mr. Carland stated if the Board wants to give more discretion in the policy a change can be made today and sent to a second reading.

Mrs. Bartleman was of the opinion that all items should be open and she would oppose having a Consent Agenda and an Open Agenda. She agreed with the changes: no limit to pulling Consent items, no limit to how many times a person can speak or the cumulative limit of the amount of minutes, and eliminating the clapping and applauding. Mrs. Bartleman also agreed that the Chair should be allowed to add agenda items, but if the Board disagrees on the item it can be voted on to postpone.

Ms. Dinnen concurred that the remedy of an added item is to vote to postpone the item. Referring to page 2., 14., Ms. Dinnen stated that some people have indicated that they will speak to every item, a definite obstruction of the progress of a meeting. She did not concur with punishing the crowd to remedy an incident, and said she would support eliminating the 12 minutes and eliminating the clapping and applauding. Ms. Dinnen stated she believes in a Consent Agenda, as every large organization she has been connected with, including the meetings run in the convention form of the American Federation of Teachers and convention of the National Education Association, have a consent agenda. Ms. Dinnen stated there are some items that take deliberation and time and there are other items that are routine.

Mrs. Good concurred with the concept of the Consent Agenda as long as the public has the opportunity to pull any consent item they feel is important to discuss. Mrs. Good concurred that the Chair, in discussion with the Superintendent, should have the prerogative to bring forth items that they feel needs to be on the agenda. Some of the items may have significant community individuals present and necessitate a lot of staff to be present, and if there is not a comfort level from the majority of the Board it can be postponed if the Board is not able to speak about the item. She supported the elimination of the number of items being pulled under the Consent Agenda and the other topics previously discussed.

Approved in Open Board Meeting, July 24, 2012

Mrs. Rich Levinson concurred with the elimination of clapping and applauding, as these are also positive forms of expression, and with eliminating the time limit of speakers and the number of items pulled. Mrs. Rich Levinson also concurred with having a Consent Agenda and an Open Agenda, stating that it should be the responsibility of the Chair and the Superintendent to decide whether to bring forward an item which the Board can vote to postpone, if desired.

Mrs. Bartleman offered the following motion:

Motion to Amend (Carried)

Motion was made by Mrs. Bartleman, seconded by Mrs. Levinson and carried, to amend Policy 1100A, page 2, 9., Paragraph to read: Board Members and members of the public may pull any consent item for individual consideration. Delete remainder of paragraph: ~~Members of the public may pull up to three items. A member of the public may be permitted to pull more than three consent items with the approval of the full board at the discretion of the Chair.~~ (9-0 vote)

The following individuals addressed this item:

Mary Fertig
Rhonda Ward
Shelly Heller
Ernestine Price
Rebecca Dahl

A vote was taken on the Motion to Amend.

Ms. Dinnen offered the following motion:

Second Motion to Amend (Carried)

Motion was made by Ms. Dinnen, seconded by Mrs. Rupert and carried, to amend Policy 1100A, page 2., 14., sentence to read: Each public speaker's presentation will be limited to three (3) minutes in duration ~~for a total of twelve (12) minutes during any board meeting~~ unless such time is extended by the Board Chair. (9-0 vote)

The following individuals addressed this item:

Bernie Schultz
Mary Fertig
Jim Silvernale

A vote was taken on the Second Motion to Amend.

Approved in Open Board Meeting, July 24, 2012

Ms. Murray spoke to the Board devoting 30 minutes for public speakers, and offered an amendment to eliminate the time period. She stated that in past meetings there have not been a lot of speakers unless the topic is of importance. Ms. Murray clarified that the public will be allowed to speak to any item.

Mrs. Bartleman stated that people should be able to speak on any topic.

Mrs. Korn suggested an amendment under 14., eliminating the first sentence, and the sentence would start: Public Speakers: Persons desiring to make a presentation as a public speaker.

Mr. Carland noted that paragraph 13 discusses the Board reserving time for public speakers and they may also speak during public hearings and Open Agenda items, including items that have been pulled.

Third Motion to Amend (Withdrawn)

Motion was made by Mrs. Korn, seconded by Mrs. Bartleman, to amend Policy 1100A, page 2., 14., eliminating the first sentence, and the sentence would start: Public Speakers: Persons desiring to make a presentation as a public speaker.

The following individuals addressed this item:

Rhonda Ward
Mary Fertig

The Board discussed paragraphs 13, 14 and 15 divided into subsections.

Mr. Carland advised that revisions to the policy were made to fit current language. If the Board wants to restructure the policy, the whole section should be changed.

Ms. Dinnen voiced concern that the item is being workshopped again. She offered a motion to table the item.

Concurring, Mr. Carland advised that since structural changes need to be made, the policy should be revised to a workshop setting. He recommended voting down the item.

Mrs. Rich Levinson was of the opinion that the item not go back to a workshop because there are other issues that need to be discussed in a limited time at workshops. She stated that General Counsel understands the discussion on paragraphs 13 and 14, and how to phrase the language.

Approved in Open Board Meeting, July 24, 2012

Mr. Carland stated when making substantive changes in how the district's process is written in rule making, they should be workshopped and brought back to the Board for final adoption.

Mrs. Rich Levinson stated that structure is being changed, not substance.

Mrs. Korn concurred with having a workshop discussion.

Ms. Murray stated that all the amendments have been withdrawn and there has been public input.

A vote was taken to vote down the item.

CC-2. Proposed Revised Job Description, Minimum Qualifications and Job Title for the Chief School Performance and Accountability Officer Position (Adopted)

Motion was made by Ms. Dinnen, seconded by Mrs. Rupert and carried, to adopt the proposed revised job description and minimum qualifications for the Chief School Performance and Accountability Officer position. This is the final reading. Mrs. Good and Mrs. Rupert voted "no." (7-2 vote)

The job description for the Chief School Performance and Accountability Officer has been revised as a result of a thorough analysis of the organization. The organizational structure was reviewed with the School Board at the March 27, 2012 Board Workshop. As a result of the input, the organizational chart was modified and presented on April 24, 2012, at the School Board Workshop and approved at the May 15, 2012 School Board Meeting. The changes to the job description align the title and the roles and responsibilities of the position to facilitate the goals and objectives of Broward County Public Schools' Strategic Plan. The structure will support schools in focusing on increased relevance and rigor, implementation of the common core standards, and teacher and administrator evaluations intended to improve practices that result in improved student achievement.

The Compensation Committee has reviewed and approved the revised job description. Revision of the job description does not impact the pay grade or salary range of the job. See Executive Summary.

There is no additional financial impact to the district. The funding is allocated for the position within the division's budget.

Voicing concern over the job descriptions and "outrageous" salaries, Mrs. Rupert stated that teachers are being surplusd and layoffs are occurring and she could not accept the job descriptions for the high positions.

Approved in Open Board Meeting, July 24, 2012

Mrs. Good inquired who sits on the Compensation Committee.

Ms. Diaz stated that she sits on the committee with Mr. Tom Lindner, Deputy Superintendent, Facilities and Construction Management; Dr. Desmond Blackburn, Central Area Superintendent; Dr. Leontine Butler, Deputy Superintendent, Curriculum; Dr. Joanne Harrison, Deputy Superintendent, Educational Programs and Student Support Services; Mr. I. Benjamin Leong, Chief Financial Officer; and Mr. Donnie Carter, Chief Operations Officer.

Mrs. Good stated that items CC-2, CC-8, and CC-10 potentially encompass the same individuals that are part of the Compensation Committee. Referring to Agenda Items CC-2, CC-8, CC-9, and CC-10, Mrs. Good stated that the positions were also part of the restructuring part of the Organizational Chart. Mrs. Good stated there are discrepancies in the job descriptions, such as in CC-2 the job description was extensively revised and an individual was being placed in that position.

Referring to Agenda Item CC-3, Mrs. Good said the job descriptions were clearly revised extensively and they are being advertised and opened up to the public and internally. In Agenda Items CC-8, CC-9, and CC-10, individuals are being placed in the position and they are not being advertised. Mrs. Good stated that all job descriptions should have been opened up to everyone.

Mrs. Good acknowledged the Salary Handbook and certain prerogatives, and said that the Superintendent can place certain individuals especially if they are being downgraded. Voicing concern that the salaries of four individuals total over \$650,000, Mrs. Good requested a serious review in analyzing the compensation that is being given to employees above a certain pay grade, especially during times of funding issues and having to tell employees that their positions cannot be funded or they are being laid off. She noted that two of the individuals' pay grades will remain in place for one year, then they will change.

Mr. Runcie responded that on CC-2 this is essentially the same level as the Area Superintendents and the scope of the job description has changed.

Mrs. Good requested the Superintendent to provide an explanation to the Board of the compensation that administrators are getting over a certain pay grade, which is quite extensive.

Approved in Open Board Meeting, July 24, 2012

Mrs. Leach stated, in looking through the job descriptions it appears to be a culmination of the previous Area Superintendents' jobs. She voiced concern over positions not being advertised; there are qualified district individuals in positions and if the positions were advertised they would be the most qualified and would get the job. Remarking that she is not questioning the selection of an employee, Mrs. Leach stated that this process sends the wrong message to staff by not having an open process.

Mr. Runcie stated that the process is no different than when he came to the district and he assigned a Chief of Staff; there was only discussion on the increase in pay. After spending several months in the organization, Mr. Runcie stated that he has had an opportunity to do something better than can be done in a job interview, observing individuals for several months and assess talent. The Superintendent said that in some positions he felt it made better sense that there is an individual that is highly qualified for that position and it is his intention to place those individuals in those positions.

The Superintendent further stated that his responsibility is to execute and deliver outcomes in the district, which starts with putting in a good team of individuals that can work together well. Mr. Runcie stated in areas where it was not clear that there were individuals available for a position or that the pool of qualified candidates could be increased, these positions were identified for advertising.

Ms. Diaz stated that there are approximately 15 to 20 positions that are being advertised as a result of the changes in the organizational process; there are a few task assigned positions that will ultimately be advertised and go through the process, and three positions with job descriptions that are before the Board today where individuals will be placed.

Responding to Mrs. Leach's inquiry, Ms. Diaz stated that because the policy permits a task assignment to be permanently filled, the Chief of Staff position will be advertised.

Mrs. Leach stated it would be a cleaner process to advertise the position.

The Superintendent stated that in this instance it is not being honest with the public, knowing that someone is in mind for the position and asking individuals to apply for a job that they are not going to get. It is not transparent and there is no integrity in that type of process.

Mrs. Rupert, who opined that the budget is connected to the Organizational Chart, referred to all the CC agenda items before the Board and stated that the financial impact for the CC items will be charged to the departments of those positions.

Approved in Open Board Meeting, July 24, 2012

Mrs. Rupert requested the department budgets for the following positions: Chief School Performance & Accountability Officer; Chief Academic Officer; Chief Financial Officer; Chief Human Resources Officer, Chief Portfolio Services Officer, Public Information Officer; Chief Strategy & Operations Officer; and Chief Talent Development Officer.

Mrs. Korn stated that the Superintendent is tasked with placing individuals in positions where he will be successful in delivering outcomes, and even though transparency is necessary, going through the process of advertising for positions is being insincere and is not being transparent. Remarking that she may not be pleased with every selection that the Superintendent makes on the Organizational Chart and filling the job descriptions, Mrs. Korn stated if the Superintendent is familiar with the individuals in the job descriptions and he knows who will fill that position to make him successful with the outcomes, it is his responsibility to place that person in that position.

Discussing the salary schedule, Mrs. Korn stated that part of the selection process in choosing that person is knowing how much money an individual makes and knowing they would be at the top of that salary schedule, and that they are worth that amount of money. Mrs. Korn further stated, if the Board does not think that the salary schedule makes sense for anyone, then the Board would have a further discussion that no one in this position should earn \$169,000. At this point, the Superintendent would have to live within the means of the financial impact that the Board has given for each position.

Mrs. Bartleman, who said she agreed with the advertising of positions, informed that staff met with her to discuss what positions would and would not be advertised. She stated that only a small amount of positions are not being advertised; individuals being demoted and downgraded in positions.

Concurring, Ms. Diaz stated that the salary guidelines indicate that if the job description is revised and updated and it reflects one pay grade higher, or lateral, it is equal to the same pay grade, the interview process would not be utilized. If a position of an individual is lowered or downgraded to another level, the Superintendent has the authority to place someone in that position. If a position is over two pay grades higher, an interview process would be required. Ms. Diaz further stated that there are four positions that are not being advertised and there are several that have been task assigned and they will have to go through the interview process.

Approved in Open Board Meeting, July 24, 2012

Mrs. Bartleman was of the opinion that it is disingenuous of the Board to advertise knowing that someone is going to get the position. Concurring that a discussion should be held on the salary schedule, Mrs. Bartleman voiced concern that the Compensation Committee was comprised of individuals that are filling some of the positions. She requested that a review be made of the process by the committee because that person should excuse him or herself when their position is being reviewed.

Ms. Diaz responded that a review will be made to adding other individuals to the committee. She informed that those positions have been assigned to that role and because of the reorganization, it is rare that these same individuals would be reviewing their job descriptions. Ms. Diaz stated that a point-value process is utilized in Employee Relations to determine the compensation. The input that the Compensation Committee provides is the job descriptions; the functions and responsibilities, and the committee is not commenting on a higher or lower salary level of the positions. A thorough analysis is made, compared to other positions, roles and responsibilities, level of involvement with the community and level of supervision responsibility.

Ms. Dinnen stated that the Superintendent reviewed the four positions and determined that the people he was most familiar with and had worked with closely would fill those positions. Those he did not feel comfortable with would be advertised positions. Ms. Dinnen concurred that the Board hold the Superintendent accountable for his decisions.

Ms. Dinnen further stated that addressing the salary should be addressed by looking at the position and not necessarily the person. She concurred that the Board should address a particular salary range if there is the belief that it is not proper for a particular job. Ms. Dinnen said she would like additional information, such as what individuals with comparable positions are making in other school districts.

Ms. Dinnen discussed the amount of money that the district will not be spending on Area Superintendents, as compared to spending money for a certain amount of positions. Ms. Dinnen requested that information be provided on what was spent last year on positions and what positions have been canceled.

Mrs. Rich Levinson concurred with a workshop discussion regarding salary placement and compensation, as concerns have repeatedly been expressed by the Board.

Approved in Open Board Meeting, July 24, 2012

Mrs. Good, who voiced concern with the sequence of events, stated that the job descriptions are tied to funding and a structure is approved without an attached budget. Addressing the salary schedule, Mrs. Good stated that the Board should be stricter as far as the salary individuals are given based on the number of years of experience.

Responding to Mrs. Korn's inquiry, Mr. Carland stated that the Board approves job descriptions that usually contain reference to the applicable salary schedule, which is also subject to Board approval. If the Board approves a job description that references a specific salary schedule and someone is nominated and appointed into that position, from a contractual standpoint they have entitlement for the year of that contract to that position and that salary. If during the course of that contract year the Board reviews and changes the salary schedule, it would not apply until that position is up for renewal because the person in the position was contracted for at the rate at the time that they were appointed. Mr. Carland noted that it does not limit the Board from considering and changing the salary schedule at any time, subject to Board approval, but it may have a postponed effect for anybody in positions that were appointed under the old salary schedule.

Ms. Diaz recommended that the salary schedule be addressed and review the pay range if the Board is concerned. Ms. Diaz stated that she is developing a plan for consolidating steps, having researched other districts and other information that can be presented to the Board. She did not recommend a range of two steps because it is difficult to advertise a position when the range is \$50,000 and people are trying to make decisions on whether they are interested in applying for a job and how it will be determined where they are placed on that step.

Responding to the Board's concerns on the pay grade level, Ms. Diaz stated that the current Area Superintendent position is at a Pay Grade 34, and the individual who is going to be recommended for this position is currently at a Pay Grade 34, with a third less schools that he will soon be supervising and the pay grade has not changed. If the job description is not approved, the pay grade will remain the same and the Superintendent can still move him in that position and recommend reappointment to that position without having to necessarily bring the job description immediately for approval. Ms. Diaz further stated that putting in a pay range will not help at this time; the question is whether the Board agrees on the roles and responsibilities.

Approved in Open Board Meeting, July 24, 2012

Mr. Carland advised that the issue of the employee having entitlement to their salary for one year is a due process issue, it is not a contract issue. If during the year the Board was to reduce their salary or a demotion, they would have due process rights to go to hearing. Mr. Carland stated, at the end of the contract year if the job description has been changed or the salary schedule has been changed at the time the employee is reappointed, upon the recommendation of the Superintendent they would take the position subject to the new requirements for the new salary schedule.

Ms. Diaz informed that the Salary Handbook indicates that the employee can keep their salary for one year if demoted. This applies to the Meet and Confer groups and it is included in the TSP contract.

Mrs. Bartleman stated if the Board decides on a direction for the salary schedule the Superintendent can modify the Organizational Chart to meet the Board's changes. Mrs. Bartleman further stated she was pleased with this job description, to have one person be held accountable for all schools, and a lot of parent groups and people support the elimination of the Areas.

The following individuals addressed this item:

Rhonda Ward
Charlotte Greenbarg

CC-3. Proposed Revised Job Description, Minimum Qualifications and Job Title for the Director, School Performance and Accountability Position
(Adopted)

Motion was made by Ms. Dinnen, seconded by Mrs. Rupert and carried, to adopt the proposed revised job description and minimum qualifications for the Director, School Performance and Accountability position. This is the final reading. Mrs. Good and Mrs. Rupert voted "no." (7-2 vote)

The job description for the Director, School Performance and Accountability has been revised as a result of a thorough analysis of the organization. The organizational structure was reviewed with the School Board at the March 27, 2012 Board Workshop. As a result of the input, the organizational chart was modified and presented on April 24, 2012, at the School Board Workshop and approved at the May 15, 2012 School Board Meeting. The changes to the job description align the title and the roles and responsibilities of the position to facilitate the goals and objectives of Broward County Public Schools' Strategic Plan. The structure will provide a more focused approach and delivery of support to the principals and schools.

Approved in Open Board Meeting, July 24, 2012

The Compensation Committee has reviewed and approved the revised job description. Revision of the job description does not impact the pay grade or salary range of the job. See Executive Summary.

There is additional funding needed for one Director, School Performance and Accountability position. The funding for this position(s) is a result of the consolidation of the Area Offices. The funding will be included in the School Performance and Accountability Division's 2012-2013 budget.

Mrs. Rupert noted that this agenda item embodies 11 positions, formerly the positions of the old Area Directors.

Responding to Ms. Dinnen's inquiry, Ms. Diaz stated that the item includes the addition of two (2) Area Director positions, formerly there were 9 positions.

Mrs. Good stated that the new positions were advertised and were treated differently than other positions on the agenda. Mrs. Good stated that since these job descriptions are tied to dollars the overall impact is not known and how these positions fall into play with the budget, what the full impact is to the district.

Ms. Murray inquired about the former pay scale of the Area Directors.

Ms. Diaz responded that the pay scale is the same.

Mrs. Bartleman inquired about the substantial changes made to the job description and why the positions are being re-advertised.

Ms. Diaz responded that the primary change is for these individuals to serve in a mentorship, professional development to help leaders grow in their roles as principals and to focus more attention on instruction and away from the operational side of the house. Ms. Diaz stated that the Superintendent created the position of the Chief over the service quality areas, and the operational individuals will be there to focus on this so they can focus on assisting principals to get through some of the barriers or things that slow them down from being in the classrooms and working with teachers. Ms. Diaz informed that there are approximately 250 schools that will be divided among the 11 Directors.

Mrs. Bartleman stated that she supports having the 11 Directors because they have the responsibility to ensure the implementation of programs, policies, and curriculum. She supports the idea of making sure that every child gets the same level of service, which the Superintendent is trying to create with the vision of this job description, accountability and structure.

Approved in Open Board Meeting, July 24, 2012

Remarking that the public has contacted all Board Members, Mr. Williams stated that the total responsibility of the Directors will focus on assisting principals and curriculum development. Mr. Williams stated that he supports the direction of curriculum implementation.

Responding affirmatively, Ms. Diaz stated that these individuals will have to work well with district staff because the curriculum will be set by the Chief Academic Officer, another individual that will set the tone and direction. These individuals will have to communicate that message to principals and assistant principals, as well as the whole new evaluation process of administrators and teachers.

The following individuals addressed this item:

Rhonda Ward
Blair Hirt, Alternate Student Advisor

CC-4. Proposed New Job Description and Minimum Qualifications for the Chief Academic Officer Position (Adopted)

Motion was made by Ms. Dinnen, seconded by Mrs. Rupert and carried, to adopt the proposed new job description and minimum qualifications for the Chief Academic Officer position. This is the final reading. Mrs. Good and Mrs. Rupert voted "no." (7-2 vote)

The job description for the Chief Academic Officer has been created as a result of the analysis of the organization and the alignment of the instructional and support services functions under one division. The organizational structure was reviewed with the School Board at the March 27, 2012 Board Workshop. As a result of the input, the organizational chart was modified and presented on April 24, 2012, at the School Board Workshop and approved at the May 15, 2012 School Board Meeting. The alignment will facilitate the goals and objectives of Broward County Public Schools' Strategic Plan and provide leadership for effective instructional and support programs focused on students achieving success through increased rigor, extended learning opportunities, and high expectations.

The Compensation Committee has reviewed and approved the new job description. See Executive Summary.

Funding for this position is included in the 2012-2013 Organizational Chart.

Responding to Mrs. Leach's inquiry, Ms. Diaz stated that the position will be advertised after approval by the Board today.

Approved in Open Board Meeting, July 24, 2012

- CC-5. Proposed Revised Job Description, Minimum Qualifications and Job Title for the Chief Strategy & Operations Officer Position
(Approved as amended)

Motion was made by Ms. Dinnen, seconded by Mrs. Leach and carried, to approve the proposed revised job description and minimum qualifications for the Chief Strategy & Operations Officer position. Approval is requested to advertise for this vacant position after the first reading. This is the first reading. This motion was superseded by a Motion to Amend (below). Mrs. Rich Levinson was absent for the vote. Mrs. Good and Mrs. Rupert voted "no." (6-2 vote)

The job description for the Chief Strategy & Operations Officer has been revised as a result of a thorough analysis of the organization. The organizational structure was reviewed with the School Board at the March 27, 2012 Board Workshop. As a result of the input, the organizational chart was modified and presented on April 24, 2012, at the School Board Workshop and approved at the May 15, 2012 School Board Meeting. The changes to the job description align the title and the roles and responsibilities of the position to facilitate the goals and objectives of Broward County Public Schools' Strategic Plan.

The Compensation Committee has reviewed and approved the revised job description. Revision of the job description does not impact the pay grade or salary range of the job. The position is vacant and requires advertisement. The Superintendent is seeking approval to advertise the position prior to the final reading of the job description. See Executive Summary.

There is no financial impact to the district. The funding is allocated for the position within the division's budget.

Mrs. Korn requested an amendment to the Job Description, page 2, Required, and page 3, stating that this will align the Experience with Required.

Motion to Amend (Carried)

Motion was made by Mrs. Korn, seconded by Mrs. Bartleman and carried, to amend Job Description, page 2, Required, and page 3, Required, add verbiage to sentences: Diverse background encompassing business, large K-12 educational, and/or operational experience. Mrs. Rich Levinson was absent for the vote. (8-0 vote)

Mrs. Bartleman supported the addition under Essential Performance Responsibilities, which identifies (7.) best-in-class strategies for utilizing data, information and research to drive performance improvements.

Approved in Open Board Meeting, July 24, 2012

A vote was taken on the Motion to Amend.

The following individual addressed this item:

Rhonda Ward

CC-6. Proposed Revised Job Description and Minimum Qualifications for the Chief Information Officer Position (Approved as amended)

Motion was made by Ms. Dinnen, seconded by Mrs. Rupert and carried, to approve the proposed revised job description and minimum qualifications for the Chief Information Officer position. Approval is requested to advertise for this vacant position after the first reading. This is the first reading. This motion was superseded by a Motion to Amend (page 55). Mrs. Good, Mrs. Leach and Mrs. Rupert voted "no." (6-3 vote)

The job description for the Chief Information Officer has been revised as a result of a thorough analysis of the organization. The organizational structure was reviewed with the School Board at the March 27, 2012 Board Workshop. As a result of the input, the organizational chart was modified and presented on April 24, 2012, at the School Board Workshop and approved at the May 15, 2012 School Board Meeting. The changes to the job description align the roles and responsibilities of the position to facilitate the goals and objectives of Broward County Public Schools' Strategic Plan.

The Compensation Committee has reviewed and approved the revised job description. The position is vacant and requires advertisement. The Superintendent is seeking approval to advertise the position prior to the final reading of the job description. See Executive Summary.

Funding for this position is included in the 2012-2013 Organizational Chart.

Mrs. Korn, referring to page 5, Essential Performance Responsibilities, voiced concern that there is no reference to the Strategic Plan, which is paramount. She stated if the Strategic Plan is directing the district the reference in the job description is important.

Ms. Diaz referred to Position Goal, last sentence: The CIO will develop a high-performing IT organization that supports the ~~d~~District's goals and objectives.

Mrs. Korn was of the opinion that it is relevant language that should be included.

Approved in Open Board Meeting, July 24, 2012

Motion to Amend (Carried)

Motion was made by Mrs. Korn, seconded by Ms. Dinnen and carried, to amend Job Description, page 5, Essential Performance Responsibilities: add verbiage in reference to adherence with Strategic Plan. (9-0 vote)

A vote was taken on the Motion to Amend.

Referring to page 3, Education, Mrs. Leach said she expected someone in this position to have a master's degree. She inquired about the rationale.

Ms. Diaz responded that adding the language for a master's degree with doctorate preferred as an option advises the individual that this is the district's preference, seeking someone with an advanced degree. Remarking that the current job description included only the bachelor's degree description, Ms. Diaz explained that sometimes when attracting individuals from business they do not always have advanced degrees. Ms. Diaz stated that it is a very technical job and it provides flexibility to find the right individual with excellent experience and skills to be able to hire into the position should they only have a bachelor's degree.

Mrs. Leach was of the opinion that someone at the end of the pay scale, in an organization as the School District should have a mandatory graduate degree.

Remarking that there are many competent individuals in the business world who only have a bachelor's degree, Mrs. Rich Levinson stated that she is not comfortable with making a graduate degree a requirement.

Mrs. Bartleman stated that not everyone has a degree in a technical area, such as Steve Jobs and Bill Gates. She stated that a lot of companies employ engineers who rise to this level and they do not necessarily have a graduate degree, and they make more money than what is being offered.

CC-7. Proposed New Job Description and Minimum Qualifications for the Manager, Property and Inventory Control Position (Approved)

Motion was made by Ms. Dinnen, seconded by Mrs. Rupert and carried, to approve the proposed new job description and minimum qualifications for the Manager, Property and Inventory Control position. This is the first reading. Mrs. Good and Mrs. Rupert voted "no." (7-2 vote)

Approved in Open Board Meeting, July 24, 2012

The job description for the Manager, Property and Inventory Control has been created as a result of the analysis of the organization. The organizational structure was reviewed with the School Board at the March 27, 2012 Board Workshop. As a result of the input, the organizational chart was modified and presented on April 24, 2012, at the School Board Workshop and approved at the May 15, 2012 School Board Meeting. The alignment will facilitate the goals and objectives of Broward County Public Schools' Strategic Plan and assure an effective performance of the auditing function.

The Compensation Committee has reviewed and approved the new job description. The position is vacant and requires advertisement. See Executive Summary.

There is no financial impact to the district. The funding is allocated for the position within the division's budget.

No discussion was held on this item.

- CC-8. Proposed Revised Job Description, Minimum Qualifications and Job Title for the Chief Portfolio Services Officer Position
(Approved as amended)

Motion was made by Ms. Dinnen, seconded by Mrs. Rupert and carried, to approve the proposed revised job description and minimum qualifications for the Chief Portfolio Services Officer position. This is the first reading. This motion was superseded by a Motion to Amend (page 57). Mrs. Good and Mrs. Rupert voted "no." (7-2 vote)

The job description for the Chief Portfolio Services Officer has been revised as a result of the analysis of the organization and the alignment of the instructional and support services functions under one division. The organizational structure was reviewed with the School Board at the March 27, 2012 Board Workshop. As a result of the input, the organizational chart was modified and presented on April 24, 2012, at the School Board Workshop and approved at the May 15, 2012 School Board Meeting. The alignment will facilitate the goals and objectives of Broward County Public Schools' Strategic Plan and provide a model for all space utilization and growth management with student assignments in one division. Additionally, the Innovative Programs Department will lead the exploration of District charter schools and charter school services (beyond the State required) that will generate additional revenue to account services.

The Compensation Committee has reviewed and approved the revised job description. See Executive Summary.

Approved in Open Board Meeting, July 24, 2012

There is no financial impact to the district. The funding is allocated for the position within the division's budget.

Mrs. Korn noted that the Strategic Plan is not identified under the responsibilities of the job description. She offered an amendment that this be included under Responsibilities.

Motion to Amend (Carried)

Motion was made by Mrs. Korn, seconded by Ms. Dinnen and carried, to amend Job Description, page 3, Essential Performance Responsibilities: add verbiage in reference to adherence with Strategic Plan. (9-0 vote)

Ms. Diaz noted that under 11., it states: oversee the direction of programs and projects coordinated by the Portfolio Services Division in order to support the District strategic objectives.

Mrs. Korn concurred that key words are part of the Strategic Plan but they are not comprehensively the Strategic Plan. She stated that having this reference in the Responsibilities is important because the Strategic Plan drives the district.

A vote was taken on the Motion to Amend.

Mrs. Bartleman requested data that supports the creation of these positions in that department and if there is not a return on investment, that the Superintendent bring back changes next year if it is not successful or it is not moving in the right direction.

CC-9. Proposed New Job Description and Minimum Qualifications for the Chief Service Quality Officer Position (Approved as amended)

Motion was made by Ms. Dinnen, seconded by Mrs. Rupert and carried, to approve the proposed new job description and minimum qualifications for the Chief Service Quality Officer position. This is the first reading. This motion was superseded by a Motion to Amend (page 58). Mrs. Good and Mrs. Rupert voted "no." (7-2 vote)

The job description for the Chief Service Quality Officer has been created as a result of the analysis of the organization and the alignment of the instructional and support services functions under one division. The organizational structure was reviewed with the School Board at the March 27, 2012 Board Workshop.

Approved in Open Board Meeting, July 24, 2012

As a result of the input, the organizational chart was modified and presented on April 24, 2012, at the School Board Workshop and approved at the May 15, 2012 School Board Meeting. The structure will support schools in focusing on increased relevance and rigor, implementation of the common core standards, and teacher and administrator evaluations, while also providing a standardized approach to customer service and consistency in handling employee, parent and community related school issues.

The Compensation Committee has reviewed and approved the new job description. See Executive Summary.

There is no financial impact to the district. The funding is allocated for the position within the division's budget.

Mrs. Korn reiterated her comments about the Strategic Plan not being identified under the Responsibilities of the job description.

Motion to Amend (Carried)

Motion was made by Mrs. Korn, seconded by Mrs. Good and carried, to amend Job Description, page 3, Essential Performance Responsibilities: add verbiage in reference to adherence with Strategic Plan. (9-0 vote)

A vote was taken on the Motion to Amend.

Mrs. Bartleman stated that the job description overall is a good idea and the structure will allow working cooperatively with parent organizations and community groups. Mrs. Bartleman said she was hopeful that the Parent Task Force, who gathered the data and produced the report, will be in constant contact with this individual and will continue to build on what the report indicates and be accountable for implementing some of those standards. She requested follow-up information as to how the goals are being met.

CC-10. Proposed New Job Description and Minimum Qualifications for the Executive Director, Early Childhood Education Position (Not approved)

Motion was made by Ms. Dinnen, seconded by Mrs. Rupert, to approve the proposed new job description and minimum qualifications for the Executive Director, Early Childhood Education position. This is the first reading. (0-9 vote)

The job description for the Executive Director, Early Childhood Education has been created as a result of the analysis of the organization and the alignment of the instructional and support services functions under one division. The organizational structure was reviewed with the School Board at the March 27, 2012 Board Workshop.

Approved in Open Board Meeting, July 24, 2012

As a result of the input, the organizational chart was modified and presented on April 24, 2012, at the School Board Workshop and approved at the May 15, 2012 School Board Meeting. The alignment will facilitate the goals and objectives of Broward County Public Schools' Strategic Plan and provide leadership for effective instructional and support programs focused on improving students' success and the ability for students to graduate and thrive in a global society through experiences and knowledge attained from Birth-Age 5.

The Compensation Committee has reviewed and approved the new job description. See Executive Summary.

There is no financial impact to the district. The funding is allocated for the position within the division's budget.

Mrs. Korn expressed her disappointment with the job description because she believes it does not address the vision of the job. Mrs. Korn stated she believed part of the vision of the job was to outreach within the community to have a tie to early education providers in the community as they prepare to send children into schools.

Mrs. Korn further stated that there is not a sharing of academic information in order to monitor the children in 3rd grade and sharing of that information; there is no information that identifies and promotes training opportunities in terms of partnerships with some of the providers, and there is not an identification of benchmarking and outcomes to drive decisions.

Mr. Runcie recommended that the item be brought back to a future Board meeting.

Mr. Carland advised that the item be voted down.

CC-11. Revisions to Policy 6000.4, Exceptional Student Education Policies and Procedures (SP&P) (Adopted)

Motion was made by Ms. Dinnen, seconded by Mrs. Leach and carried, to adopt Revised Policy 6000.4, Exceptional Student Education Policies and Procedures (SP&P) at this final reading. Mrs. Rupert was absent for the vote. (8-0 vote)

Federal and Florida State law requires that School Boards adopt, as policy, the *Exceptional Student Education Policies and Procedures* (SP&P), in order to receive Federal and State funding.

Approved in Open Board Meeting, July 24, 2012

This document describes the process for determining eligibility, developing individual education plans (IEPs) for students with disabilities, developing education plans (EPs) for gifted students, and making placement decisions for exceptional students. The School Board previously approved SP&P for 2009-2010 through 2011-2012.

This revision includes requirements by the State to align with the Florida State Statutes and State Board of Education. The changes are noted in the Amendment Table dated October 2011. The language by the State cannot be revised as it provides the policy necessary to comply with the Individuals with Disabilities Education Act 2004 (IDEA).

The second attachment is an Amendment Table, October 2011, to the sections and changes required for the District. The District is allowed to enter local policy statements in boxed areas only. The third attachment is the revised SP&P document.

These revisions were discussed at the October 11, 2011 School Board Workshop, the March 29, 2012 Public Rule Development Meeting, the April 10, 2012 School Board Workshop, and approved at the May 15, 2012 School Board Meeting.

The Special Programs and Procedures is available online via the Broward County Public Schools eAgenda at:
<http://eagenda3.broward.k12.fl.us/cgi-bin/WebObjects/eAgenda>

There is no financial impact to the district.

Mrs. Leach expressed her appreciation to staff and community input on this issue, a work that resulted in great communication and getting a policy at the state level.

The following individual addressed this item:

Rhonda Ward

CC-12. Revision to Policy #5306, School and District Technology Usage (Adopted)

Motion was made by Mrs. Korn, seconded by Mrs. Leach and carried, to adopt revisions to Policy #5306 as amended, at this second and final reading. Mrs. Rupert was absent for the vote. Mrs. Bartleman voted "no." (7-1 vote)

School Board Policy 5306, is being revised to reflect changes in technology and technology use and to comply with State Statutes, Federal laws, E-Rate eligibility requirements.

Approved in Open Board Meeting, July 24, 2012

These revisions were discussed at the February 14, 2012, Board Workshop; the February 23, 2012, Public Rule Development Meeting; the April 10, 2012, School Board Workshop; and the May 15, 2012 School Board Meeting.

There is no financial impact to the district.

Mrs. Korn stated that she would not be voting in favor of this item because, as inappropriate communication is defined on page 9, h.,iii., it is outside the realm of the definition of this policy.

Mrs. Bartleman stated that she will not vote on this item due to the changes made, delineating firm language as to what and what is not permitted. In addition, staff has not provided the information she had previously requested.

Responding that the language was provided, Mr. Charles Stanley, Director, Technical Support Services, Education Technology Services, stated that the only policy that was applicable was regarding political language, and he could not find other board policies that addressed religious or promote personal commercial interests.

Mrs. Bartleman stated that the language indicated: "It must not be used to espouse personally held religious beliefs, conduct personal political campaigns, promote personal commercial interests, or communicate in a similar manner on non-District matters."

Mrs. Bartleman stated that this language (noted in red) is not included in any other policy and the language in the policy now addresses the School Board's mission, which is not clear for individuals. Mrs. Bartleman stated that she does not support the policy with this language taken out.

Ms. Dinnen noted that the language was not in policy before and it is now written in "red." Ms. Dinnen stated that she will support this policy, as it was discussed at length at a Board Workshop.

Concurring, Mrs. Rich Levinson quoted the verbiage above the red language: "Accordingly, the District Technology must be used for purposes consistent with the District's mission and policies."

Mrs. Rich Levinson stated that religious beliefs, political campaigns are not consistent with the district's mission and policies; the sentence prior encompasses what the Board is discussing and it was discussed at length in the past.

Mrs. Good stated that the policy is a good start, and in moving forward there may be opportunities to fine tune the policy or change the policy. She stated the district should not lose an opportunity for the E-rate compliance.

Responding to Mrs. Good's inquiry, Mr. Carland advised that Board Policy 1400.1 specifically addresses the political activity in terms of employees not engaging in personal political activity using district resources or on district time. Mr. Carland stated that he did not discuss with Mr. Stanley the commercial advertising and the religious aspects of the policy, and his office staff did not see any specific language prohibiting this activity. Mr. Carland further stated, if there is a complaint made or a concern is noticed by a supervisor, the district would investigate the concern and determine whether district time and resources is being used on something that is unrelated to their duties under their job description. This review must be made on a case-by-case basis.

Ms. Murray noted that this item is tied to E-rate money, \$11 million, and every policy is a living document that can be reviewed at any time.

DD. OFFICE OF THE CHIEF AUDITOR

EE. CHIEF OPERATIONS OFFICER

EE-1. istation Software Program (Not approved)

Motion was made by Mrs. Leach, seconded by Mrs. Good, to approve the purchase of the istation Software Program for 6 Title I elementary schools and 21 Cohort II Schools. (9-0 vote)

istation Reading is a data-driven Reading Intervention Program for English Language Learners in Pre-K through Grade 5. istation Reading promotes reading acceleration and progress through a high-interest online interactive curriculum. ISIP™ (istation's Indicators of Progress) assessment results automatically places students in the appropriate reading intervention level. The curriculum systematically teaches students as they learn developmentally appropriate skills in the essential reading areas of phonological and phonemic awareness, phonics, vocabulary, fluency, and comprehension. The elementary schools that will implement istation Reading into 2014 have not met federal guidelines for Adequate Yearly Progress (AYP) for a minimum of 2 years.

Approved in Open Board Meeting, July 24, 2012

Purchasing Policy 3320, Part II H, authorizes the purchase of any type of copyrighted materials, instructional materials, and computer software without competitive solicitations. Purchases in excess of \$50,000 for commodities or services which competitive solicitations have been waived require School Board Approval.

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

There is a financial impact of \$348,000 which includes maintenance through the 2-year period. The source of funds is \$75,000 Title I, and \$273,000 of ESOL Grant Funding.

Ms. Murray reminded the Board that this item was postponed at the May 1, 2012 Regular School Board meeting, and the recommendation today is to vote the item down.

Mr. Carland advised that a yes vote is to vote down the item.

EE-2. istation Software Program (Approved)

Motion was made by Ms. Dinnen seconded by Mrs. Rupert and carried, to approve the purchase of the *istation* Software Program for 6 Title I elementary schools and 21 Cohort II Schools. Mrs. Rupert was absent for the vote. Mrs. Rich Levinson voted "no." (7-1 vote)

istation Reading is a data-driven Reading Intervention Program for English Language Learners in Pre-K through Grade 5. *istation* Reading promotes reading acceleration and progress through a high-interest online interactive curriculum. ISIP™ (*istation's* Indicators of Progress) assessment results automatically places students in the appropriate reading intervention level. The curriculum systematically teaches students as they learn developmentally appropriate skills in the essential reading areas of phonological and phonemic awareness, phonics, vocabulary, fluency, and comprehension. The elementary schools that will implement *istation* Reading into 2014 have not met federal guidelines for Adequate Yearly Progress (AYP) for a minimum of 2 years.

Purchasing Policy 3320, Part II H, authorizes the purchase of any type of copyrighted materials, instructional materials, and computer software without competitive solicitations. Purchases in excess of \$50,000 for commodities or services which competitive solicitations have been waived require School Board Approval.

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

Approved in Open Board Meeting, July 24, 2012

There is a financial impact of \$348,000 which includes maintenance through the 2-year period. The source of funds is \$75,000 Title I, and \$273,000 of ESOL Grant Funding.

Mrs. Rich Levinson thanked staff for the extensive back-up information from the principals' survey and the principals' responses. Remarking that the district is duplicating and spending money in the same way twice, Mrs. Rich Levinson was of the opinion that the district needs to have a comprehensive look at all existing district programs, including the appropriate data for all items before the Board, in order to make efficient and effective decisions on what will work best for students.

Concurring, Mrs. Bartleman stated that what is listed as alternative programs are not alternative programs. She noted that Treasures is the district's current reading series, and this is a supplemental program that is utilized on the struggling reader's chart for children who are having difficulty. Mrs. Bartleman further stated that Florida Assessment for Instruction in Reading (FAIR) is an evaluation tool that is mandated in Differentiated Accountability schools; it is not a strategy or a program for remediation. Riverdeep and Compass Learning are on the struggling reader's chart, and Fast ForWord is a brain program and it is not teaching an ELL student how to read. Mrs. Bartleman said she had issues with the curriculum leaders in the schools that identify programs that are not on a struggling reader's chart as an alternative.

Concurring, Mrs. Sayra Velez Hughes, Executive Director, Early Learning, ESOL and Career, Technical, Adult and Community Education (CTACE), informed that 18 of the 60 schools that responded to the survey indicated that they do have another program or tool to utilize. They were asked a follow-up question as to what tool they are using or that would be used and they listed Treasures and the FAIR assessment. Mrs. Hughes stated that out of the 18 schools that responded affirmatively to the question, only 15 provided follow-up information.

Remarking that she would have preferred back-up information that would have required the Board to initiate a benchmark, Mrs. Korn requested that when this program is presented this will be in place and there will not be a struggle to get data. Mrs. Korn stated, although there will never be 100% Fidelity of Implementation, the majority of the schools were very happy and three (3) of the schools have paid out of their own funds.

Acknowledging the lengthy process of this program, Ms. Murray stated that she conducted her own survey with her district's schools and when she followed up with the schools they felt just as strongly for istation and what they needed for their children.

Approved in Open Board Meeting, July 24, 2012

EE-3. Continuation of the Lease or Maintenance of District Software and Hardware for FY 2012-2013 (Not approved)

Motion was made by Ms. Dinnen, seconded by Mrs. Bartleman, to approve the continuation of the lease or maintenance of District software and hardware for FY 2012-2013. Mrs. Korn and Mrs. Rupert were absent for the vote. (7-0 vote)

District schools and departments utilize many curriculum and business software and hardware technology systems provided by various publishers and vendors. As part of the annual contract renewal, these publishers and vendors agree to provide maintenance and new releases to the School District for an annual fee. The agenda item requests spending authority approval for publishers and vendors to provide maintenance support for the next fiscal year (2012-2013) for each major curriculum and business software and hardware technology system. Contracts were negotiated with many of the vendors for better pricing with some contracts being canceled. The District staff will continue to negotiate additional savings where possible and monitor contracts throughout the year. The proposed 2012/13 budget request is a net reduction of \$473,529.46 from the 2011/2012 Board approved budget.

This aligns with the District Education Technology Plan for Technology Goal 2 – BUD-1: Maximize the effectiveness and efficiency of all available technology resources.

The total projected expenditure for FY 2012-2013 is \$8,577,411.75. The funding sources for these items are the Educational Technology Services (ETS) Department's Operating Budget \$7,480,533.15; Curriculum – \$6,706.30; Curriculum – Title 1/Grants \$252,749.60; Food Services – \$226,700; Learning Resources – \$486,441.50 and Technical Education – Workforce Education Funds – \$124,281.20.

Ms. Murray noted that the item is to be voted down.

EE-4. Continuation of the Lease or Maintenance of District Software and Hardware for FY 2012-2013 (Approved)

Motion was made by Ms. Dinnen, seconded by Mrs. Good and carried, to approve the continuation of the lease or maintenance of District software and hardware for FY 2012-2013. **This item was revised to delete Executive Summary.** Mrs. Rupert was absent for the vote. (8-0 vote)

Approved in Open Board Meeting, July 24, 2012

District schools and departments utilize many curriculum and business software and hardware technology systems provided by various publishers and vendors. As part of the annual contract renewal, these publishers and vendors agree to provide maintenance and new releases to the School District for an annual fee.

The agenda item requests spending authority approval for publishers and vendors to provide maintenance support for the next fiscal year (2012-2013) for each major curriculum and business software and hardware technology system. Contracts were negotiated with many of the vendors for better pricing with some contracts being canceled. The district staff will continue to negotiate additional savings where possible and monitor contracts throughout the year. The proposed 2012/13 budget request is a net reduction of \$1,074,028 from the 2011/2012 Board approved budget.

This aligns with the District Education Technology Plan for Technology Goal 2 – BUD-1: Maximize the effectiveness and efficiency of all available technology resources.

The total projected expenditure for FY 2012-2013 is \$7,976,913.21. The funding sources for these item are the Educational Technology Services (ETS) Department's Operating Budget \$6,880,034.61; Curriculum – \$6,706.30; Curriculum – Title 1/Grants \$252,749.60; Food Services – \$226,700; Learning Resources – \$486,441.50 and Technical Education – Workforce Education Funds – \$124,281.20.

Mrs. Leach said she would have preferred a user-friendly format regarding how these programs benefit the district; who is using what and how they are using it.

Referring to the use of Blackboard Learning System, Mrs. Leach stated that one group is using Blackboard, one group is using Adobe Connect, and another group is using Meeting Place, all similar programs that the district is spending a lot of money. Mrs. Leach inquired why the district is using three separate and similar programs, and whether there was conversation between departments as to what programs should be utilized.

Mrs. Jeanine Gendron, Director, Instructional Technology, informed that Blackboard Learning is an online course delivery system, predominately used by Broward Virtual University for professional development and it is also used by Broward Virtual School. The Blackboard Collaborate is integrated into the Blackboard Learn so that the two tools can be used in conjunction with each other. Adobe Connect is very similar to Blackboard Collaborate, predominately used by curriculum, less expensive, and it is geared to a different target audience, and for teachers to begin using it with students in the classroom.

Approved in Open Board Meeting, July 24, 2012

Mrs. Gendron stated that because Blackboard Collaborate was more expensive than Adobe Connect there was a desire to pilot that with a smaller group this year and make a decision as to which one the district should use districtwide. The Blackboard Collaborate (\$47,000) is limited access and there would not be enough licenses to service the entire the district without the Adobe Connect.

Ms. Becky Schmaus, Manager, Network Integration, Education Technology Services, Inc., informed that Meeting Place is used mostly by groups that are strictly using audio because they do not have access to a computer to dial in. There is still infrastructure, it is outdated but it still works and it is still being used because the district has not taken the expense to update that system. Ms. Schmaus stated that it is needed for hurricane recovery and a lot of business staff members use it. The homebound students (hospitalized or in case of hurricane recovery) use it also because they do not have two phone lines to be able to connect a computer to a system and then have audio.

Addressing Blackboard Learning, Ms. Schmaus stated that the district uses 600 moderators but some have been eliminated in order to cut costs. She stated Blackboard used to be called Elluminate and the price goes up every year; two years ago there was negotiations to get the costs down to \$47,000, but in three years the price would go back up. Ms. Schmaus further stated that Adobe Connect was then tested to see if it would meet the needs of the district; their price is very consistent, unlike other products, and in the long-term there could be a better total cost of ownership. She stated Blackboard offered the long-term contract and it was very high and, two years ago, a decision was made to stop using Elluminate because they would not come down in the price, until they offered a three-year guaranteed \$47,000.

Referring to the District Technology Framework, Mrs. Leach voiced concern over spending almost \$600,000 and inquired how this amount will be used.

Mr. Stanley responded that this product is the IBM contract for the software that runs the district's main frame computer, Compass, MSA, ERP, and AS 400, which runs the student records system.

Mrs. Leach inquired about the Hardware Maintenance contract, \$56,000, covering the maintenance usage fee for two laser printers.

Ms. Angela Coluzzi, Director, Network Integration, responded that these are the enterprise printers that are used in the data center, high-end printers that document everything for the district. The printers cost over \$100,000 when they were refurbished and they are kept for 12 years, and they are maintained all the time and parts are available on a 24-hour turnaround.

Approved in Open Board Meeting, July 24, 2012

Mrs. Leach inquired how many teachers are accessing the BEEP portal.

Mrs. Gendron responded that total usage in the county is available, how many videos have actually been accessed, which is 523,835. This does not include the teachers that go into a lesson plan and click on a video that is imbedded in the plan and it is pulled out.

Mrs. Rich Levinson praised staff's review of the item as she requested, which resulted in over \$600,000 in savings.

Concurring, the Superintendent stated that he met with staff and directed them to renegotiate the software solutions with the vendors. Mr. Runcie stated that over the next year there will be a more comprehensive analysis, and as a new strategy is in place, moving to common core and structure in the district, the portfolio of educational software and support will be reviewed to ensure it is aligned and supports the work that is being done. There will be a much narrow set of tools that the district can count on and that are highly effective.

Mr. Runcie further stated that staff will reach out to the schools, principals and teachers, to ensure that those solutions that work best are identified.

Mrs. Bartleman inquired who will be providing the maintenance.

Remarking that this is similar to last year, Mrs. Gendron stated that the maintenance for the elementary schools were cut last year, saving \$500,000, and the support for Odyssey was brought internally and ETS was able to provide that technical support to the schools. It is anticipated that the same model will be used this year on the 32 schools.

Mrs. Bartleman further inquired whether a survey was conducted to ascertain if it interfered with the level of service to the students, not having them provide the maintenance. She stated if money is going to be spent on the program, the Board should know that it is working and all the students' needs are being met.

Mrs. Gendron responded that the alternative of Destination Success was offered because it was a district-wide license, K-8, which is standard, and the maintenance was provided as part of the key integrated learning system for math and language arts. Mrs. Gendron informed that the licenses are owned by the district and the maintenance will be done internally as an alternative, as a cost savings method.

Approved in Open Board Meeting, July 24, 2012

Mrs. Bartleman inquired why the district is paying \$80,000 for CAB, eliminating support for CAB, but CAB does not interface with BlackBerrys correctly when the majority of principals and higher level staff have BlackBerrys.

Mr. Stanley responded that the \$80,000 covers licensing for CAB and what is being eliminated is First Class, the company that provides the software, and they offer enterprise support, which is the ability for district staff to call someone directly. Mr. Stanley stated that the support of CAB is not being eliminated, only eliminating the additional support, the enterprise support model.

Mr. Stanley further stated that sometimes with the BlackBerry system there is a problem with the forwarding of e-mails that upon destination appear to be garbled. There is some discussion as to whether or not that is a CAB problem or Research in Motion (RIM), the company that provides BlackBerry. Mr. Stanley stated that staff continues to work with those two companies to get this issue resolved, and there is still support from First Class.

Mrs. Bartleman stated that money is being spent and the top tier of support is being eliminated, and it is not functional.

Mr. Runcie informed that staff is reviewing other options and exploring those options; within a few months they will bring back recommendations. The Superintendent stated if the district moves to another service there will be a transition process, with potential associated costs.

FF. CURRICULUM/EDUCATIONAL PROGRAMS & STUDENT SUPPORT

FF-1. Student Enrichment in the Arts (SEAS) (Approved)

Motion was made by Ms. Dinnen, seconded by Mrs. Korn and carried, to approve the 2012-2013 SEAS program at schools and at the Broward Center for the Performing Arts. Mrs. Rupert was absent for the vote. (8-0 vote)

Since 1991, The School Board of Broward County, Florida, in partnership with the Broward Center for the Performing Arts, has presented the national award-winning Student Enrichment in the Arts (SEAS) program. The SEAS program continues to offer a unique style of learning by integrating theatrical performances in dance, music and drama into the student's education. SEAS brings to life storybooks and novels on stage. Each and every performance includes a study guide that links the performance to Florida Sunshine State Standards. Approximately 229 performances benefiting 132,167 students will take place in theaters and at schools during the 2012-2013 school year.

Approved in Open Board Meeting, July 24, 2012

(See e-Agenda for continuation of Summary Explanation and Background.)

The total financial impact of this item is \$325,752. The source of funds is the Student Enrichment Trust Fund. There is no financial impact to the district's general fund.

Ms. Murray extended gratitude to Mr. Damian Huttenhoff, Director, Athletics and Student Activities, for maintaining the operational budget at a low amount and still being able to provide students with the opportunity to attend shows and events at the Performing Arts Center. She stated that the district has generated a new culture of students who have grown up to appreciate the arts.

Concurring, Mrs. Good stated that the SEAS program has benefited over 130,000 students, providing them opportunities to be further enriched with the arts where they probably would not have had another opportunity if it were not through this program. Mrs. Good supports the efforts of the SEAS program and how it interacts with Broward County Public Schools, and she thanked Mr. Huttenhoff for his efforts in making this partnership a success.

Mrs. Korn praised the program and discussed the funding of the Student Enrichment Trust Fund, which at one time was funded through the interest from the \$2 million that was set aside, plus the General Fund. As cuts were made, money was taken from the \$2 million and after the item is approved there will be over \$1.6 million in the program. Mrs. Korn stated that if this path continues, in five years the program will need to find funds within the budget.

Praising the program, Ms. Dinnen stated that children will look back at their attendance to free dramatic performances and musical comedies. Ms. Dinnen thanked everyone involved in this program, stating that its value cannot be measured.

Mrs. Rich Levinson extended gratitude to Mr. Huttenhoff for working with this valuable and wonderful program. Noting that when she attends the performances she observes amazement in the students' faces, Mrs. Rich Levinson stated that 82,000 students will attend this program.

Mrs. Leach informed that at least 2 million students have attended performances and this generation is now the young adults in the community. She informed her colleagues that she has spoken to Seas Kids who have formed a Facebook page.

Approved in Open Board Meeting, July 24, 2012

FF-2. Agreements with Thirteen Apprenticeship Agencies (Approved)

Motion was made by Ms. Dinnen, seconded by Mrs. Korn and carried, to approve the Agreements with thirteen apprenticeship agencies.

Mrs. Rupert was absent for the vote. (8-0 vote)

The following apprenticeship agencies operate a Registered Building Trades Apprenticeship Program in air conditioning, carpentry, electric line service and repair, electrical, fire sprinkler, heavy equipment operator, masonry, millwright, plumbing, sheet metal, or structural steel: the ABC Institute, Inc.; the Advanced Education Apprenticeship Training, Inc.; the Broward County Plumbers & Pipefitters JAC; the Fire Sprinkler Fitters JAC #821; the Florida East Coast Electrical JATC; the Florida Carpenters Regional Council Training Trust Fund; the Florida Training Services, Inc.; the Masonry Association of Florida, Inc.; the South Florida Chapter of the Associated General Contractors; the South Florida Ironworkers Local Union #272 JATC; the South Florida Operating Engineers Apprentice and Training Trust; the South Florida Trowel Trades Joint Apprenticeship and Training Fund; and the United Service Training Corp.

Broward County offers the largest Apprenticeship Program in the state, serving more than 1,000 apprentices in eighteen trade areas, including District Maintenance. Each program is registered with the state according to established apprenticeship standards.

The agreements provide funding for program recruitment; instructional materials and supplies; equipment upgrade, replacement and repair; other supervisory and administrative costs to include, but not limited to, required funds to attend conferences and professional meetings; and instructors' salaries and benefits for the Industrial Cooperative Education (ICE) and Related Instruction (RI) components of the program.

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

A copy of the complete apprenticeship agreements is available at the Board Members' Office on the 14th floor of the K.C. Wright Building.

There is a financial impact of \$2,200,000 to the district. The source of funds is the Workforce Development Education Fund. There is no additional financial impact to the district.

Approved in Open Board Meeting, July 24, 2012

Remarking that there are 13 different apprenticeship agencies that touch many more businesses in the community, Mrs. Korn requested that the marketing department treat this group of apprenticeship agencies as partners and have them disseminate the information about Send Your Sales Tax to School. Mrs. Korn stated that these are the types of partners that would be collecting sales tax.

Ms. Dinnen commented that this is the largest apprenticeship program in the state of Florida, which speaks highly to the district's devotion to career path as well as post-secondary education.

- FF-3. Annual dues of AdvancED and the Southern Association of Colleges and Schools Council on Accreditation and School Improvement (SACS/CASI) (Approved)

Motion was made by Mrs. Leach, seconded by Ms. Dinnen and carried, to approve payment in the sum of \$148,850 to AdvancED for the 2012-2013 school year dues for all elementary, middle, high, virtual education, vocational-technical schools and centers. Mrs. Rupert was absent for the vote. (8-0 vote)

Broward County Public Schools has had a long-standing relationship with the SACS/CASI Commission. The district prides itself as one of the nation's largest fully accredited school systems. Presently, the district is due to pay the amount of \$650 per elementary school, \$650 per middle school, \$650 per high school, \$650 for virtual education school, \$650 per vocational-technical school and \$650 per center, totaling \$148,850.

There is a financial impact of \$148,850 to the district. The source of funds is the unappropriated general fund balance. There is no additional financial impact to the district.

Mrs. Rich Levinson inquired about the benefits to students by having the SACS accreditation.

Mr. Kyle Dailey, Curriculum Specialist, Core Curriculum, responded that accreditation dues offer post-secondary opportunities (military institutions seeking this accreditation), and many schools in the district that are not accredited, when they try to come back into the public schools they have to make up grades and provide portfolios to get accreditation on their transcripts.

Approved in Open Board Meeting, July 24, 2012

Mrs. Leach informed that she previously did consulting work with school districts and there was a school that was in danger of losing their accreditation. She stated that parents of high school students who would graduate from a school that was not SACs accredited would have devastated their opportunity for getting into post-secondary education. Mrs. Leach further stated it is really important for the district to maintain accreditation.

Mr. Dailey informed that athletic scholarships are included within accreditation.

Mrs. Korn inquired about the source of funds from the unappropriated fund balance, whether this has or has not been budgeted. If these are annual dues, why would this not be budgeted.

Mr. Dailey responded that these funds have remained constant for three straight years and it has always been unappropriated during his tenure.

Dr. Leontine Butler, Deputy Superintendent, Curriculum, responded that the funds are placed in Curriculum's budget each year, or every time there is an accreditation visit.

Mrs. Korn requested a follow-up explanation on the funding issue.

Mrs. Bartleman thanked staff for their efforts during the SACs accreditation process.

FF-4. Annual Dues to the Council on Occupational Education (COE)
(Approved)

Motion was made by Ms. Dinnen, seconded by Mrs. Leach and carried, to approve payment in the sum of \$16,880 for the 2012-13 school year COE dues. Mrs. Rupert was absent for the vote. (8-0 vote)

Broward County Public Schools has had a long-standing relationship with the Commission on Occupational Education. COE is the International Accreditation Agency for the adult programs within the technical schools. The Southern Association of Colleges and Schools (SACS/CASI) also accredits all three technical centers due to their high school programs. The payment of (COE) dues is for Atlantic, Sheridan and William T. McFatter Technical Centers for the 2012-2013 school year.

There is a financial impact of \$16,880 to the district. The source of funds is the Workforce District Reserve. There is no additional financial impact to the district.

No discussion was held on this item.

- FF-5. Continuation of the Subscriber Agreement for TABE Online, TABE PC, TABE Adaptive between CTB/McGraw-Hill LLC and The School Board of Broward County, Florida (Approved)

Motion was made by Ms. Dinnen, seconded by Mrs. Leach and carried, to approve the continuation of the Subscriber Agreement for TABE Online, TABE PC, TABE Adaptive between CTB/McGraw-Hill LLC and The School Board of Broward County, Florida. The contract period is July 1, 2012 through June 30, 2013. Mrs. Rupert was absent for the vote. (8-0 vote)

The Tests of Adult Basic Education (TABE) are the Adult Education standardized assessments approved by the State Board of Education for use by local programs. Districts are required to report assessment data to the Florida Department of Education (FLDOE) for the purpose of placement and promotion of students and reporting to the National Reporting System (NRS). These tests must be administered in accordance with the guidelines provided by the test publisher, CTB/McGraw Hill LLC, to achieve the standardization that provides for accurate State and Federal NRS reporting. The data collected from programs are used by State and Federal agencies to determine the effectiveness of individual programs and of the State as a whole. The standardized assessments are used to place students accurately, diagnose learner strengths and weaknesses, guide instruction, and show evidence of learning gains.

TABE Online, TABE PC and TABE Adaptive, which are all computerized versions of TABE, provide automated test administration, scoring, reporting, immediate diagnostic test reports, reliable information to evaluate student needs, direct instruction, and enables schools to create reports to meet Federal and State requirements. TABE Adaptive technology also adjusts to an individual's ability level. The agreement allows for continued use of TABE PC, TABE Online, and TABE Adaptive.

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

There is a financial impact of \$101,200 to the district. The source of funds is Workforce Education District Reserve. There is no additional financial impact to the district.

Mrs. Leach inquired whether adult students are required to pass TABE in order to be admitted or participate in the vocational education programs.

Approved in Open Board Meeting, July 24, 2012

Mr. Robert Crawford, Principal, Atlantic Technical Center, responded that each of the technical programs requires an exit score in reading, math and language in order to be a program certificate completer. Those are set by the DOE, part of the curriculum framework, and the TABE is the instrument of choice used by the district and most of the school systems in Florida⁷⁹ to measure those three areas.

Mrs. Leach inquired what will occur if the individual completes the program but does not pass TABE.

Mr. Crawford responded that the individual will be brought back for remediation, working on the basic skills of reading, math and language. A lot of students need a lot of help in the basic skills, especially math. After remediation the student re-takes TABE at those existing levels and they become a program completer, which is good for the district for funding.

FF-6. Workforce Education Marketing Plan for 2012-2013 (Approved)

Motion was made by Ms. Dinnen, seconded by Mrs. Leach and carried, to approve the Workforce Education Marketing Plan for 2012-2013. Mrs. Rupert was absent for the vote. (8-0 vote)

The School Board annually approves the comprehensive marketing plan for the promotion of postsecondary technical, adult general and community education programs, courses and activities offered through the District's technical centers, adult centers and community schools. Over 200,000 students enroll annually as a result of the District's marketing and promotion efforts. The proposed budget allocation provides the community with opportunities to learn about and enroll in technical, adult and community education programs, courses and activities for workforce/ career development & enhancement, adult literacy, and personal improvement. The Workforce Education Marketing Committee, in partnership with Omni Advertising, which is the company that serves as our advertising agency of record, developed the proposed budget.

The 2012-13 Workforce Education Marketing Campaign will focus on promoting and driving potential students to:
www.browardtechcenters.com and www.mycommunityschool.com.

The 2012-13 Workforce Education Proposed Budget provides for Workforce Education marketing expenditures in 2012-13 in the amount of \$1,429,000. This is an increase from the 2011-12 total marketing budget due to increased state funding for Workforce Education. This amount represents 1.4% of the total State Workforce allocation to Broward County.

Approved in Open Board Meeting, July 24, 2012

The income to cover the cost of the 2012-13 Workforce Education Budget will be derived from an approved allocation of \$1,000,000 from the Workforce Education fund and contributions from adult student fees collected by the technical, adult and community schools. As with the 2011-2012 budget, the technical centers will contribute \$225,000, the adult centers will contribute \$60,000, and the community schools will contribute \$144,000. The Workforce Education proposed budget also includes expenditures related to production services, website maintenance, social media, mobile applications, targeted television and radio marketing, and advertising for special activities, as needed. No grant dollars or K-12 dollars will be used to support Workforce Education marketing.

The financial impact to the district is \$1,429,000. The source of funding is Workforce Education and adult student fees. There is no additional financial impact to the district.

Mrs. Rich Levinson thanked the technical centers for their thoroughness in laying out the marketing plan, and for including the additional information that she previously requested. Mrs. Rich Levinson stated that the district is losing a big portion of the market share for these technical programs and in order to have that return on investment, FTE dollars, those seats need to be filled.

Mrs. Rich Levinson further stated that as compared to the budget in years 2007/2008-2009, the district is going back to that type of marketing budget, and funding has also increased from WorkForce Education so it is proportionately the same amount. Mrs. Rich Levinson said it is a smart decision and it will be very good for the district to market the fabulous programs in the technical centers.

Mrs. Rich Levinson stated that she has requested marketing within district schools, as it does not cost a lot of money, and staff has indicated they are reviewing a plan to market within the schools.

Mrs. Good inquired about the agency that is utilized and how it was selected.

Ms. Jeanette Johnson, Director, McFatter Technical Center and Chair, Workforce Education Marketing Committee, informed that her work with Omni predates her work on the Marketing Committee and she researched the information. Ms. Johnson stated that the agency was added in 2005-2006, and a determination was made that an agency of some sort was needed; professional personnel utilize tracking systems to track response data that was included in the information to the Board, an access that the school system does not have, and an agency with buying power was needed.

Approved in Open Board Meeting, July 24, 2012

Ms. Johnson stated that a committee was formed, an RFP was issued, and six or seven companies responded as being interested in fulfilling that role. Three (3) were selected and brought in for interviews and one of the 3 was OMNI, and of the three it was the overwhelming choice of the committee. This was due to the depth of experience they have with their clients, working with many national automotive companies and Florida Atlantic University.

Noting that seven (7) years have passed, Mrs. Good suggested that another RFP be issued to ascertain if there are other agencies that may provide more services. Mrs. Good inquired whether the district has an agreement with OMNI and how OMNI is compensated.

Ms. Johnson stated that she inquired whether over the 7 years there was discussion about going out for another RFP. The information she gathered was that throughout these 7 years new media or new ways of marketing have come along, such as availability of websites, opportunity to join social media, and mobile apps. Ms. Johnson further stated that every time a new marketing tool has presented itself OMNI has brought this to the committee in a proactive way. As a result, the committee has felt that OMNI has served them well.

Ms. Johnson informed that the school only compensates OMNI to maintain and host the website, doing the major work on website for WorkForce centers. Whenever work is produced, such as a television commercial, the school system pays OMNI for that production work. Buying media such as TV time and newspaper space, the school system does not compensate OMNI for this service. This is paid to the TV station or the newspaper directly. OMNI's only compensation is the website hosting and the production work for the advertising that is run.

Ms. Johnson stated that OMNI has an agreement with the district although it is not a contractual agreement. They are listed as the agency of record but there is not a contract; the district is under no obligation to them. At any moment if the district was not satisfied with the work with OMNI the district would no longer have to use them. Ms. Johnson further stated that there are purchase orders and purchase requests, requisitions, the same way any purchase is made within the school system.

Mrs. Good reiterated that the district needs to reach out in the community to ascertain whether the best service possible is being obtained.

Approved in Open Board Meeting, July 24, 2012

Mrs. Good, who noted the advertisement on the radio, said that it provides a great attraction to students and adults who wish to participate in some of the district's programs. She requested additional information regarding how much is being paid to the agency and how they were contracted.

Referring to the OMNI Advertising Proposed Budget, Ms. Johnson stated if the plan was implemented fully that would be the money that, in theory, could be compensated to OMNI. The production cost is a maximum and would change if there was as much production or not as many TV commercials were produced. Ms. Johnson further stated that the production and the website hosting are the only two areas they get compensation from the school district.

Mrs. Korn inquired how other purchase orders would be handled in the range of \$100,000. She stated that the district does not go out to bid because the district likes a company; the school district is a government agency and it is an appropriate thing to do fiscally. Mrs. Korn further stated if this is not in line with other purchase orders it would be appropriate for review. Mrs. Korn further inquired about the cable utilization with BECON and satellite.

Ms. Johnson responded that BECON runs the district's advertising free of charge; every ad that is produced is forwarded to BECON and they will run it frequently when they are able to run it, free of charge. Ms. Johnson stated the satellite feature has been reviewed in the past by the committee and to this point they have determined it is not a cost effective way to advertise. Due to the market today, if the district bought satellite advertising it would be forced to buy advertising in the Miami market.

Mrs. Korn stated that the upfront investment needs to be made so that the program can ultimately expand, which can result in a certain amount of risk. If the investment is not made, the programs will not grow.

Ms. Dinnen stated she was pleased that the district is looking toward the future and the technical centers are excellent, but they can grow and embellish and advertising is better within the district. Ms. Dinnen further stated that the district will follow through aggressively and be competitive with other entities in the market.

Approved in Open Board Meeting, July 24, 2012

Responding to Mrs. Bartleman's inquiry, Ms. Johnson stated that a new plan is being rolled out on June 1, 2012, by identifying any graduating senior whose post-secondary plan does not involve college or the military. As a workforce group, a target mailer has been developed to be sent to those seniors this summer as a follow-up. It is not known what the numbers are until after June 1, 2012; if possible, staff will reach out to every single student and invite them to visit the campus to see what is being offered is right for them. In the fall, each of the three technical centers has identified a point person who will be visiting the high schools in the area, meeting with seniors and talking to them about what the district has to offer them.

Mrs. Bartleman inquired whether a plan has been used in the past or whether this is the first time a plan has been developed.

Dr. Blackburn responded that there has been previous efforts; Workforce education has been a constant in high school principal meetings with principals and guidance directors. There has been a sharing of the offerings at the post-secondary tech centers in the district.

Mrs. Bartleman inquired how students can be informed that their credits are not worth anything at a commercial technical school and they are spending more money, rather attending one of the district's accredited technical schools. She inquired whether marketing can occur through BRACE as part of this plan.

Mr. John Felser, Curriculum Specialist, CTACE, responded that the BRACE advisor is the integral part that is providing the information so that it is known what students to target. Mr. Felser stated that seniors who do not have a plan in place or do not have a future decided are identified by the BRACE advisor through a data base, which provides their address and contact information. It was not known until this year that this data base was available. Mr. Felser further stated that the district has a very strong articulation with Broward College and other state universities. He noted that beyond the campus presence this in-depth information cannot be shared through guidance or BRACE.

Mrs. Bartleman noted that some schools do not have a BRACE advisor.

Ms. Johnson informed that every single district high school will be visited.

GG. HUMAN RESOURCES

HH. ATTORNEY

Approved in Open Board Meeting, July 24, 2012

HH-1 Appeal of Charter Application Denial – The South Florida Virtual Board, Inc. and The Florida Virtual Academy at Broward County vs. The School Board of Broward County, Florida; DOE Case No. 2011-2417 FOI (Approved)

Motion was made by Ms. Dinnen, seconded by Mrs. Leach and carried, to approve to consider the Final Order rendered on May 18, 2012, by Gerard Robinson, Commissioner - Florida Department of Education, on behalf of the State Board of Education Chair, in the charter application appeal of The South Florida Virtual Board, Inc., and The Florida Virtual Academy at Broward County vs. The School Board of Broward County, Florida, DOE Case No. 2011-2417 FOI, before the State of Florida Board of Education, and (1) Authorize the Office of the General Counsel to file an appeal of the Final Order with the appropriate Florida District Court of Appeal; or, in the alternative, (2) Approve the charter school application submitted on August 1, 2011 by The South Florida Virtual Board, Inc., and The Florida Virtual Academy at Broward County. Mrs. Rupert was absent for the vote. (8-0 vote)

On August 1, 2011, The South Florida Virtual Board, Inc., and The Florida Virtual Academy at Broward County (collectively "Florida Virtual") submitted a Charter School Application to operate a charter school in Broward County, Florida beginning with the 2012-2013 School Year. On November 15, 2011, The School Board voted to deny Florida Virtual's Charter School Application for a number of deficiencies.

Florida Virtual's Charter School Application did not provide a clear description of the level of service the proposed school would provide to students with disabilities. The Application did not identify the process for identifying potential ESE students or show how a student might be identified through the Child Find process; did not identify the IEP process that would be implemented; did not identify the process that would be used for annual meetings or re-evaluations; and did not provide an explanation of the required continuum of services needed by ESE students served by the proposed school.

The Application also failed to demonstrate the proposed school's understanding of state and federal requirements regarding the education of English Language Learners (ELLs). Its application did not follow the ELL Plan filed with the Florida Department of Education for public school students in Broward County with regard to the identification and placement of ELLs; the exit criteria and procedures for exiting ELLs; the guidelines for monitoring ELLs; the inclusion of proper documentation within the ELL Student Education Plan Folder; or the documentation of ESOL strategies in lesson plans.

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Florida Virtual's Application did not identify procedures to be used by school personnel to provide assistance to the parents / guardians of ELLs in their home language; did not include comprehensive program requirements and student instruction guidelines that must be followed for student placement; did not include information about providing for ELLs' participation in statewide assessments or their right to testing accommodations; and did not specify the personnel required under the META Consent Decree for an ELL Committee.

In addition, the Application's budgetary projections were not consistent with all parts of the Application including the school's mission, education program, staffing plan and facility and lacked a realistic assessment of projected sources of revenue and expenses that would ensure the proposed school's financial viability. The proposed school's budget included special revenue funds (Title I and IDEA) without identifying corresponding expenditures and thus failed to show that such funds would be used to supplement the proposed school's program. The school's projected expense for ESE contracted services was equal to the projected IDEA revenue. If these funds are not realized, the school would still bear the expense and would fall into a deficit position. Funding for virtual school students is only earned for those students who successfully complete their courses. Florida Virtual's application assumed that 100% of its students will successfully complete their courses. This is in contrast to the state completion average of 90%. Florida Virtual's budget does not allow for a decrease in revenue corresponding to a reasonable number of non-completing students and the school's projected enrollment far exceeds comparable virtual school enrollment history.

On December 20, 2011, Florida Virtual timely filed an appeal of The School Board's denial of its Charter School Application. The parties filed briefs and presented argument and evidence to the Charter School Appeal Commission on March 1, 2012. After hearing oral arguments by the parties, the Commission issued a recommendation that Florida Virtual's appeal be denied.

On May 9, 2012, the appeal came before the State Board of Education which granted Florida Virtual's appeal. On May 18, 2012, the State Board of Education rendered a Final Order that reversed The School Board's denial of Florida Virtual's Charter School Application. The Final Order was received by The School Board on May 21, 2012.

Pursuant to Section 1002.33(6)(d), Florida Statutes, a sponsoring district school board shall act upon the decision of the State Board of Education within 30 calendar days after it is received.

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In that the Charter School Appeal Commission affirmatively found that there existed competent substantial evidence to support The School Board's denial of Florida Virtual's Charter School Application and that good cause existed for The School Board to deny that application, it is recommended that The School Board authorize the Office of the General Counsel to file an appeal of the State Board of Education's Final Order with the appropriate District Court of Appeal.

A copy of all supporting documents is available via the Broward County Public Schools eAgenda at:
<http://eagenda3.broward.k12.fl.us/cgi-bin/WebObjects/eAgenda>

If approved, the financial impact of this item to the District would be the 4th DCA filing fee of \$300. The cost of the official transcript of the hearing before the Florida Department of Education is unable to be determined at this time (filing of the official transcript is necessary in appellate proceedings). The source of these funds is the unappropriated general fund balance.

Mr. Carland informed that Agenda Items HH-1 and HH-2 represent final orders from the State Board of Commission regarding charter school application appeals. In November 2011, the Board denied these applications upon recommendation of staff. Charter schools whose applications were denied took appeals to a state commission to hear these cases.

Regarding HH-1, Mr. Carland advised that the appeals commission supported (6-0 vote) the Board's denial of that application. Regarding HH-2, Mr. Carland stated that the Appeals Commission did not support the Board's denial. Both of the appeals go to the State Board for a final decision, similar to personnel recommendations that come before the School Board. The State Board reversed the decision on HH-1, indicating that the School Board must approve the application. On HH-2, the State Board supported the commission to not support the denial by the district.

Referring to HH-1, Mr. Carland recommended and requested that the Board grant authority of the State Board's final order. He stated the appeal will be done in-house and not assigned to outside counsel. Mr. Carland stated that the State Board failed to justify the reason why it would overturn the commission's unanimous support of the Board's position.

Ms. Dinnen supported the recommendation to file an appeal. She stated that there was a unanimous vote by the commission, the State Board overruled that unanimous vote and did not give any significant reasons why that ruling took place.

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Mrs. Bartleman spoke of the unfairness of what happened because in the end it hurts children. Remarking that the School District is in charge of supervising the school and they are not going to meet the kids' needs, Mrs. Bartleman stated she would support the appeal.

Mr. Carland advised that two other school districts are on appeal and two other boards have approved appeals, and Broward School District will be the fifth school district taking this issue up on appeal.

The following individual addressed this item:

Rhonda Ward

Responding to Mrs. Good's inquiry, Mr. Carland advised that there will be no attorney's fees; Mr. Robert Vignola, Deputy General Counsel, will be prosecuting the appeal. There will be a \$300 filing fee to be paid and there may be some costs relative to getting transcripts from the State Board meeting, estimating \$1,500 to \$2,000 range.

Mrs. Bartleman informed that the reason it was denied was because the school did not have a clear plan to provide services to students with disabilities.

Responding to Mrs. Korn's inquiry, Mr. Carland stated that the charter school can re-apply, submit a new application that takes care of the deficiencies, and the district would reconsider their application.

HH-2. Appeal of Charter Application Denial – Sunshine Charter Academy of Broward vs. The School Board of Broward County, Florida; DOE Case No. 2011-2415 FOI (Approved)

Motion was made by Ms. Dinnen, seconded by Mrs. Korn and carried, to approve the charter school application submitted on August 1, 2011, by Sunshine Charter Academy of Broward in accordance with the Final Order rendered on May 18, 2012 by Gerard Robinson, Commissioner - Florida Department of Education, on behalf of the State Board of Education Chair, in the charter application appeal of Sunshine Charter Academy of Broward vs. The School Board of Broward County, Florida, DOE Case No. 2011-2415 FOI, before the State of Florida Board of Education. Mrs. Rupert was absent for the vote. (8-0 vote)

On August 1, 2011, Sunshine Charter Academy of Broward ("Sunshine") submitted a Charter School Application to operate a charter school in Broward County, Florida beginning with the 2012-2013 School Year.

Approved in Open Board Meeting, July 24, 2012

On November 15, 2011, The School Board voted to deny Sunshine's Charter School Application for deficiencies with regard to the proposed school's noncompliance with the English Language Learners Plan filed for public school students in Broward County, Florida and for failing to have a realistic plan for securing a facility that is appropriate and adequate for the school's program and targeted population.

On December 19, 2011, Sunshine timely filed an appeal of The School Board's denial of its Charter School Application. The parties filed briefs and presented argument and evidence to the Charter School Appeal Commission on March 1, 2012. After hearing oral arguments by the parties, the Commission issued a recommendation that Sunshine's appeal be granted. On May 9, 2012, the appeal came before the State Board of Education which granted Sunshine's appeal. On May 18, 2012, the State Board of Education rendered a Final Order that reversed The School Board's denial of Sunshine's Charter School Application. The Final Order was received by The School Board on May 21, 2012.

Pursuant to Section 1002.33(6)(d), Florida Statutes, a sponsoring district school board shall act upon the decision of the State Board of Education within 30 calendar days after it is received. Sunshine has represented to The School Board and the school district that it will fully adopt and comply with the English Language Learners Plan adopted by The School Board and approved by the Florida Department of Education. Sunshine has further represented that it is familiar with, and will abide by, The School Board's policies relating to charter school facilities.

Based upon Sunshine's representations that it will comply with the English Language Learners Plan for Broward County and with The School Board's policies relating to charter school facilities, district staff is confident that a charter school agreement with appropriate terms can be negotiated with the applicant. It is therefore recommended that The School Board accept the State Board of Education's Final Order and approve the Charter School Application of Sunshine Charter Academy of Broward.

A copy of all supporting documents is available via the Broward County Public Schools eAgenda at:
<http://eagenda3.broward.k12.fl.us/cgi-bin/WebObjects/eAgenda>

There is no financial impact to the District as a result of this agenda item.

Approved in Open Board Meeting, July 24, 2012

Mr. Carland informed that the state commission did not support the district's original denial and the State Board supported the commission. Recommending the approval of the application, Mr. Carland stated there has been positive communication between the applicant and staff in terms of correcting the deficiencies that are noted in the application process. Those assurances have been put in writing to the district, working to ensure that the deficiencies are corrected. Mr. Carland further stated that staff will proceed to negotiate a charter and bring it back to the Board for approval.

Mrs. Good thanked individuals representing the charter school for working with staff and counsel to ensure all the necessary particulars are in effect to ensure that the school is successful.

Mrs. Bartleman stated that a correction was made to the deficiency for English Language Learners, following the district's guidelines to ensure that these students are serviced. She expressed gratitude to the individuals for working to make sure all students get the best education possible.

Concurring, Ms. Dinnen stated that remedies were taken on this item but not on Agenda Item HH-1. Ms. Dinnen stated that the final decision on these issues is the State Board of Education, despite what the School Board's decision is.

Concurring, Mr. Carland stated that the only option is to take them to court.

The following individual addressed this item:

Melissa Gross Arnold, Esq., representing Sunshine Charter Academy

II. OFFICE OF THE SUPERINTENDENT

JJ. FACILITIES AND CONSTRUCTION MANAGEMENT

JJ-1. Change Order #3 – KVC Constructors, Inc. – Fort Lauderdale High – New Prototypical Aquatic Center – Project No. P.000176 (Approved)

Motion was made by Ms. Dinnen, seconded by Mrs. Leach and carried, to approve Change Order #3, for KVC Constructors, Inc., Fort Lauderdale High, New Prototypical Aquatic Center, Project No. P.000176. Mrs. Bartleman and Mrs. Rupert were absent for the vote. (7-0 vote)

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Fort Lauderdale High

Consultant Error	\$1,973
Consultant Omission	19,860
Owner Request	\$5,418
Unforeseen Condition	\$24,570

Change Order 03 \$51,821

The sources of funds are identified in the Adopted District Educational Facilities Plan, Fiscal Years 2011-2012 to 2015-2016.

Referring to Change Order 12, Mrs. Korn inquired why the architect or the contractor responsible did not foresee that there would be a city water service issue when they were initially preparing this work.

Mr. Lindner responded that when the city engineers permitted the job they came back and decided they needed to change the water hookup.

Mrs. Korn noted that five (5) of the change order delays were caused by the architect; 185 days would be Consultant Error, which is extensive for one job.

Concurring, Mr. Lindner stated that this project is a reuse, low bid, design-bid/build, and the job has gone fairly smoothly.

Ms. Dinnen stated that originally it was a scaled-down version; there were a lot of changes from the original due to budget cuts and other considerations which have to be factored in.

JJ-2. Terminate Contract for Convenience – M.V.P. Contractors, Inc. – Facade Improvements for Selected Buildings – Blanche Ely High School, Pompano Beach – Project No. P.000722 (f.k.a. 0361-21-01) (Approved)

Motion was made by Ms. Dinnen, seconded by Mrs. Leach and carried, to approve the recommendation to terminate the contract for convenience and approve a payment in the amount of \$3,200 to M.V.P. Contractors, Inc., Blanche Ely High School, Project No. P.000722, Facade Improvements for Selected Buildings. Mrs. Rupert was absent for the vote. (8-0 vote)

The Board previously approved the Construction Documents on August 3, 2010.

Bids were received on December 15, 2010. The School Board of Broward County, Florida, awarded a contract to M.V.P. Contractors, Inc., on January 25, 2011, in the amount of \$521,700. Prior to issuance of Document 00550, Notice to Proceed, additional sounding of the stucco surfaces resulted in the discovery of a lesser quantity of defective stucco.

As a result of the findings, the project consultant, Manuel Synalovski Associates, LLC, informed the Owner that the project scope needed to be

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modified and the construction drawings revised. Staff requested a proposal from M.V.P. Contractors, Inc., for the revised scope. A proposed credit Change Order item of \$103,805 was submitted, and this proposal was rejected. M.V.P. Contractors, Inc., agrees to the termination of the award of contract, and is entitled under the contract at a cost of \$3,200 to The School Board of Broward County, Florida, for Post Award documents submitted and preparation of the proposed change order.

Scope of Work:

Remove existing stucco from exterior perimeter walls of Gymnasium (Building #14) and Science Building (Building #18). Stucco and paint exterior of buildings. Remove interior walls and ceilings for Science Building and replace.

The source of funds is identified in the Adopted District Educational Facilities Plan, Fiscal Years 2010-2011 to 2014-2015, page 87.

Mr. Williams inquired about the current status of the project.

Mr. Lindner responded that a redefined scope of work has been identified and it will be issued for bid. Originally this project was awarded; there were other stucco issues at other schools and a better methodology was applied, and the scope of work was decreased. Mr. Lindner stated that the contractor was asked to rebid the work and to give a credit for the reduced amount. The contractor did not agree to the amount that the district believed it was entitled to, so their contract is being terminated and the work will be rebid within the next 60 days.

- JJ-3. Final Acceptance and Release of Retainage – Thermal Concepts, Inc. – HVAC Renovations and Alterations – Griffin Elementary School, Cooper City – Project No. P.000873 (f.k.a 2851-99-05) (Postponed)

Motion was made by Ms. Dinnen, seconded by Mrs. Leach, to approve the Final Acceptance of the Griffin Elementary School, HVAC Renovations and Alterations, Project No. P.000873, and release the balance of retainage in the amount of \$67,303. This motion was superseded by a Motion to Defer (page 88). Mrs. Rich Levinson and Mrs. Rupert were absent for the vote. (7-0 vote)

The contractor Thermal Concepts, Inc., has completed the scope of their contract within the contract limits.

The funds being released totaling \$67,303 are included in the Adopted District Educational Facilities Plan, Fiscal Year 2010-2011 to 2014-2015, page 48.

Approved in Open Board Meeting, July 24, 2012

Mrs. Leach stated that the contract's original date of completion was November 2009, they were given an extension due to circumstances outside the contractor's control, and the Board awarded an additional 497 days.

Concurring, Mr. Lindner stated that the project is being closed out 600 days later.

Mrs. Leach inquired whether the district is entitled to a credit due to going over 103 days.

Mr. Lindner, who noted that several of these types of contracts by this contractor have been presented, stated that the contractor was asked to define a scope of work and once they began to perform the scope of work, the delay between the time they wrote the original scope and the actual performance of the work was up to four (4) years. While they were there, staff had them perform work, such as getting a proper test and balance. In the meantime, this work had to be negotiated. Mr. Lindner further stated that a long list of these projects are being reviewed for close-out.

Mrs. Leach stated she would like contractors to live up to their contract.

Mr. Carland advised that he will need to review the item to make a determination of a credit.

Motion to Defer (Carried)

Motion was made by Mrs. Leach, seconded by Mrs. Good and carried, to table the item to a time certain, June 19, 2012 Regular School Board meeting. Mrs. Rich Levinson and Mrs. Rupert were absent for the vote. (7-0 vote)

A vote was taken on the Motion to Defer.

JJ-4. Agreement for Open End Services – General Civil and Environmental Engineering Services – Keith and Associates, Inc. (Postponed)

Motion was made by Ms. Dinnen, seconded by Mrs. Leach, to approve the Agreement for Open End Services with Keith and Associates, Inc., for General Civil and Environmental Engineering Services. This motion was superseded by a Motion to Defer (page 91). Mrs. Rupert was absent for the vote. (8-0 vote)

Approved in Open Board Meeting, July 24, 2012

The Qualification Selection Evaluation Committee recommended, and on March 21, 2011, the Board approved the selection of Keith and Associates, Inc. Fees will be negotiated in accordance with Article 5 of the Agreement on a per-project basis, if and when such a need arises. Therefore, Board approval of negotiated fees for work under this agreement is not required. This award is the second of three for General Civil & Environmental Engineering Services.

The Professional Liability Insurance has been agreed upon pursuant to Article 8 of the Agreement. Risk Management has approved the insurance including the Professional Liability Insurance.

This is a three (3) year Open End Agreement with a not to exceed amount of \$2,000,000. The agreement may be extended for one (1) year and /or \$300,000.

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

The maximum financial impact is \$2,000,000, unless extended with Board approval by \$300,000. There is no financial impact at this time. Use of this contract is subject to the need and the availability of funds included in the Adopted District Educational Facilities Plan, Fiscal Years 2011-2012 to 2015-2016 for any projects needing this service. This item is not affecting the overall budget, therefore, it does not require a collaboration form from the Capital Budget Department.

Mrs. Good inquired whether there are any projects currently in the District Education Facilities Five-Year Plan for use of these services.

Mr. Lindner responded that these will be services that are used for minor construction projects, more for services rather than projects. These contracts are accessed in the performance of projects; sprinklers, roofs, civil environmental engineers (possible athletic field work upon removal of portables).

Mrs. Good stated there was previous discussion about indicating in the agenda item that access would be up to a certain amount and anything exceeding this amount would be submitted to the Board.

Responding that these services would be part of the Project Funds Allocation (PFA), Mr. Lindner stated that when the estimate for a project is developed and approval is granted to fund that project, the access to those funds is granted by the PFA. This authorizes staff to proceed with the project.

Mrs. Good stated that there should be an indication of a limitation of funds.

Approved in Open Board Meeting, July 24, 2012

Mr. Lindner stated that the only time money can be spent is if it is approved in the DEFP, approve the price of the actual project after negotiation, it is issued for bid and award, or presenting a separate item asking for environmental engineering services from the Board. If this is needed, the use of that would need to be reported through the Capital Funds Oversight Committee Report, provided by the Budget department, or through a separate board item requesting to use these services.

Mrs. Good acknowledged that staff has the authority to use a certain amount of environmental services up to a certain amount without coming before the Board. She inquired what this amount would encompass.

Mr. Lindner responded that the Superintendent has the authority to authorize \$250,000 and he has the authority to authorize \$50,000.

Mrs. Good requested that this information be listed in the item. She inquired whether there are other entities that provide environmental and engineering services.

Mr. Lindner responded that this project is the second of three entities. An allocation of the work is attempted between the three firms that are authorized to perform work for the district.

Mrs. Good stated it would be helpful for the Board to know that within the Five-Year Plan there will be a need for service for the projects in a certain range. It will give the Board a better level of understanding as to what some of the services would be utilized for, understanding that there may be an entity that may not be utilized. Mrs. Good further stated that those limitations are important to be part of an item.

Voicing concern with the maximum financial impact, Mrs. Rich Levinson inquired whether a review has been made of the maximum numbers since the Capital plan has been erased or decreased, compared to what it was in the past. Mrs. Rich Levinson requested a comprehensive review as to what should be the maximum financial impact based on what projects are coming forward. She said she was uncomfortable with only a certain amount of projects occurring with a maximum financial impact amount.

Mrs. Rich Levinson inquired whether these are the same maximum financial impacts that were used when the district was handling more construction than it is doing at this time. Mrs. Rich Levinson requested a change to those numbers to be reflective of the type of construction that is occurring at this time so that it is aligned.

Approved in Open Board Meeting, July 24, 2012

Mr. Lindner responded that he will gather this information for the Board.

Concurring, Mrs. Good stated that this information would be valuable to the Board; what has been spent in the past on certain projects, what is foreseen within the plan, knowing that there are some unknowns.

Motion to Defer (Carried)

Motion was made by Mrs. Good, seconded by Mrs. Leach and carried, to table the item to the June 19, 2012 Regular School Board meeting. Mrs. Rupert was absent for the vote. (8-0 vote)

The following individual addressed this item:

Rhonda Ward

A vote was taken on the Motion to Defer.

JJ-5. Agreement for Open End Services – General Civil & Environmental Engineering Services – IBI Group (Florida) Inc. (Postponed)

Motion was made by Ms. Dinnen, seconded by Mrs. Leach, to approve the Agreement for Open End Services with IBI Group (Florida) Inc., for General Civil & Environmental Engineering Services. This motion was superseded by a Motion to Defer (page 92). Mrs. Rupert was absent for the vote. (8-0 vote)

The Qualification Selection Evaluation Committee recommended, and on March 21, 2011, the Board approved the selection of IBI Group (Florida) Inc. Fees will be negotiated in accordance with Article 5 of the Agreement on a per-project basis, if and when such a need arises. Therefore, Board approval of negotiated fees for work under this agreement is not required. This award is the last of three for General Civil & Environmental Engineering Services.

The Professional Liability Insurance has been agreed upon pursuant to Article 8 of the Agreement. Risk Management has approved the insurance including the Professional Liability Insurance.

This is a three (3) year Open End Agreement with a not to exceed amount of \$2,000,000. The agreement may be extended for one (1) year and/or \$300,000.

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

Approved in Open Board Meeting, July 24, 2012

The maximum financial impact is \$2,000,000, unless extended with Board approval by \$300,000. There is no financial impact at this time. Use of this contract is subject to the need and the availability of funds included in the Adopted District Educational Facilities Plan, Fiscal Years 2011-2012 to 2015-2016 for any projects needing this service. This item is not affecting the overall budget, therefore, it does not require a collaboration form from the Capital Budget Department.

Referring to Attachment 7, W-9, Identification Number and Certificate, Mrs. Bartleman stated that the contract is with IBI. She inquired whether Miller Legg is associated with IBI.

Mr. Lindner responded that the information will be gathered for the Board.

Motion to Defer (Carried)

Motion was made by Mrs. Good, seconded by Mrs. Leach and carried, to table the item to the June 19, 2012 Regular School Board meeting. Mrs. Rupert was absent for the vote. (8-0 vote)

A vote was taken on the Motion to Defer.

- JJ-6. Increase Supplemental / Reimbursable Fees for Services / Professional Services Agreement – ACAI Associates, Inc. – Repair & Maintenance Building – Southwest Bus Facility, Pembroke Pines – Project No. P.000673 (f.k.a. 9335-91-01) (Approved)

Motion was made by Ms. Dinnen, seconded by Mrs. Leach and carried, to approve the increase to the Supplemental Services / Reimbursable Fees from \$505,875 to \$510,231, for the Professional Services Agreement dated October 17, 2000, between The School Board of Broward County, Florida, and ACAI Associates, Inc. Mrs. Rupert was absent for the vote. Mrs. Korn and Mrs. Leach voted “no.” (6-2 vote)

This increase of \$4,356 is required for the reimbursement of the Project Specific Professional Liability Insurance as a result of extending the construction duration.

Funds for the requested increase of \$4,356 are included in the Adopted Educational Facilities Plan, Fiscal Years 2010-2011 to 2014-2015, Appendix E, page 5.

Referring to the Executive Summary, Mrs. Good stated that the liability expired on March 30, 2012 and the contract services were extended. She inquired why the coverage was not extended in March, at the time that the actual services were extended.

Approved in Open Board Meeting, July 24, 2012

Mr. Lindner responded that the company continues to work and the Executive Summary documents the coverage extension from March through June 2012 for the reimbursable expenses. The district is reimbursing them for their coverage and unused funds are being taken from another part of the project so that there is not an additional cost to the Capital Funds reserve.

Mrs. Good inquired why this item was not presented at the same time as the agenda item (Contract Administration services extension) presented at the May 2012 meeting.

Mr. Lindner informed that the contract extension was approved on May 1, 2012, and then they submitted a claim for the reimbursable for their insurance, which is part of the contract, that the district has to reimburse for their contractor's liability.

Mrs. Korn stated that when extensions are presented it is known that this will result in paying more in insurance, yet the agenda items indicate there is no cost. There is no cost at that moment because they have not billed the district, but it is known that a cost is pending. Mrs. Korn requested that the agenda item indicate that a cost is anticipated but has not yet been received, or to notify the contractor that an invoice is needed at the time the request is being made.

Mrs. Korn inquired how money is moved out of a line item when it is anticipated that more money will be added to put equipment in. She acknowledged that it is a different project, but it is the same facility and it is still equipment.

Mr. Lindner responded that no additional moneys have been added at this time. The bidding out of the facility for its intended use is a different scope of work and this item's scope of work is to get this building a certificate of occupancy as it was designed.

Concurring that at this point it is to obtain a certificate of occupancy, Mrs. Korn stated that ultimately to be able to use the project for its intended purpose will require more money in this line item.

Mr. Lindner responded that he will consult with the Project Manager as it rolls into the project budget.

Approved in Open Board Meeting, July 24, 2012

- JJ-7. Final Guaranteed Maximum Price (GMP) –Total Program Manager (TPM) Agreement – National Roofing of South Florida, Inc. – Roof Replacement – Hallandale High School – Project No. P.000889
(Postponed)

Motion was made by Ms. Dinnen, seconded by Mrs. Korn, to approve the Final Guaranteed Maximum Price (GMP) in the amount of \$1,599,678 for Hallandale High School, Buildings #1, #2, #3, #4 and canopies to National Roofing of South Florida, Inc., Project No. P.000889. This motion was superseded by a Motion to Defer (page 96). Mrs. Rupert was absent for the vote. (8-0 vote)

Scope:

Complete roof replacement of Building #1 (approximately 219,542 square feet), Building #2 (approximately 12,165 square feet), Building #3 (approximately 2,600 square feet), Building #4 (approximately 1,575 square feet) and canopies. Existing roofs have exceeded their life expectancy, warranty, and it would not be cost effective to repair.

The Board previously approved a total Construction Budget (FLCC) of \$2,479,352, inclusive of a \$378,000 TPM fee and Cost of Work of \$2,101,352. This item results in a Final GMP of \$1,599,678 inclusive of design and construction management, TPM fees of \$378,000 and Cost of Work of \$1,221,678.

The Final GMP Manual is available for review at the Facilities and Construction Management Division.

The funds for this item are included in the Adopted District Educational Facilities Plan, Fiscal Years 2010-2011 to 2014-2015, Page 94, and is financed with the Qualified School Construction Bonds and will comply with the Davis Bacon Wage Act. Based on the PFA, this project is \$899,627 under the budget approved in the Adopted District Educational Facilities Plan and these funds will be placed in the Capital Projects Reserve.

Mrs. Leach inquired why the roof replacement at the school is priced based on numbers from 2007.

Mr. Lindner responded that the numbers today are less than what they were five years ago; the original construction budget, fully loaded construction costs was \$2,479,352, including a \$378,000 fee, and the cost of work was going to be \$2.1 million. Now the cost of the work is going to be \$1.2 million, which includes the \$378,000 fee that the Board previously approved. Mr. Lindner stated that he and staff, including his estimator, believe that money will not be saved and he was agreeable to hard bid the item to "roll the dice."

Approved in Open Board Meeting, July 24, 2012

Mrs. Bartleman inquired why the project was not hard bid and whether the original price of \$2.4 million was an accurate price.

Mr. Lindner responded that an RS Means estimate was conducted by district staff, run against the per square footage of the roof and run against the multiplier on a current hard-bid, open-ended contract at 50 cents a square foot. It is not based on five-year old data. Mr. Lindner stated that the \$2.4 million was compared to a hard-bid roofing project at Coconut Creek High School in 2008, at \$10.69 a square foot and \$534,000 in change orders. This project was put together in 2007 and it came out to the current price of \$6.00 a square foot. Mr. Lindner concurred that if a hard bid is done, the money in fees, \$378,000, will come out in the hard-bid process.

Responding to Mrs. Good's inquiry, Mr. Lindner stated that analysis by staff is not included in the back-up information.

Mrs. Good stated that this information should be part of the Executive Summary or as an attachment to the item, as it is an extensive project, \$1.5 million. Mrs. Good further stated that it may become the price and there may be some delays, but perception is an issue because a project of this magnitude should be bid to ascertain whether the best price can be obtained.

Mrs. Korn said she would be more comfortable reviewing the plans under the new code in order to make a determination of the cost. She said she would not be comfortable moving forward with this item and then coming back and spending more money. Mrs. Korn reiterated her discomfort with moving forward with unknowns.

Mr. Lindner responded that the contractor has agreed to work those plans for an additional \$31,877, permitted with the 2010 code and taken from the Florida Building Code contingency, and still meet the \$1,599,678 price, as contained in Exhibit 2.

Ms. Murray inquired whether this project was going to be financed by the Qualified School Construction Bonds, stimulus money that was given to the district. Ms. Murray further inquired whether the district will comply with the Davis-Bacon Wage Act, that the district will pay union wages for the project.

Mr. Lindner responded affirmatively and stated that reports will be submitted every week documenting that those wages were paid. He stated that it would be doubtful to use this money on a re-bid because the money is on a timeline.

Ms. Murray was of the opinion that hard-bidding this project might come in at a lower price.

Approved in Open Board Meeting, July 24, 2012

Mrs. Bartleman voiced concern that the project is on a timeline and the school needs a new roof.

Mr. Lindner responded that the Qualified School Construction Bonds were on a timeline and the district has until July 2013 to spend those funds. Mr. Lindner informed that another architect will need to produce another set of permitable plans, run them through the building department, and the bid process will commence, which will push the timeline to starting the work next year.

Responding to Mrs. Bartleman's inquiry, Mr. Lindner stated that the district owns the design plans but they cannot be used because they are not permitable in 2010, they are permitable in 2007. The district will now have to pay an architect to design a new roof and then put out for a hard bid.

Motion to Defer (Carried)

Motion was made by Mrs. Bartleman, seconded by Mrs. Rich Levinson and carried, to defer the agenda item to the June 19, 2012 Regular Board meeting, with back-up information. Mrs. Rupert was absent for the vote. (8-0 vote)

Remarking that the project was presented to the Board two years ago, Mr. Williams expressed his embarrassment over this project not being completed. Mr. Williams reminded the Board that the Diversity Committee and the community presented before the Board, urging staff to do everything that is needed to ensure that the roof is completed.

Mrs. Rich Levinson stated that the Board wants the roof to be completed but they want to ensure that the money is being spent the right way. She further stated that information is needed regarding the date when the bonds have to be used.

Mrs. Bartleman requested that another agenda item also be submitted simultaneously, one for hard bid, in case the back-up information does not suffice on this item.

Concurring, Ms. Murray stated that repairs on the school had been tabled due to misleading information to the community, the Castaldi study, and this is a long-standing work order.

Ms. Dinnen stated that the bond issue is vital and it must be addressed.

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The following individuals addressed this item:

Rhonda Ward
Charlotte Greenbarg

A vote was taken on the Motion to Defer.

KK. OFFICE OF CHIEF FINANCIAL OFFICER

Adjournment This meeting was adjourned at 8:50 p.m.

RT