

**Approved in Open Board Meeting, July 24, 2012**

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

**June 19, 2012  
Tuesday, 10:15 a.m.**

**MINUTES OF REGULAR MEETING**

The School Board of Broward County, Florida, met in regular session at 10:15 a.m., Tuesday, June 19, 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 was absent), 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 Mrs. Bartleman, seconded by Mrs. Dinnen and carried, to approve the official minutes for the following Board Meetings: Ms. Dinnen was absent. Mr. Williams had not yet assumed his seat on the dais. (7-0 vote)

May 15, 2012 – Regular School Board Meeting  
May 30, 2012 – Special – Expulsions

Referring to the May 15, 2012, Regular School Board Meeting, Mrs. Bartleman noted corrections to page 67, which were previously noted, corrected by staff, and submitted to Board Members.

**Close Agenda** Upon motion by Mrs. Leach, seconded by Mrs. Rupert and carried, the Agenda was approved and declared closed. Ms. Dinnen was absent. (8-0 vote)

**Announcement by Chair**

Ms. Murray informed her colleagues that she received and accepted the recognition by the Florida School Boards Association (FSBA) Master Board Training for the Broward County Leadership Team. Ms. Murray stated that Board Members trained together for many hours which resulted in a stronger Board, including the Superintendent. Ms. Murray stated that the recognition is given to Board Members who participated in the training. She stated that new Board Members will go through training when they are sworn in as Board Members.

Mrs. Korn noted this is the first time that the School Board has gone through a full Master Board training.

## **SPECIAL PRESENTATIONS**

### **Presentation of Plaque to Ann Murray by the American Cancer Society**

Ms. Ebony Diaz, Event Chair, Relay for Life of Hollywood and American Cancer Society, thanked Ms. Murray for allowing their group to participate in the School Board's Principal Meeting of South Broward. Due to Ms. Murray's passion and dedication for Relay for Life, schools raised over \$8,000.

The following schools participated: Bethune Elementary, Boulevard Heights Elementary, Hollywood Hills Elementary, Oakridge Elementary, Sterling Elementary, West Hollywood Hills Elementary, Dania Elementary, and South Broward High School.

Ms. Tanya Miles presented a plaque to Ann Murray, thanking her for her dedication to the American Cancer Society and the Relay for Life of Hollywood 2012. Tanya encouraged the School Board to participate in next year's Relay for Life.

Expressing gratitude for the recognition, Ms. Murray stated that cancer is an illness that affects many people throughout the world. She stated that District 1, three (3) city areas raised over \$90,000. Ms. Murray thanked schools, principals, staff and students for their efforts in this event.

Mrs. Rich Levinson thanked Ebony, Connie and Ashley for attending today's presentation to congratulate Ms. Murray for her efforts in the Relay for Life. She thanked all the schools for holding the Relay for Life event on their campuses and thanked the students for working on their fundraising efforts.

## **REPORTS**

The following reports were provided to the School Board:

Broward County Council PTAs/PTSAs – Linda Nestor

ESE Advisory Council – Ivan Baratz

Broward County Association of Student Councils and Student Advisor - Maria Brown and Blair Hirt

Technology Advisory Committee – Joel Levine

Gifted Advisory Council – Heidi Jameson

Employee Unions – Broward Teachers Union

Facilities Task Force – Andrew Ladanowski

Charter School Task Force – Ruth Roman Lynch

Redistricting Steering Committee – Michael Rajner

District Advisory Council – Jodi Klein

Following the Special Presentation to Ms. Murray, Mrs. Bartleman stated that the Facilities Task Force did not indicate that the cost issues with Transportation have been corrected. She requested the Superintendent to comment on this issue.

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Mr. Runcie informed that a workshop discussion was held last week regarding some cost savings and efficiencies that are being implemented in Transportation. Remarking that the issues are not “fixed,” the Superintendent stated that it is a continued work-in-progress and a substantial amount of progress has been made over the last several months.

The Superintendent stated that when the review began in the fall of 2011 of the operations of the department, as compared to other large school districts throughout the state and the country the average cost per square mile was substantially higher than any other district that was identified. Mr. Runcie further stated that significant headway has been made, as well as with some other metrics, and a Dashboard will be created for Transportation services in the next school year, which will be presented to the Board periodically, illustrating how the district is doing relative to those benchmarks.

Mrs. Bartleman further requested that there is continued work regarding the morale in the department.

### **BOARD MEMBERS**

Mrs. Rich Levinson congratulated all high school graduates and thanked Vice President Joe Biden for being the keynote speaker at Cypress Bay High School’s graduation, an experience that graduates will always remember.

Mrs. Rich Levinson stated that she underwent baseline testing for concussion management, which is tested by a computer. Mrs. Rich Levinson thanked her colleagues for approving this item which is now available for all high school athletes.

Mrs. Rich Levinson informed her colleagues that she attended many end-of-year ceremonies, a happy time for all students to celebrate. A happy and safe summer was extended to everyone.

Mrs. Rupert attended the retirees’ breakfast, individuals who worked for the school district for 30 and 40 years, and she extended best wishes to them in their retirement.

Mrs. Rupert attended the Leaders Recognizing Leaders event sponsored by Edwina Ward, a well attended event. Blanche Ely High School won an award.

Mrs. Rupert thanked New River Middle School for their welcome back of her father-in-law, who was their band director for 35 years.

Ms. Dinnen (via pre-recorded BECON broadcast)

Remarking that she is unable to attend today’s Board meeting, Ms. Dinnen indicated that her Board report will encapsulate three Board reports.

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Ms. Dinnen attended seven graduations: four high schools and three centers in District 3, attending her last graduations as a School Board Member. She congratulated all high school graduates on a successful high school career.

Ms. Dinnen congratulated the School Board of Broward County for earning Master Board status in the state of Florida, awarded by the Florida School Boards Association, recognizing high quality boards in the state.

Ms. Dinnen reported that Broward County Heritage celebrated the theme of Broward County Education, with displays of early Broward County schools in the historic commission headquarters for everyone to see. Board Member Ben Williams was honored for his contribution to schools and to the Broward community.

Ms. Dinnen informed her colleagues that the South Florida Auto Dealers Association held a luncheon, with Mr. Richard Baker, President, Auto Dealers Association, and emceeing provided by Mr. Robert Usef of , Curriculum, Career, Technical, Adult and Community Education (CTACE).

Ms. Dinnen stated that Michael Cramer leads Plantation High School as the National Merit Scholar, and Christian Infante, a Gates Millennium Scholar, receiving enough funding to see him through his Ph.D. Christian will be attending Massachusetts Institute of Technology (MIT). Plantation's Aerospace Team was one of three teams chosen from the United States to participate in summer training at the NASA. South Plantation High School won 7<sup>th</sup> Place in the Florida Student Astronaut Challenge competition.

Ms. Dinnen report that Northeast High School has been awarded a grant at MIT at the EurekaFest Celebration for building a clean water sanitation station. Northeast was also honored when Junior Kiona Elliot and Environmental Science Teacher Randa Flinn were named the 2012 Visa Scholars. They will meet in Aspen, Colorado this summer at the Aspen Ideas Festival Institute.

Ms. Dinnen informed her colleagues that she attended Seagull School's Awards night at the African-American Research Library. Awards were presented in poetry, music and scholarships. A book of poetry was dedicated to Ms. Dinnen as a School Board Member. She thanked the Seagull School students and Principal Bonnie Clemon. Speaker Cesar Lucero (sic) is a former homebound student who has overcome his disability.

Ms. Dinnen reported that Fort Lauderdale High School won the College Board Inspiration Award, a prestigious award that is only awarded to three high schools in the country. Ms. Dinnen shared project pictures of Fort Lauderdale High School, a project that has been ongoing for many years. These delays were caused by the state's construction funding cuts and plans that were downsized. Ms. Dinnen stated that success is on the horizon for the state of the art facility, including a swimming pool.

Ms. Dinnen thanked parents, Facilities and Construction Management,

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Mr. Michael Garretson (deceased), Mr. Tom Lindner, Deputy Superintendent, Facilities and Construction Management, former Superintendent James Notter and current Superintendent of Schools Mr. Runcie. She stated that this project has been a united effort by everyone.

Mrs. Bartleman informed her colleagues that in May 2012 Park Ridge Elementary School was selected for a library makeover by Target, including landscaping, donation of books, and students received backpacks filled with food. The library also received new technology, iPads. (Event pictures were presented via BECON).

Mrs. Bartleman presented pictures of West Broward High School's organic garden project.

Mrs. Bartleman informed that Forest Hills Elementary held a groundbreaking event, opening a garden, and steps are underway to become certified as a National Wildlife Habitat.

Mrs. Bartleman reported that she attended the event by Lauderdale Lakes Education Advisory Board who recently honored Mr. Williams, teachers and schools. She stated that the words they shared demonstrated how much Mr. Williams is loved and how grateful the School Board is for his service to the district. Gratitude was expressed to Gwen Denton, Lauderdale Lakes Education Advisory Chair for organizing the event.

Mrs. Bartleman spoke of the Nova PTSA meeting, Nova in Review, an historical event organized by Ms. Bree Fogarty and Ms. Leah Jackson, and students. The group brought in alumni from Nova dating back to their first class.

Mrs. Bartleman congratulated Commissioner Bobby DuBose, President of the League of Cities.

Congratulations was extended to all graduates.

Mrs. Good congratulated all graduating seniors. She noted two sentimental graduations: West Broward High School (Mr. Daniel Traeger retiring) and Everglades High School (Dr. Paul Fetscher retiring). Gratitude was extended to students, administrators and district staff for a job well done this year, and summer wishes were extended to everyone.

### **Speakers**

Sharon Rhoades  
Grover Monroe  
Kimberly Ward  
Sivia E. Maldonado  
Ida Bell  
Yvonne McFadden  
Theresa Moore

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**CONSENT AGENDA** Following identification of those items Board Members and members of the public indicated they would like considered separately, motion was made by Mrs. Rich Levinson, seconded by Mrs. Rupert and carried, to approve the Consent Agenda for the remaining items (**identified by \***). Ms. Dinnen was absent. (8-0 vote)

### **CONSENT ITEMS**

#### **A. RESOLUTIONS**

#### **B. BOARD MEMBERS**

##### **\*B-1. Annual Evaluation of the Superintendent of Schools (Received)**

Received the annual evaluation ratings of the Superintendent of Schools.

In accordance with Article 9 of the Superintendent's Employment Agreement, dated October 4, 2011, an annual evaluation of the Superintendent was conducted by the School Board members utilizing a mutually agreed upon evaluation instrument.

The results of the annual evaluation were discussed at the June 12, 2012 School Board Workshop. The 2011-12 Annual Evaluation of the Superintendent of Schools is being submitted to the School Board pursuant to the Superintendent's Employment Agreement.

There is no financial impact to the district.

#### **E. CHIEF OPERATIONS OFFICER**

##### **E-1. Default of Baker's Sports, Inc., and Dive Quarters, Inc. (Approved)**

Motion was made by Mrs. Good, seconded by Mrs. Rupert and carried, to terminate the following contracts for Baker Sports, Inc., and Dive Quarters, Inc.: Bid 12-050T – Athletic Equipment and Supplies for non-compliance of bid requirements and find both companies in default and remove them from the approved vendor list for a period of two (2) years as specified and in accordance with Section EE, School Board Policy 3320. Ms. Dinnen was absent. Mrs. Korn was absent for the vote. (7-0 vote)

It is recommended that The School Board of Broward County, Florida, find both Baker's Sports, Inc., and Dive Quarters, Inc., in default of the bid conditions of the subject bid. Both firms were notified on March 23, 2012 and May 10, 2012, of the need to submit their certificate of insurance in accordance with Section 6, Attachment 3, Insurance Requirements. Baker's Sports, Inc., did submit insurance certificate but it did not meet SBBC requirements.

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Dive Quarters, Inc., failed to provide a certificate of insurance. It is further recommended that both firms' contracts be canceled; their company name removed from the bid list for two years; no bids be considered from these vendors or recommended for award; and no purchase orders released for these vendors as specified in Section EE, Purchasing Policy – General provisions of School Board Policy 3320. This recommendation is in accordance with General Condition 55, Nonconformance to Contract Conditions and General Condition 22, Cancellation.

There is no financial impact.

No discussion was held on this item.

**E-2. RFP Recommendation \$500,000 or Less – 13-006N (Not Approved)**

Motion was made by Mrs. Leach, seconded by Mrs. Rupert, to approve RFP recommendation(s) as stated on the award recommendation for the Request for Proposal (RFP) listed below: Ms. Dinnen was absent. (0-8 vote)

<u>RFP</u>	<u>Title – Location – Amount</u>
13-006N	Bond and Special Tax Counsel Services – Treasurer's Office – Amount: N/A

Bond and Special Tax Counsel Services is used to provide counsel services for the issuance of General Obligation and other bonds, Certificate of Participation (COPs), short/long term notes and refinancing of debt to provide financing for SBBC's facilities. This counsel service provides legal opinions as required, tax options, tax counsel services and disclosure counsel services for the District. Fees will be paid from proceeds of financings completed. There is no financial impact to the District.

This agreement 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. Rich Levinson, who noted the rating grades based on experience and qualifications, scope of services, and M/WBE participation, inquired how the cost for services were determined.

Mr. Henry Robinson, Director, Treasurer, responded that the cost of services were not a part of the evaluation, their costs were submitted in sealed envelopes.

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Mrs. Rich Levinson voiced concern that an RFP has been issued and a comparison cannot be made of the cost of services. Mrs. Rich Levinson noted the hourly rates of the attorney and paralegal as being extremely high.

Mr. Robinson responded that the rates were a part of the sealed envelope, however, the rates that had been submitted were negotiated. Mr. Robinson informed that all rates were virtually the same as they were five years ago, except for the hourly rates which were negotiated down as the rates of Miami-Dade School District.

Remarking that those rates are three times what is paid to other cadre, Mrs. Rich Levinson stated that she could not support an item where the cost of services were not a part of determining who received the contract. Mrs. Rich Levinson voiced concern with a five-year contract with two additional one-year renewals. She stated the Board has discussed this issue each time a contract is presented for approval, and she will not support the item.

Mr. Robinson informed that the one-year renewals will be at the same rates.

Mrs. Bartleman inquired why this method was utilized.

Mr. Robinson responded that in the past, costs have been used as an evaluation criteria.

Mr. William Harris, Director, Supply Management & Logistics, informed that most times when an RFP is issued and cost is a part of the evaluation, vendors tend to skew their scoring based on the cost. An attempt is made to identify the most appropriate vendor first and then negotiate the cost afterwards. Mr. Harris stated that the most appropriate vendor is selected or the one that scores the highest, and if an acceptable price cannot be negotiated then there is an impasse and then the next highest proposal is reviewed.

Mrs. Rich Levinson stated that without a comparison it is unknown whether the district is receiving the right amount of return on those cost of services.

Responding to Mrs. Bartleman's inquiry, Mr. Harris explained that once the committee had graded all the other vendors the top ranked proposer's envelope was opened and staff began to negotiate the pricing with the proposer.



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The Superintendent informed that the process in governmental agencies is that pricing is part of the evaluation process, which is taken into account after all other factors. The respondents are asked to submit their sealed prices in a separate envelope for review and once the review is made of the final three proposers, then the price is reviewed. Mr. Runcie stated that everything is weighted ahead of time so that price is actually factored in.

Mr. Runcie stated it appears that staff does not actually go in and factor in the price at any point, they only review the professional services piece.

Concurring, Mr. Harris stated that the professional scope of services and the requirements provided for the vendors to respond is the most important part of the product.

The Superintendent concurred that a review is needed to change the process, to include some weighted portion for the pricing, after the final selection of three proposers is made.

Responding to Mrs. Bartleman's inquiry, Mr. Robinson stated that the contract for bond counsel can be extended for an additional 90 days.

Responding to Mrs. Bartleman's concerns regarding the quality of vendors, Mr. Harris stated if the Board wants pricing as part of the evaluation the focus will be on the scope of work, their qualifications and areas of expertise. The weighting would be heavier for those three items and much less for the pricing structure. Mr. Harris further stated that this will eliminate the potential for someone lowballing and skewing the numbers. Each one of the organizations will provide their pricing based on their organization.

Concurring with the extension of the contract, Mrs. Rich Levinson requested staff to work with the Superintendent on the new RFP, reviewing the cost of services and weighing the different aspects as part of the new formula.

### E-3. 2012-2013 Opening and Closing School Times (Regular Term) (Approved)

Motion was made by Mrs. Good, seconded by Mrs. Rupert and carried, to approve the opening and closing school times for 2012-2013. Ms. Dinnen was absent. Mrs. Korn was absent for the vote. Mrs. Rich Levinson voted "no." (6-1 vote)

Schools are scheduled to open and close at times that will best utilize existing resources to provide required pupil transportation services and compensate for student and program growth.

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Proposed staggered bell times minimize operational cost impact to the district.

Mrs. Rich Levinson informed that she has spoken with Mr. Chester Tindall, Director, Student Transportation & Fleet Service, about the school times not being vetted through the schools in the proper manner, nor being communicated to principals in the proper manner.

Mr. Vincent Harrell, Shift Supervisor, Transportation Services, responded that the area office plays a role in the final stages of the process, to disseminate information to the school so that schools can disseminate information to the parents. Prior to that, the process is vetted within Transportation; there is discussion between the schools and there are times when the area office is called into play.

Mr. Harrell stated that when considering the school bell times the opinions (sometimes strong) are considered and factual information received from the schools, which plays a weighted role in the decision making. Where a conflict arises, the individual needs of a school may impact five (5) to 10 other schools and those issues need to be weighed to see if there will be a cost savings or if additional resources need to be added, which the district may or may not have.

Mrs. Rich Levinson informed that she has contacted schools who indicate they are not aware of this item. She stated that Mr. Tindall indicated that there needs to be much stronger communication with principals. Mrs. Rich Levinson requested that in going forward this communication be expanded so that communities are not surprised by these changes.

Mr. Harrell informed that a call center is being explored that will provide all the terminals with information by Transportation and Mr. Tindall has reached out to schools, community and staff to be continually visible and to hear their concerns. Mr. Harrell stated that currently the routes are being reviewed and optimized so that routes are more efficient, and there may be some modification to bell times. He stated that these new procedures will create an environment that is conducive to the interchange of dialogue.

Mrs. Rupert requested that staff ensure that the item reflects the 7<sup>th</sup> schedule for all high schools and the additional 30 minutes for the six schools.

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Mr. Harrell responded that there has been a preliminary cost analysis to see how the extension of the day for those schools will affect other schools. There will most likely be some amendments once the routes are optimized and there are some concessions currently being requested by the schools.

Mrs. Leach concurred that the community and schools should be able to have input as to what their bell schedules are going to be.

Mrs. Good informed that the Town of Southwest Ranches will have some road closures, which has been provided to Transportation, and they take this into consideration with the bell times.

Mrs. Good inquired when staff was made aware of the proposed time changes.

Dr. Desmond Blackburn, Central Area Superintendent, responded that for the six schools it has been an ongoing process, and the need for an extended day has been known for several months. This information was provided to all area offices and to the schools, and Ms. Tracy Clark, Public Information Officer, and Ms. Veda Hudge, Director, Strategic Achievement, had an ongoing process in communicating with those six schools. Pending the approval of all opening and closing times, Dr. Blackburn stated that staff will work to disseminate the information to all schools.

Dr. Blackburn informed that the fiscal situation is a “driver” in determining routing, opening and closing times and staff is not involved in that process.

Mrs. Good requested that when the routes are determined in a cost effective manner, that the information be filtered to the leadership at the schools and to parents. Remarking that there should not be a disconnect, Mrs. Good requested that Transportation involve Dr. Blackburn, the leadership group, and principals to ensure that parents are properly informed.

Mrs. Bartleman inquired when the Robocalls will be implemented for the school times that are changing.

Mr. Harrell responded that Robocalls will not necessarily be utilized but reach-out will be made specifically with individual schools that will speak to those student needs. There may be a Robocall, but generally for the six school areas and other grants that may arise, someone specifically will speak to the needs of those students.

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Dr. Blackburn stated that staff will work with all the schools that are receiving changed or altered times, including all communicative avenues such as website, marquee, Robocalls, and letters, and working with each principal. Dr. Blackburn responded affirmatively to Mrs. Bartleman's request of a copy of that response.

The following individuals addressed this item:

Blair Hirt, Student Advisor  
Theresa Moore

Mrs. Leach inquired whether per policy elementary, middle and high school students are placed on the same bus.

Ms. Murray responded that Nova schools (K-12) ride in together and with magnet programs various schools ride together.

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

#### F-1. School Improvement Waivers 2012-2013 – High Schools (Postponed)

Motion was made by Mrs. Rupert, seconded by Mrs. Leach, to approve 17 waivers for the 2012-2013 school year in accordance with Policy 1403. This motion was superseded by a Motion to Defer (page 16). Ms. Dinnen was absent. (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:

#### **Professional Study Days:**

Coral Springs, Dave Thomas Education Center, Deerfield Beach, Dillard, Everglades, Fort Lauderdale, Hallandale, Monarch, Nova, Pompano Beach, South Broward, South Plantation, Stranahan, Taravella, J.P., West Broward, Whiddon-Rogers Education Center

**Attendance:** Pompano Beach

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

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There is no financial impact to the district.

Mrs. Rich Levinson inquired about what data is available to ascertain what the schools have been using the Professional Study Days (PSD) for, and the viability.

Dr. Mark Quintana, Coordinator, School Improvement, responded that the applications before the Board are from schools who have not had PSDs to this point. There is no data available.

Mrs. Luwando Wright-Hines, Director, Title I, Migrant & School Improvement, informed that Dr. Quintana and staff were not aware of the request regarding prior-year schools implementing PSDs. This information can be prepared for the Board.

Mrs. Rich Levinson stated that she had requested this information last year and parents questioned the viability of PSDs, and data has not been provided as to what the days are being used for.

The Superintendent proposed that each of the schools requesting a waiver to develop a plan to submit to the Board for review, what the time will be used for and how it is going to impact the core mission of student achievement and outcomes.

Concurring, Dr. Quintana stated that as part of the waiver application packet for the schools that have been doing waivers, they need to go through a process to continue the process for next year and they have to document the data showing that the waiver has made an impact to the school. Dr. Quintana concurred that the data should be readily available for the schools that currently have waivers. He noted that part of the application process is posted on the district's School Improvement website.

Mrs. Rich Levinson thanked Mr. Runcie for the development of a plan because they need to be in place for the coming school year. Voicing discomfort with the 5-year waivers without any data, Mrs. Rich Levinson requested a one (1) year waiver and subsequently a determination can be made to extend for additional years. Mrs. Rich Levinson, who stated that each day is taking away from instructional time, suggested having the information provided for the June 26, 2012 Special School Board Meeting.

Mrs. Wright-Hines reiterated that these are new schools presenting with new waivers which will not have an impact on the existing schools.

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Concurring, Mrs. Rich Levinson stated she would not want to give new school waivers if there is no data to substantiate the viability of the schools that have been using waivers.

Mrs. Rupert inquired if there is a maximum number of waivers that a school can be granted. She observed that some schools have not had any waivers and they are starting with 8 waivers.

Dr. Quintana responded that 8 waivers is the maximum.

Mrs. Wright-Hines informed that many of these schools have had a method of supporting professional development within their school but as a result of the schedule change they want to add the additional layer of offering professional development.

Mrs. Korn stated she would not want to restrict these schools because they came in at a later time requesting waivers, if this is a practice that will be allowed at other schools. Mrs. Korn stated that she would support a 1-year waiver if all schools across-the-board will have them. She supported a deferral to the Special Meeting if there are no time constraints, and requested that the process be consistent when moving forward.

Mrs. Good inquired about the effect of waivers to the schools that were on a block schedule and now will be on a straight-seven schedule.

Dr. Blackburn responded that with the standardization of the high school schedules, all high schools going to a straight seven, teachers teaching 6 out of 7 hours, instructional time was increased by way of decreasing professional time/planning period time. Dr. Blackburn said he understood intuitively why these communities chose to take this route and backfill with professional development time. Informing that the process went through SACs and each faculty completed a 66 and 2/3rds vote, Dr. Blackburn stated that the principals on behalf of an entire community put the waivers through.

Mrs. Good requested that staff provide some of the reasoning for the waiver requests from the new schools that are being presented before the Board. She stated this will provide clear insight as to why the request is being made.

Mrs. Leach informed that middle schools are using the extra 30 minutes in the day which shortens the school day. She stated that going forward she would like to see the outcomes, showing the time that was used and whether it was used in a productive way.

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Mrs. Rich Levinson noted that of the schools presented to the Board there are quite a few schools that are not block schools and there is at least one school that is requesting additional days; they are not all new schools. She requested this information because some schools have existing waivers and they are requesting more days.

Concurring, Dr. Quintana stated that those waivers have expired this year and they had to come back for approval. He stated that data will be available from these schools of what occurred prior with the PSDs.

Remarking that she was interested in seeing the plans, Mrs. Bartleman stated that she does not want to stop these schools because a plan did not work in another school. Mrs. Bartleman further stated it is important to review schools asking for new days and determine what is their benefit. She stated that each school should be reviewed on an individual basis.

Mrs. Rupert inquired about the attendance waiver for Pompano High School. She voiced concern about there being a five-member attendance appeal board to deal with extenuating circumstances on an individual basis. Mrs. Rupert stated that it gives the impression of "after the fact." She spoke of make-up work for students and ADA compliance issues.

Ms. Lori Carlson, Assistant Principal, Pompano Beach High School, responded that the student can turn in the excused documentation two days after their attendance, or when they return to school. Remarking that the committee meets once every nine (9) weeks, Ms. Carlson stated that the teacher gives the student the assignment, puts it in the comments section so the parent and the student can see the grade as it goes through.

Mrs. Korn inquired whether there is a clarification for the excused and unexcused absences in the description.

Ms. Carlson responded that after the 4<sup>th</sup> day of absence it goes to the attendance appeal board for decision.

Mrs. Bartleman inquired whether there are legal ramifications, if an attendance board is deciding whether or not a student receives a grade, whether or not it is excused or unexcused.

Mr. Carland advised that the process is asking for a waiver of the current district policy; it would be a different practice and procedure at that school than what the district has currently legislated for other schools.

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Ms. Carlson stated that this a new renewal and there has not been that concern. If a student is ill and has medical documentation, that is all the information the committee needs.

Mrs. Rich Levinson inquired how there can be an academic infraction for an absence.

Mr. Carland responded that the Board has established through the Pupil Progression Plan (Board policy) what the requirements are for a student to receive credit, within the framework of state law.

Mrs. Korn inquired why there is not an automatic exclusion from appearing before an appeals board.

Ms. Carlson stated that they do not have to appear before the appeals board, they just submit the documents.

Mrs. Leach inquired why the waiver is necessary for Pompano so that this policy needs to be in place.

Ms. Carlson responded that the school is on a four-day week and this waiver is modified to fit the four-day schedule; because of the 10% rule in the attendance policy where students receive no credit. She noted that Northeast High School has a similar type of attendance waiver.

Mrs. Rich Levinson stated she would like to review the policy for the other schools and to review this waiver. She requested information on how the schools have used PSDs, with an overview of how they plan to use the days in the future.

Motion to Defer (Carried)

Motion was made by Mrs. Rich Levinson, seconded by Mrs. Rupert and carried, to defer the agenda item to the June 26, 2012 Special School Board meeting. Ms. Dinnen was absent. (8-0 vote)

A vote was taken on the Motion to Defer.

F-2. Head Start/Early Head Start Program's 2011-2012 Self-Assessment and 2012-2013 Improvement Plan (Approved)

Motion was made by Mrs. Rupert, seconded by Mrs. Good and carried, to approve the Head Start/Early Head Start Program's 2011-2012 Self-Assessment and 2012-2013 Improvement Plan. Ms. Dinnen was absent. Mrs. Korn was absent for the vote. (7-0 vote)



## Approved in Open Board Meeting, July 24, 2012

The School Board of Broward County, Florida, is the selected Head Start grantee and the program's governing body. As such, it is required to make decisions about the program's administration and operations annually. The responsibilities include the approval of the major practices to ensure compliance with the grant's Performance Standards. As per the 2007 Head Start Act, the governing body is required to review and approve the annual Head Start Self-Assessment and Improvement Plan Reports.

There is no financial impact to the district.

Mrs. Rupert inquired whether the speech evaluation was conducted.

Ms. Emperatriz Alaix, Specialist, Early Head Start, responded that speech evaluation is done when the teacher identifies that a child has a delay in language development or in articulation. The ESE speech pathologist will conduct an evaluation and will refer the child for a full speech evaluation, depending on the child's needs. Ms. Alaix stated that not everyone receives a speech evaluation until the need is identified.

Ms. Alaix further stated there may be a situation where there are 504 plans and this is taken into account when individualization is done in a classroom according to what the plan calls for.

Mrs. Bartleman congratulated the department on their perfect audit and hard work.

- F-3. Continuation Agreement between The School Board of Broward County, Florida, and Broward Nursing and Rehabilitation Center, LLC d/b/a Broward Nursing and Rehabilitation Center (Approved)

Motion was made by Mrs. Good, seconded by Mrs. Rupert and carried, to approve the Continuation Agreement between The School Board of Broward County, Florida, and Broward Nursing and Rehabilitation Center, LLC d/b/a Broward Nursing and Rehabilitation Center. The contract period is June 20, 2012 through May 31, 2015. Ms. Dinnen was absent. Mrs. Korn was absent for the vote. (7-0 vote)

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 Broward Nursing and Rehabilitation Center, LLC d/b/a Broward Nursing and Rehabilitation Center provides clinical experiences necessary to meet Florida Department of Education mandated student performance standards.

## **Approved in Open Board Meeting, July 24, 2012**

This agreement also addresses the requirements of regulatory agencies for students to qualify for certification/licensure examinations upon program completion.

Broward Nursing and Rehabilitation Center, LLC d/b/a Broward Nursing and Rehabilitation Center is fully licensed, accredited, and approved for Medicare/Medicaid patients. This nursing home received satisfactory ratings, in accordance with the United States Government Medicare/Medicaid 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 85% 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.

Agenda Item F-3 and Agenda Item F-6 were discussed concurrently.

Mrs. Good, who voiced concern about the ratings, requested that the Board be provided information pertaining to the rating scores, and that the items be deferred until this information is obtained.

Mr. John Felser, Coordinator, Career, Technical, Adult & Community Education (CTACE), informed that the same scale has been used, Medicaid/Medicare US Government standard, and they have a five-star rating and overall rating.

Noting that one of the centers had a one-star rating, Mrs. Good stated that she could not approve the item without a clear understanding of the overall rating and without knowing if there are some health deficiencies in the two centers.

Informing that the programs are impacting students, Mr. Felser stated that they will not be required to make up their time and complete their program. Mr. Felser requested a pause in the proceedings to obtain the information.

## Approved in Open Board Meeting, July 24, 2012

### Motion to Table (Carried)

Motion was made by Mrs. Rupert, seconded by Mrs. Good and carried, to table the items momentarily. Ms. Dinnen was absent. Mrs. Korn was absent for the vote. (7-0 vote)

Following Mrs. Bartleman's Board Report, the following discussion continued:

Mr. Felser informed that Broward Nursing received an overall rating of 4 and 5 stars throughout their rating. He requested a deferral for Agenda Item F-6, Hollywood Hills Rehabilitation, for further consideration.

Mr. Carland recommended that each item be considered separately.

### Motion (Carried)

Motion was made by Mrs. Good, seconded by Mrs. Rupert and carried, to remove Agenda Item F-3 off the table for separate consideration. Ms. Dinnen was absent. Mrs. Korn was absent for the vote. (7-0 vote)

Following the vote on the Motion, Mrs. Bartleman requested that information that is provided on agenda items be updated prior to submittal to the Board.

A vote was taken on the item.

#### \*F-4. Continuation Agreement between The School Board of Broward County, Florida, and Broward County Eye Foundation, Inc. (Approved)

Approved the Continuation Agreement between The School Board of Broward County, Florida, and Broward County Eye Foundation, 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 Broward County Eye Foundation, 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.

## Approved in Open Board Meeting, July 24, 2012

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 70% 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-5. Continuation Agreement between The School Board of Broward County, Florida, and ONEBLOOD, Inc., d/b/a Community Blood Centers of Florida, Inc. (Approved)

Approved the Continuation Agreement between The School Board of Broward County, Florida, and ONEBLOOD, Inc., d/b/a Community Blood Centers 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 ONEBLOOD, Inc., d/b/a Community Blood Centers 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.

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 85% or higher as Excellent or Above Average for each survey question.

**Approved in Open Board Meeting, July 24, 2012**

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-6. Continuation Agreement between The School Board of Broward County, Florida, and Hollywood Hills Rehabilitation Center, LLC (Postponed)

Motion was made by Mrs. Good, seconded by Mrs. Rupert, to approve the Continuation Agreement between The School Board of Broward County, Florida, and Hollywood Hills Rehabilitation Center, LLC. The contract period is June 20, 2012 through May 31, 2015. This motion was superseded by a Motion to Defer (page 22). Ms. Dinnen was absent. Mrs. Korn was absent for the vote. (7-0 vote)

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 Hollywood Hills Rehabilitation Center, LLC 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.

Hollywood Hills Rehabilitation Center, LLC is fully licensed, accredited, and approved for Medicare/Medicaid patients. This nursing home received satisfactory ratings, in accordance with the United States Government Medicare/Medicaid 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 83% 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

Agenda Item F-3 and Agenda Item F-6 were discussed concurrently.

Following the vote on Agenda Item F-3, the following discussion continued:

### Motion (Carried)

Motion was made by Mrs. Good, seconded by Mrs. Rupert and carried, to remove Agenda Item F-6 off the table for separate consideration. Ms. Dinnen was absent. Mrs. Korn was absent for the vote. (7-0 vote)

### Motion to Defer (Carried)

Motion was made by Mrs. Good, seconded by Mrs. Rupert and carried, to defer the agenda item to the June 26, 2012 Special School Board meeting. Ms. Dinnen was absent. Mrs. Korn was absent for the vote. (7-0 vote)

A vote was taken on the Motion to Defer.

- \*F-7. Charter School Renewal Agreement – The National Ben Gamla Charter School Foundation, Inc., (Ben Gamla Charter School – 5410)  
(Approved)

Approved the Charter School Renewal Agreement for The National Ben Gamla Charter School Foundation, Inc., (Ben Gamla Charter School – 5410).

The terms and conditions for the operation of a charter school are set forth by the governing board of the charter school and The School Board of Broward County, Florida (SBBC), in a written contractual agreement that constitutes a school's charter. Pursuant to Section 1002.33(7)(b), Florida Statutes, a school's charter school agreement may be renewed subject to a review and provided that none of the statutory grounds for non-renewal have been documented. The Superintendent's Charter School Review Committee reviewed and analyzed the renewal application from The National Ben Gamla Charter School Foundation, Inc., (Ben Gamla Charter School – 5410).

It is requested that SBBC approve the renewal of the charter agreement for The National Ben Gamla Charter School Foundation, Inc., (Ben Gamla Charter School – 5410), for a fifteen-year period. An Executive Summary specifies the grounds for the fifteen-year renewal.

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>

**Approved in Open Board Meeting, July 24, 2012**

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-8. Charter School Renewal Agreement – Somerset Academy, Inc.,  
(Somerset Academy Charter High – 5221) (Approved)

Approved the Charter School Renewal Agreement for Somerset Academy, Inc., (Somerset Academy Charter High – 5221).

The terms and conditions for the operation of a charter school are set forth by the governing board of the charter school and The School Board of Broward County, Florida (SBBC), in a written contractual agreement that constitutes a school's charter. Pursuant to Section 1002.33(7)(b), Florida Statutes, a school's charter school agreement may be renewed subject to a review and provided that none of the statutory grounds for non-renewal have been documented. The Superintendent's Charter School Review Committee reviewed and analyzed the renewal application from Somerset Academy, Inc., (Somerset Academy Charter High – 5221).

It is requested that SBBC approve the renewal of the charter agreement for Somerset Academy, Inc., (Somerset Academy Charter High – 5221), for a fifteen-year period. An Executive Summary specifies the grounds for the fifteen-year renewal.

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-9. Charter School Agreement – Somerset Academy, Inc., (Somerset Academy Miramar South) (Approved)

Approved the charter school agreement for Somerset Academy, Inc., (Somerset Academy Miramar South).

Pursuant to Section 1002.33, Florida Statutes, the terms and conditions for the operation of a charter school shall be set forth by the charter school and The School Board of Broward County, Florida (SBBC), in a written contractual agreement. This agreement shall constitute a school's charter.

**Approved in Open Board Meeting, July 24, 2012**

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. This is for an opening of a new charter school.

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-10. Charter School Agreement – Somerset Academy, Inc., (Somerset Academy Pompano) (Approved)

Approved the charter school agreement for Somerset Academy, Inc., (Somerset Academy Pompano).

Pursuant to Section 1002.33, Florida Statutes, the terms and conditions for the operation of a charter school shall be set forth by the charter school and The School Board of Broward County, Florida (SBBC), 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. This is for an opening of a new charter school.

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 – Florida Charter Foundation, Inc., (Franklin Academy – 1) (Approved)

Approved the charter school agreement with Florida Charter Foundation, Inc., for Franklin Academy – 1, to use the 2012-2013 school year as a planning year.



**Approved in Open Board Meeting, July 24, 2012**

Pursuant to Section 1002.33, Florida Statutes, the terms and conditions for the operation of a charter school shall be set forth by the charter school and The School Board of Broward County, Florida (SBBC), 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. This is for an opening of a new charter school.

Florida Charter Foundation, Inc., desires to use the 2012-2013 school year as a planning year.

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-12. Charter School Agreement – Florida Charter Foundation, Inc., (Franklin Academy – E) (Approved)

Approved the charter school agreement with Florida Charter Foundation, Inc., for Franklin Academy – E, to use the 2012-2013 school year as a planning year.

Pursuant to Section 1002.33, Florida Statutes, the terms and conditions for the operation of a charter school shall be set forth by the charter school and The School Board of Broward County, Florida (SBBC), 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. This is for an opening of a new charter school.

Florida Charter Foundation, Inc., desires to use the 2012-2013 school year as a planning year.

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.

**Approved in Open Board Meeting, July 24, 2012**

- \*F-13. Charter School Agreement - Florida Charter Foundation, Inc., (Franklin Academy – F) (Approved)

Approved the charter school agreement with Florida Charter Foundation, Inc., for Franklin Academy – F, to use the 2012-2013 school year as a planning year.

Pursuant to Section 1002.33, Florida Statutes, the terms and conditions for the operation of a charter school shall be set forth by the charter school and The School Board of Broward County, Florida (SBBC), 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. This is for an opening of a new charter school.

Florida Charter Foundation, Inc., desires to use the 2012-2013 school year as a planning year.

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-14. Approval of Request to Defer the Opening of Charter Schools until the 2013-2014 School Year (Approved)

Approved the request to defer the opening of charter schools until the 2013-2014 school year for Alpha Charter of Excellence, Inc., (Alpha Charter of Excellence #5027); Florida High School for Accelerated Learning-Greater Fort Lauderdale, FL Campus (#5008); Florida High School for Accelerated Learning-Metro Broward Campus (#5032); ONE Learning Academy, Inc., (ONE Learning Academy #5058); National Ben Gamla Charter School Foundation, Inc., (Ben Gamla Charter Academy #5301); National Ben Gamla Charter School Foundation, Inc., (Ben Gamla K-8 Charter School #5053), Lincoln-Marti Charter Schools, Inc., (Lincoln-Marti Elementary Charter School #5056); Somerset Academy, Inc., (Somerset Academy Pompano North K-5 #5387); Somerset Academy, Inc., (Somerset Academy Pompano High School # 5401); Somerset Academy, Inc., (Somerset Academy East Prep Middle 6-8 #5419); Somerset Academy, Inc., (Somerset Academy Pompano Middle #5413).

## Approved in Open Board Meeting, July 24, 2012

On November 15, 2011, The School Board of Broward County, Florida (SBBC), approved charter school applications enabling approved charter applicants listed above to open a charter school for the 2012-2013 school year. Pursuant to School Board Policy 1163, at the written request of the approved applicant and for good cause shown, the school district may allow the approved applicant to defer the opening of its charter school for a period not to exceed the second year following the approval of its charter application. The decision whether to approve the delayed opening of the charter school shall be within the sole discretion of The School Board.

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-15. Charter School Agreement – IGEA Charter Schools of Florida, Inc., d/b/a iGeneration Empowerment Academy of Broward (Approved)

Approved the charter school agreement for IGEA Charter Schools of Florida, Inc., d/b/a iGeneration Empowerment Academy of Broward.

Pursuant to Section 1002.33, Florida Statutes, the terms and conditions for the operation of a charter school shall be set forth by the charter school and 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. This is for an opening of a new charter school.

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.

**Approved in Open Board Meeting, July 24, 2012**

- \*F-16. Charter School Agreement of Sunshine Charter Academy of Broward, Inc., d/b/a SunEd High School (Approved)

Approved the Charter School Agreement of Sunshine Charter Academy of Broward, Inc., d/b/a SunEd High School.

Section 1002.33, Florida Statutes authorizes the establishment of charter schools in Florida. An application for a new charter school may be made by an individual, teachers, parents, a group of individuals, a municipality or a legal entity organized under the laws of this state. Sunshine Charter Academy of Broward, Inc., d/b/a SunEd High School submitted a formal application to start a public charter school for the 2012-2013 school year.

The Charter Application from Sunshine Charter Academy of Broward, Inc., d/b/a SunEd High School was received on August 1, 2011, and was initially denied by The School Board of Broward County, Florida (SBBC), on November 15, 2011. On May 18, 2012, the State Board of Education issued a final order directing SBBC to approve the application.

In compliance with the final order submitted by the State Board of Education, the Superintendent hereby requests that SBBC approve a Charter Agreement for Sunshine Charter Academy of Broward, Inc., d/b/a SunEd High School and authorize a 2012-2013 school year opening.

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 Reappointments 2012-2013 (Approved as amended)

Motion was made by Mrs. Good, seconded by Mrs. Rupert and carried, to approve the personnel recommendations for the 2012-2013 reappointments 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.

## **Approved in Open Board Meeting, July 24, 2012**

This motion was superseded by a Motion to Separate and Defer (page 32). Ms. Dinnen was absent. Mrs. Korn was absent for, and abstained, from the vote. (7-0 vote)

The Personnel Recommendations for Instructional Employees include the following items:

### **1. Instructional Reappointments for 2012-2013**

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

Ms. Murray informed that Mrs. Korn has left the dais to attend to another responsibility.

Mr. Carland stated that Mrs. Korn had announced that she is abstaining from the vote because there is a voting conflict.

The following individuals addressed this item:

Racquel A. Lipscomb  
Juliet Hibbs  
Venetta Gay  
Wanda K. Kearney  
Dawn R. Boothe  
Rochelle L. Soffer  
Kimberly L. Frazier

Mrs. Rich Levinson inquired whether the issues brought forward by the speakers can be addressed at this time.

Mr. Carland responded that it is within the Board's discretion to ask the Superintendent to direct staff to address the comments of the speakers.

Ms. Murray asked staff to meet with speakers, Juliet Hibbs, Venetta Gay, Wanda K. Kearney, Dawn R. Boothe, Rochelle L. Soffer and Kimberly L. Frazier from Deerfield Beach High School.

Noting that back-up information has not been provided to the Board, Mrs. Rich Levinson requested a Motion to Separate Mrs. Lipscomb from the agenda item.

Mrs. Rupert requested that the motion include a deferral.

Mr. Carland informed that the Board has been presented with a reappointment of Mrs. Lipscomb to an instructional position for next year.

## **Approved in Open Board Meeting, July 24, 2012**

Ms. Gracie Diaz, Associate Superintendent, Human Resources, informed that Mrs. Lipscomb is currently an Assistant Principal and was placed in documentation and went through the performance process. Ms. Diaz stated that Mr. Jon Marlow, Principal, Deerfield Beach High School, worked with Ms. Heather Parente, Evaluation Coordinator, and in accordance with all the procedures it was determined that her leadership practice portion of the evaluation was 65% ineffective. Informing the Board that annual contract employees can be non-renewed, Ms. Diaz stated that Mrs. Lipscomb held a professional services contract one time as a teacher and she is being re-appointed back as instructional personnel because of the performance evaluation this year.

Mr. Carland advised that the employee's contract last year was an annual contract subject to renewal, which was not recommended by the Superintendent. Effectively, her employment has ended unless the Superintendent recommends her for a different position, which he has recommended through this agenda item that she be appointed next year to a teacher contract. Mr. Carland reminded the Board that the recommendations come to the Board subject to a good cause finding, and there would need to be a determination of good cause if the Board were to decide not to take the Superintendent's recommendation.

Ms. Diaz suggested that the item be placed on the June 26, 2012 Special School Board meeting. She reminded the Board that administrators are annual contract employees and the recommendation is to non-renew her contract as an Assistant Principal; a reason is not needed to non-renew an annual contract employee.

Concurring, Mr. Carland stated that the Board does not have to act on non-reappointments, it is the natural end of her one-year contract. The employee's employment will only continue if the Superintendent recommends the person in that position.

Voicing concern over the bullying in the workplace, which has been documented, Mrs. Rupert inquired whether this issue would protect the employee's rights. Mrs. Rupert stated it is very difficult for someone to do their best job possible in a hostile environment.

Mr. Carland advised that the Superintendent has the purview to direct an investigation regarding concerns of bullying, and he would be required to investigate pursuant to the terms of the Board's policy on bullying.

Mrs. Bartleman informed that she has received the employees' letters and some were hand-delivered to Mr. Runcie and Mrs. Sharon Airaghi, North Area Superintendent.

## **Approved in Open Board Meeting, July 24, 2012**

Acknowledging that there are two sides of the story, Mrs. Bartleman requested additional investigation, as there is a perceived issue at the school and the morale needs to be at an acceptable level for the new school year.

Responding to Mrs. Leach's inquiry, Mr. Carland stated that the Board will act today to approve the employee's appointment in an instructional position as recommended by the Superintendent. The Superintendent is not recommending the employee's complete separation from employment.

Mrs. Leach said she would not consider a deferral.

Mrs. Good stated if the Board defers the employee today she will be left with no position, and she voiced concern that the district does not need a reason to employ yearly-contract employees.

Mrs. Rich Levinson stated that she will remove her motion to defer Mrs. Lipscomb from the agenda item.

Board Members requested Superintendent Runcie and staff to further investigate Racquel Lipscomb's matter.

Mrs. Rupert said she was compelled to offer a motion to defer Mrs. Lipscomb's issue to the June 26, 2012 meeting.

The Superintendent informed that he has received the letters from Mrs. Bartleman and has spoken with individuals in the community, and he continues to investigate the issue. Mr. Runcie stated that decisions must be made regarding re-appointments and a recommendation was made for Mrs. Lipscomb to have an instructional position and not to sever her from the district. Depending on the completion of the investigation, the employee could be appointed to other roles, including an Assistant Principal position, in the district to the extent that they are available.

Mr. Carland advised that the intent is to divide the question, remove Mrs. Lipscomb from the item and defer her to another Board meeting, and then vote separately on the remaining item.

Mrs. Rich Levinson stated that she would like to protect Mrs. Lipscomb's position and have the investigation move forward so that she can maintain her position.

**Approved in Open Board Meeting, July 24, 2012**

Responding to Mrs. Good's inquiry, Ms. Diaz stated that Mrs. Lipscomb's instructional position will not be at the same school. Ms. Diaz informed that individuals who are not being appointed due to performance have decided they would not attend the meeting, whose names are not on the re-appointment list. The back-up information is not provided for all those individuals because their names are not on the re-appointment list. Ms. Diaz further stated that the Board does not have back-up information for Mrs. Lipscomb because the Superintendent recommended that she be appointed to an instructional position.

Mrs. Rupert clarified her motion to separate Mrs. Lipscomb from Agenda Item G-1 and to defer the matter to the June 26, 2012 meeting.

Motion to Defer (Carried)

Motion was made by Mrs. Rupert, seconded by Mrs. Good and carried, to divide the question, removing Mrs. Lipscomb from the reappointment list and deferring the decision on the Superintendent's recommendation to the June 26, 2012 Special School Board meeting. Ms. Dinnen was absent. Mrs. Korn was absent for the vote. Ms. Murray voted "no." (6-1 vote)

A vote was taken on the Motion to Defer.

Motion (Carried)

Motion was made by Mrs. Rupert, seconded by Mrs. Good and carried, to vote on the remaining Agenda Item G-1. Ms. Dinnen was absent. Mrs. Korn was absent for the vote. (7-0 vote)

The following individual addressed this item:

Glover Monroe

A vote was taken on the Motion (G-1 as amended).

G-2. Personnel Recommendations for Instructional Separation of Employment or Discipline for the 2011-2012 School Year (Approved)

Motion was made by Mrs. Leach, seconded by Mrs. Good and carried, to approve the personnel recommendations for separation of employment or discipline as listed in the respective lists for instructional staff. All recommendations are made with the understanding that these individuals will comply with regulations/policies as set forth by the Florida Department of Education and The School Board of Broward County, Florida. Ms. Dinnen was absent. Mrs. Korn was absent for the vote. (7-0 vote)



## Approved in Open Board Meeting, July 24, 2012

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.

Mrs. Rich Levinson recognized retiring math teacher Dennis Caruso, an outstanding teacher who has served the district for many years.

Mrs. Rupert recognized Piper High School teachers, and former colleagues, Joan Orsolek and Gary Proses who are retiring.

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

Motion was made by Mrs. Good, seconded by Mrs. Rupert and carried, to approve the 2011-2012 & 2012-2013 personnel recommendations for appointments and reassignments and the 2012-2013 reappointments as listed on the Executive Summary, respective lists and individual appointments for Non-Instructional Employees and authorize, pursuant to section 1011.60(3)(f), Florida Statutes, principals, other school site administrators, and instructional staff to serve more than ten (10) calendar months of service. 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. Ms. Dinnen was absent. Mr. Williams abstained from voting on Steven Williams (7-0 vote). (8-0 vote on remaining G-3 item)

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/Temporaries
5. Non-Instructional Leave(s) – Layoff(s)
6. District Managerial/Professional/Technical
7. Reassignment of Current School-Based/ District Managerial/Professional Technical Personnel
8. School-Based Managerial
9. School-Based/District Managerial Acting/Special/Task Assignment(s)
10. School-Based/District Managerial/Professional/Technical Leave(s)
11. Salary Adjustment
12. 2012-2013 Reappointment Recommendations

## **Approved in Open Board Meeting, July 24, 2012**

(A copy of this exhibit is available in the Board Members' Office on the 14<sup>th</sup> floor of the K. C. Wright Building and the public stand in the lobby of the K. C. Wright Building.)

A. 2012-2013 Recommended Reappointment of Non-Instructional Support Personnel

B. 2012-2013 Recommended Reappointment of School-Based Administrators – Principals

C. 2012-2013 Recommended Reappointment of School-Based Administrators – Assistant Principals

D. 2012-2013 Recommended Reappointment of Certified and Non-Certified District/ Area Managerial, Professional and Technical Personnel (BTU-TSP, ESMAB, & PBA)

Funding has been budgeted in 2011-2012 fiscal year for all appointments through June 30, 2012. Funding must be budgeted in 2012-2013 fiscal year for appointments and new hires.

Mrs. Good commended Superintendent Runcie and Ms. Diaz for their efforts in selecting qualified and diverse individuals that will take on new challenges as Director of School Performance & Accountability.

Referring to the salary scale for the School-Based Administrator, Mrs. Good stated that the Superintendent determined that the minimum salary be 8% higher than the average principal salary and due to this determination certain allocations were given to the individuals that are being proposed and recommended. Mrs. Good requested that in moving forward the salary range for this position be reviewed because the starting salary is \$90,000 and it appears that it may be significantly lower than what the Superintendent feels is appropriate.

Mrs. Good acknowledged that she did not agree with the process in moving forward, since certain individuals were already in the positions and the positions were “tweaked” to fall in line with the Strategic Plan that the Superintendent intends to bring forward. Mrs. Good said she looked forward to the opportunity of seeing these individuals move the district forward, where it needs to be, and working in close contact with principals.

Mrs. Good discussed the opportunity for district employees to move within positions, as sometimes they are not provided opportunities for increases. If there was an individual from outside the district applying for a position, they have more opportunities for further salary scales than district employees. Mrs. Good requested that a review be made, in reviewing the process, whether those opportunities are going to occur for current employees.

## **Approved in Open Board Meeting, July 24, 2012**

Mrs. Good congratulated Dr. Valerie Wanza, Area Director, School Improvement, for her efforts in filling in during the time frame when the Area Superintendent left the district.

Mrs. Korn was of the opinion that the job descriptions be reviewed because they should be more succinct; the salary range needs to be reflective.

Remarking that the Superintendent has indicated that the selection of a principal at a school is a critical role and the school's direction comes from that principal, Mrs. Korn stated that these are reappointments but they are not necessarily reassignments to a school. These changes are ultimately to move the district forward, but if there are not district leadership changes where necessary, the changes will ultimately not occur. Mrs. Korn requested that a review be made of the reassignments at a school to ensure that everyone fits in the appropriate position.

Mrs. Rich Levinson congratulated the Directors for stepping forward, along with the other applicants into the newly-created position. Noting that the future salary structure will be discussed at a workshop, Mrs. Rich Levinson stated that when the principal positions are filled that are being vacated by the Directors, there will be a decrease in total net salary by moving principals up and having principals with lower salaries stepping into their place.

Mrs. Rupert congratulated the new employees for their new positions. Mrs. Rupert stated that until those positions are in place the lower salary range will not be known. She concurred that an individual's work experience from outside the district is considered when considering the salary range but district employees are not given these opportunities.

Mrs. Rupert inquired about the Special Salary employees, pages 80 and 81.

Ms. Diaz responded that the employees are under the ESE group such as BRACE Advisors or Community Liaisons in the TSP group.

Mrs. Rupert concurred that a review should be made regarding the principals, in moving forward with the Organizational Chart; who is moving with the learning gains of students and who is retaining the very best teachers. Mrs. Rupert stated if there is a mass exodus from schools, a closer look should be made as to why National Board Certified teachers are leaving and why people are leaving with one or two years remaining.

## **Approved in Open Board Meeting, July 24, 2012**

Mrs. Leach was of the opinion that the committee has selected good matches, when reviewing the Director positions, and they will do a good job in supporting the schools. Mrs. Leach said she looks forward to seeing reappointments and not necessarily assignments.

Mr. Williams stated that the new Directors will be working not only with principals but curriculum development, which is one of the key issues.

Mrs. Bartleman congratulated the new Directors and stated she was comfortable with the salary decisions. She stated, with increased responsibility there needs to be an increase in the salary scale because of the work load and their job responsibilities. Mrs. Bartleman expressed gratitude to the Directors who will be moving into different positions. She stated that it will be the determination by the Superintendent and the Director as to whether they will be the best fit.

Noting that there are issues with leadership and people leaving, Mrs. Bartleman stated that sometimes a principal will come in and people will leave because they are not doing their job and they are being held accountable. In the past, people have decided to leave because they have been held accountable.

Concurring, Mr. Runcie stated that ultimately a review will be made of student outcomes and how students are doing, whether the school is improving in the right trajectory.

Mr. Williams informed that he will not be voting on the item due to a relative being reappointed.

Mr. Carland advised that Mr. Williams will need to abstain due to a conflict, either from the entire item or a Motion to Separate can be made as to this specific appointment.

### Motion to Separate (Carried)

Motion was made by Mrs. Rupert, seconded by Mrs. Bartleman and carried, to separate Steven Williams and voted on separately. Ms. Dinnen was absent. Mr. Williams abstained from the vote. (7-0 vote)

A vote was taken on the Motion to Separate, followed by a vote on the remaining G-3 agenda item, and a vote on the reappointment of Steven Williams.

Newly appointed district personnel were recognized and congratulated by Board Members Mrs. Bartleman and Mrs. Leach.

**Approved in Open Board Meeting, July 24, 2012**

- G-4. Personnel Recommendations for Non-Instructional Separation of Employment or Discipline for the 2011-2012 & 2012-2013 School Years (Approved)

Motion was made by Mrs. Rupert, seconded by Mrs. Good 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. Ms. Dinnen was absent. Mrs. Korn was absent for the vote. Mrs. Rupert voted "no." (6-1 vote)

The Personnel Recommendations include the following items:

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

There is no financial impact to the school district.

Mrs. Rich Levinson recognized district employees who are retiring: Jan Beal, Area Director; Linda Chuckman, Principal, Eagle Point Elementary. She thanked them for their outstanding service to the district and wished them well in retirement.

Mr. Williams congratulated Ms. Constantina Pettis, Principal, Deerfield Park Elementary School, on her retirement.

The following individuals addressed this item:

Lashundalin Clark  
Kimberly Ward  
Yvonne McFadden  
Ida Bell  
Theresa Moore

Ms. Murray requested Ms. Diaz to discuss the options available to the speakers.

Mrs. Bartleman voiced concern over purported retaliation against employees expressing their opinions.

- \*G-5. Supplemental Pay Positions (Approved)

Approved the recommended supplemental pay positions of employees for the 2011-2012 school / fiscal year.

**Approved in Open Board Meeting, July 24, 2012**

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.

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 Specific and 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.

All recommended supplemental pay positions have been approved for the remainder of the 2011-2012 school/fiscal year.

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

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

Approved 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.

This recommendation is a result of refusal to comply with School Board Policy 4004. The individual involved has been provided the opportunity to seek assistance. The employee had representation. The employee refused to comply and accept assistance. The District has followed School Board Policy 4004. The requested action(s) is listed on the attachment.

There is no financial impact to the school district.

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- \*G-7. Recommendation(s) for Instructional / Noninstructional Discipline for the 2011-2012 School Year – MT (Approved)

Approved 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.

This disciplinary action recommendation is a result of a positive finding on a Reasonable Suspicion test by the Office of Professional Standards & Special Investigative Unit. The individual(s) involved has been provided the opportunity to appear and participate, with representation, in a pre-disciplinary hearing prior to submission of this recommendation. The District has followed the School Board process for disciplinary action. The requested action(s) is listed on the attachment.

There is no financial impact to the school district.

- G-8. Recommendation(s) for Instructional / Noninstructional Discipline for the 2011-2012 School Year – NA & CB (Approved)

Motion was made by Mrs. Leach, seconded by Mrs. Rupert 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. Ms. Dinnen was absent. Mrs. Korn was absent for the vote. (7-0 vote)

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 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.

Ms. Catherine Berrier relayed her work with the district, her stellar performance, and spoke of the incident. She requested that Special Investigative Unit conduct a complete and unbiased investigation, and asked the Board to reconsider her termination.

**Approved in Open Board Meeting, July 24, 2012**

Remarking that she has received e-mails from Ms. Berrier, Mrs. Bartleman inquired whether she will have the opportunity to appeal the decision and go through the process, have her case heard by a third party.

Ms. Diaz responded that the employee will have the opportunity to file a grievance and go through the due process rights. The investigation was completed, the committee found probable cause, and Coconut Creek is moving forward with the prosecution of theft.

**H. ATTORNEY**

**I. OFFICE OF THE SUPERINTENDENT**

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

Motion was made by Mrs. Rupert, seconded by Mrs. Good and carried, to receive the Petition for Formal Proceedings submitted by the Superintendent in reference to this teacher and that teacher be suspended without pay for one (1) day, subject to the teacher's appeal rights. Ms. Dinnen was absent. Mrs. Korn was absent for the vote. (7-0 vote)

The teacher, Isdelia Sanon, has failed to follow directives required of her as a third grade teacher. Due to the severity of the infractions, a one (1) 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 one (1) day suspension without pay would be presented to the School Board on June 19, 2012. The teacher has the right to request a hearing with the Division of Administrative Hearings (DOAH) within twenty-one (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.

Mrs. Rupert, who noted that the information provided was presented in two portions, stated that she appreciated the extreme due diligence on the documentation of information on the "back end."

**\*I-2. Petition for Formal Proceedings – SS (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.

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## Approved in Open Board Meeting, July 24, 2012

The teacher, Sarena Stewart, failed to follow directives on multiple occasions which amount to gross insubordination. Due to the severity of the infractions, a three (3) 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 (3) day suspension without pay would be presented to the School Board on June 19, 2012. The teacher was notified on March 26, 2012, of her right to request a hearing with the Division of Administrative Hearings (DOAH). The employee failed to request a hearing by May 8, 2012 with DOAH. Due to the fact that the teacher did not request a hearing within the timeframe, the teacher will serve the three-day suspension beginning August 13, 2012.

There is no financial impact to the school district.

### I-3. Petition for Formal Proceedings – LN

(Received)

Motion was made by Mrs. Rupert seconded by Mr. Williams and carried, to receive the Petition for Formal Proceedings submitted by the Superintendent in reference to this teacher and that teacher be suspended without pay for ten days, subject to the teacher's appeal rights. Ms. Dinnen was absent. Mrs. Korn was absent for the vote. (7-0 vote)

The teacher, Laurie Nenortas, has failed to manage her classroom and students. Ms. Nenortas has also failed to follow appropriate grading and exam exemption procedures. Due to the severity of the infractions, a ten 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 ten-day suspension without pay would be presented to the School Board on June 19, 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.

Ms. Nenortas relayed the incident regarding the issue before the Board.

Ms. Murray stated that Ms. Nenortas can speak with Ms. Diaz regarding available options.

**Approved in Open Board Meeting, July 24, 2012**

Mr. Carland informed that the General Counsel's office has received a request from the employee's representative asking for a hearing and his staff will be processing the case once the Board rules.

**J. FACILITIES AND CONSTRUCTION MANAGEMENT**

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

Approved the recommendations of the Superintendent indicated in Exhibit 2.

The Pre-Qualification Application process is in accordance with State Requirements for Educational Facilities (SREF) F.S. 1013.46, and Board Policy 7003.

The Qualification Selection Evaluation Committee (QSEC) convened on May 30, 2012, to review Contractor Pre-Qualification Staff Application Review Executive Summaries received for the following contractors and makes the following recommendations to the Superintendent of Schools:

Fire Alarm Systems & Security, Inc. – Issue Recommendation to Not Certify. Applicant is not recommended for Re-Certification due to financial information as required in SREF Chapter 4.1 (e) and Policy 7003. Solares Electrical Services, Inc. – Issue Pre-qualification Certification

West Construction, Inc. – Issue Recommendation to Not Certify. Applicant is not recommended for Certification due to delinquency according to SREF 4.1 (f), and Board Policy 7003.

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

Contractor Pre-Qualification Staff Application Review Executive Summaries are available for review at the Facilities & Design Construction Division. Although the number of construction projects has been reduced in the Capital Plan, there is an appropriation of approximately \$13,320,000 in various categories including Additions (such as Media Centers and Kitchen/Cafeterias), Remodeling & Renovations, Indoor Air Quality, Safety and ADA for fiscal year 2011-2012. Budgeted for fiscal year 2012-2013 is \$10,150,000 and for fiscal year 2013-2014 is \$6,500,000.

There is no financial impact. This item is not affecting the overall budget; therefore, it does not require a collaboration form from the Capital Budget Department.

K. OFFICE OF CHIEF FINANCIAL OFFICER

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

Approved the General Fund Amendment I-8 for Fiscal Year 2011-12.

This amendment is for the purpose of updating The Broward County School District Budget for changes in Revenue and Appropriations due to the recognition of new revenue or the adjustment of projected revenue through 4/30/12.

Recognize changes in Revenues and Appropriations through 4/30/12.

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

Approved the Special Revenue (Grants) Amendment IV-8B for Fiscal Year 2011-12.

This amendment is for the purpose of updating The Broward County School District Budget for changes in Revenue and Appropriations due to the recognition of new revenue or the adjustment of projected revenue through 4/30/12.

Recognize changes in Revenues and Appropriations due to new revenue or the adjustment of projected revenue through 4/30/12.

- \*K-3. Revision to Capital Funds Budget Amendments (Approved)

Approved the Capital Funds Budget Amendments for Fiscal Year 2011-2012. These amendments are as of April, 2012.

This amendment is being submitted to adjust revenue and appropriations in the Capital Budget. The major changes reflected in this amendment are summarized below:

**Appropriations (Exhibit B)**

**Reclassifications:**

Changes this month in the appropriations summary are only reclassifications and do not change the budgeted amount for any projects. (see footnote on the Capital Projects Appropriation Summary - Exhibit B)

**Reserve Activity (Exhibit C)**

The Capital Projects Reserve is being decreased by a total of \$750,000 for the creation of a project at Nova High School for emergency repairs to the concrete covered walkway, roofing and electrical systems. (Board approved April 3, 2012.)

## **Approved in Open Board Meeting, July 24, 2012**

The financial impact of this agenda item is decreasing the Capital Projects Reserve (\$750,000) as of April 2012, as indicated on Exhibit C.

### **K-4. Interim Financial Statements for the Period Ended April 30, 2012 (Approved)**

Motion was made by Mrs. Leach, seconded by Mrs. Rupert and carried, to approve the Interim Financial Statement for the period ended April 30, 2012. Ms. Dinnen was absent. Mrs. Korn was absent for the vote. (7-0 vote)

Financial Statements are submitted to the School Board pursuant to State Board Administrative Rule 6A-1.008. As of April 2012, the fund balance as a percentage of projected revenues was 3.53% and the fund balance, excluding Charter Schools revenues, was 3.92%.

There is no financial impact to the district.

Ms. Murray indicated that Mrs. Korn has left the meeting.

Mrs. Bartleman requested that in the future, the Chair be notified when Board Members leave the dais so that staff does not have to remain at the meeting.

## **OPEN ITEMS**

### **AA. RESOLUTIONS**

### **BB. BOARD MEMBERS**

#### **BB-1. Value Adjustment Board (VAB) Direct Cost Billing (Approved)**

Motion was made by Mrs. Good, seconded by Ms. Rupert and carried, to approve payment for semi-annual billing for the School Board's share of VAB direct costs. Ms. Dinnen was absent. Mrs. Korn was absent for the vote. (7-0 vote)

The County Commission uses a Hearing Officer to adjudicate taxpayer petitions concerning property appraisal values and exemptions. The School Board participates in these hearings. The School Board's share in the cost of the proceedings is 40% of the net expenses. The net VAB expenses for the period October 1, 2011 through March 31, 2012 is \$567,971.84.

Patricia Good is the representative for the School Board on the Value Adjustment Board and Robin Bartleman is the alternate.

**Approved in Open Board Meeting, July 24, 2012**

The financial impact to the school district is \$227,188.74. The source of funds is the Board Members' department budget.

No discussion was held on this item.

Mrs. Leach thanked Mrs. Good and Mrs. Bartleman for sitting on the Value Adjustment Board.

Mrs. Bartleman thanked Mrs. Good for attending full-time.

**BB-2. Membership in the Council of the Great City Schools (Approved)**

Motion was made by Mrs. Rupert, seconded by Mr. Williams and carried, to approve the renewal of the School Board's membership in the Council of the Great City Schools. Ms. Dinnen was absent. (8-0 vote)

The Council of the Great City Schools represents over 50 large, urban school districts, and is recognized as one of the most effective advocacy organizations in Washington, D.C., voicing the concerns of urban public education. The Council of the Great City Schools has been enormously productive this year and remains the best and most aggressive advocate for urban schools in the nation. The Council of the Great City Schools is an organization that belongs solely to urban educators for urban education and urban kids – all the time.

The financial impact to the district is \$52,400. The source of funds is the School Board Members' department budget.

Mrs. Rich Levinson discussed the benefits and value of the Board's membership in the organization on a national level and locally as a School Board. She informed that Mr. Runcie had the Council of the Great City Schools work on a technology audit for the district which was performed by seven of their individuals at no cost. Recently, Mrs. Rich Levinson stated that she received a Parent Guide to the Common Core, K-2, in English and Spanish and will be translated in other languages. She stated that this will involve parents in knowing what the new standards are and what will be expected of their children.

Concurring, Mrs. Rupert stated that this is the only organization that benchmarks urban districts with other urban districts. She stated that she follows their newsletters and magazines that provide ideas for learning gains. Mrs. Rupert praised the organization.

Ms. Murray stated that prior to Mr. Runcie's arrival to the district the Council of Great City Schools conducted an audit of the cafeteria and transportation departments.

**Approved in Open Board Meeting, July 24, 2012**

Ms. Murray further stated that the cafeteria department was turned around to a positive financial picture, now having \$24 million in their budget and with the Council's guidance the students' diets were enriched and improved. Ms. Murray further stated that the Council is a good fit with the district when brainstorming and resolving issues.

**CC. BOARD POLICIES**

**DD. OFFICE OF THE CHIEF AUDITOR**

DD-1. Internal Audit Report – Audit of the Internal Funds of Selected Schools in the North, Central and South Areas (Received)

Motion was made by Mrs. Rupert, seconded by Mrs. Leach and carried, to receive Internal Audit Report – Audit of the Internal Funds of Selected Schools in the North, Central and South Areas. Ms. Dinnen was absent. (8-0 vote)

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

The Audit report represents 25 schools in which a total of 24 schools had no exceptions and 1 school had exceptions.

The Audit Committee reviewed and approved this report for transmittal to the School Board during the Committee's May 17, 2012 meeting.

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

Mrs. Rich Levinson commended the schools for the amazing results in terms of the internal funds, with 24 out of 25 schools having no exceptions. She commended Mr. Patrick Reilly, Chief Auditor, Office of the Chief Auditor, and staff for working with the schools and ensuring that they understand what is expected.

DD-2. Internal Property Audit Report – Property and Inventory Audits of Selected Locations 2011-2012 (Received)

Motion was made by Mrs. Leach, seconded by Mrs. Good and carried, to receive Internal Property Audit Report – Property and Inventory Audits of Selected Locations 2011-2012. Ms. Dinnen was absent. (8-0 vote)

## **Approved in Open Board Meeting, July 24, 2012**

Property and Inventory Audits of Selected Locations were performed, as authorized by the Florida Statute 274.02(2), The Rules of the Florida Administrative Code, Section 69I-72, School Board Policy 1002.1, and School Board Policy 3204.

The Audit report represents 23 locations in which a total of 22 locations had no exceptions and 1 location had exceptions.

The Audit Committee reviewed and approved this report for transmittal to the School Board during the Committee's May 17, 2012 meeting.

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

Mrs. Leach inquired how many of the 34 items that are missing were assigned to Broward County students/schools.

Mrs. Denise Rusnak, Director, Exceptional Student Education, responded that nine (9) of the items were out-of-county items, listed as missing. There are 9 items out of the 34 items that are missing; some of the items listed were incorrectly reported. Mrs. Rusnak stated that the district is no longer the regional holder for Palm Beach, Miami-Dade, Monroe and Collier counties, which were the areas where errors were occurring in sending that equipment to the other counties. The district was trusting that they were sending correct information. Mrs. Rusnak further stated that the district is no longer holding the grant and all the items will be surplus to those locations or back to the Department of Education (DOE).

Mrs. Rusnak informed that one of the off-site locations was Rock Island and some of the items were stored in a locked room but not in locked cabinets. A break-in occurred but it was not discovered within 48 hours to file a police report. Mrs. Rusnak stated that the site has been double-locked and a visit is made regularly to make sure there are no break-ins.

Mrs. Leach thanked Mr. Reilly and staff for providing the Audit Committee notes.

DD-3. Current Status on the Review of the Auditor General's Report – Broward County District School Board Financial and Operational Audit for Fiscal Year Ended June 30, 2009 (Received)

Motion was made by Mrs. Bartleman, seconded by Mrs. Rupert and carried, to receive Current Status on the Review of the Auditor General's Report – Broward County District School Board Financial and Operational Audit for Fiscal Year Ended June 30, 2009. Ms. Dinnen was absent. (8-0 vote)

## **Approved in Open Board Meeting, July 24, 2012**

In accordance with the 2011-2012 Audit Plan, the Office of the Chief Auditor has performed a Current Status Review of the Auditor General's Report #2010-183 – Broward County District School Board Financial and Operational Audit for Fiscal Year Ended June 30, 2009.

The objective of this report was to provide a current status on the corrections/ implementations by District staff of the audit recommendations that pertained to internal controls and compliance findings reported by the State of Florida Auditor General.

The original State of Florida Auditor General's report (which can be found on the Office of the Chief Auditor's website) contained sixteen detailed audit findings/ recommendations. Our first Current Status Report that was presented to the School Board on October 5, 2010, (see Exhibit A) showed that fourteen items were completed (items #2, 3, 4, 5, 7, 8, 9, 10, 11, 12, 13, 14, 15 and 16). This (second) Current Status Report includes a review of the remaining two open audit findings/ recommendations relating to the development of a fraud policy and overtime payment monitoring (items #1 and 6 respectively).

One of the findings/ recommendations is ongoing (item #1) and one finding is complete (item #6) as of the completion of this Current Status Report.

We would like to thank all District personnel for their cooperation during this review.

The Audit Committee reviewed and approved this report for transmittal to the School Board during the Committee's May 17, 2012 meeting.

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

Mrs. Good praised the completion and findings that were performed by the Audit General. She stated that the district has completed 14 items: one item that was just completed in addition to the previous 14 items and one item remaining and will be completed by the end of the year.

Mrs. Good requested that once the district has completed the various findings in this report, that staff be proactive and write a formal letter on behalf of the Board to the State of Florida Auditor General indicating everything has been completed.



## **Approved in Open Board Meeting, July 24, 2012**

Referring to finding 6, Mrs. Korn stated that the Office of the Chief Auditor performs payroll audit procedures as part of the Internal Audits at the district's locations. Mrs. Korn inquired whether any of these audits have been completed.

Mr. Reilly responded that when the Internal Audits are conducted at the schools a component of the audit program is to audit the payroll, and this procedure is conducted at departments. The key feature of the audit is to make sure that the controls in place are being done per payroll period. Mr. Reilly stated that it has consistently been shown that these changes have provided the results being sought.

Mrs. Rupert stated it would behoove the district to have a program that would not allow overtime, that the manager or director would have to provide an override to that procedure.

Mr. Reilly responded that in the past there was the failure to get the pre-approval on overtime, and a form has been instituted to get pre-approval. There was also some issues about the actual hourly rate that was being applied for overtime that was corrected. Mr. Reilly stated that controls are in place that will not necessarily prevent someone inputting an amount that exceeds 40 hours and overtime would come into play, but if it is done on the front end it can be seen. A new requirement is that each location needs to print out an overtime report which will show excessive overtime or more overtime than was pre-approved.

### **EE. CHIEF OPERATIONS OFFICER**

#### **EE-1. Transportation Agreement for After School Programs, Inc. (Approved)**

Motion was made by Mrs. Rupert, seconded by Mrs. Korn and carried, to approve renewal of agreement between The School Board of Broward County, Florida, and After School Programs, Inc., a non-profit organization, to provide school bus transportation for recreational programs for the period of one year. Ms. Dinnen was absent. A roll-call vote was taken: Mrs. Bartleman, Mrs. Korn, Mrs. Rich Levinson, Ms. Murray and Mr. Williams voted "yes." "Mrs. Good, Mrs. Leach and Mrs. Rupert voted "no." (5-3 vote)

The transportation agreement allows After School Programs, Inc., to utilize District school buses for organization sponsored recreation programs and events that are dependent on transportation. The organization's recreational programs provide activities and supervision for many District students during the summer and other days when school is not in session. Organization sponsored recreation programs provide a valuable service to their respective communities.

## **Approved in Open Board Meeting, July 24, 2012**

The transportation service will be provided during the times school buses are not being utilized for service to Broward County Public Schools. After School Programs, Inc., will reimburse the District at the posted outside organization reimbursement rates for the cost of this service. The posted reimbursement rates are established annually, based on the District's previous fiscal year operational cost for school bus transportation. Notification of a change to the annual posted reimbursement rates is mailed to the designated contract administrator thirty days prior to the effective date.

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

After School Programs, Inc., will reimburse the district for the cost of this service as invoiced.

Mrs. Good noted that the Transportation Agreement with the after-school programs are not for profit and the district's buses are made available for their services. She inquired how the district is assessing the wear and tear on the buses, as many are significantly old and requires some maintenance. Mrs. Good stated that the providers are reimbursing the district for operating expenses. She inquired what the expenses would entail.

Mr. Harrell concurred that the district's fleet is old, an average aggregated age of the fleet is approximately 11.8 years, and some of the buses extending to 15 years, which creates a high maintenance cost. This is taking into consideration when the rate is developed for the outside vendors. Mr. Harrell stated that typically the outside vendors are paying \$66 per hour for the buses utilized for that service. A process is currently underway to review the rate for the outside vendors, the potential cost for this year to ascertain whether an adjustment needs to be made going into the next school year.

Mr. Harrell further stated that a review is made of the fuel utilized on the buses; the cost per gallon of gas is increased and fuel efficiency is diminished in older vehicles, which influences the gas rate. In addition, when field trips are utilized overtime is generated, which is taken into the consideration of the per hour rate. Mr. Harrell discussed the variable cost for maintenance costs, total transportation costs for the year, and reviewing the number of buses that are utilized throughout the fleet. An aggregate number is utilized in that rate to compensate, to make sure that the district is being fully reimbursed for its expenditures for those trips.

## **Approved in Open Board Meeting, July 24, 2012**

Mr. Harrell informed that there is no individual cost per trip; when reviewing wear and tear the buses are viewed as a fleet. The buses utilized for the field trips are also utilized in normal day-to-day transportation. Mr. Harrell stated there is no way to itemize a small period, such as a three (3) hour-window versus an eight (8) hour-window that the bus would be used for the regular part of the day. Mr. Harrell further stated that a whole review is made of how the bus is utilized and the rates are developed on a global spectrum versus an individual program.

Mrs. Good voiced concern that as the fleet continues to age the district will not have funding to replace the buses. Mrs. Good requested when transportation agreements come to the Board, that Mr. Tindall be present as well to answer certain questions.

Mrs. Leach requested staff to provide a breakdown of the structure (numbers showing what is being charged and what we will recover), for any contract that the district goes into. She voiced concern approving the item prior to obtaining this information.

Mrs. Bartleman stated that contracts have been approved this past year, including agreements for charter schools to use district buses. She said it is unfair to stop a camp program from getting transportation.

Responding to Mrs. Leach's inquiry, Mr. Harrell stated that the camp program has already begun. Mr. Harrell reiterated, the rates are set on benchmarks of expenditures and the expenditures are tracked in a separate budget that looks only at trips, either schools or charters. When a review is made of expenditures, the maintenance and labor costs related to the vehicles, a review is made of expenditures on revenue or reimbursements coming in based on in the "red" (increasing costs) or the "black" (recouping costs). Mr. Harrell stated that the last three increases have been higher maintenance costs because of older buses and higher fuel expenditures.

Mr. Harrell informed that when a charge is made for a field trip it is a charge related to the bus, fuel, and the hourly pay to the bus driver, and not on a per-student cost. There is an hourly rate versus a per-student rate to recoup the cost to the district. Mr. Harrell stated that a field trip may be two miles from the location and it would be more appropriate to charge per hour versus per mile. He stated that Palm Beach School District is considering charging per mile and additional charges to cover their labor and benefits, which all these are tied into the rate in Broward County.

Mrs. Leach reiterated her request for a breakdown of the structure for all transportation contracts.

**Approved in Open Board Meeting, July 24, 2012**

EE-2. Recommendation on Meal Price Increase (Approved)

Motion was made by Mrs. Rupert, seconded by Mrs. Leach and carried, to approve the meal price increase effective July 1, 2012, of a \$0.10 increase for paid breakfast meals, and a \$0.10 increase for paid lunch meals for all elementary, middle, high and center school students; including adult meal prices. The reduced meal price of \$0.30 for breakfast, and \$0.40 for lunch will not change. Ms. Dinnen was absent. (8-0 vote)

The Child Nutrition Reauthorization – Healthy, Hunger – Free Kids Act of 2010 Section 205: Equity in school lunch pricing, requires an annual review of paid meal prices. The Paid Lunch Equity (PLE) Calculator Tool is to be utilized and approved by the State Agency ensuring compliance. Continued participation in the National School Lunch and Breakfast Program requires compliance with the PLE Tool.

The revenue produced by the requested meal price increase will be utilized according to mandates of the Florida Department of Agriculture and Consumer Services. The revenue generated will ensure the Food and Nutrition Services Department will continue to operate independently and receive no monies from the District General Fund. There is no financial impact to the District General Fund for approving the meal price increase.

Mrs. Rich Levinson requested Ms. Mary Mulder, Director, Food & Nutrition Services, to explain the agenda item.

Ms. Mulder explained that in 2010 there was federal legislation passed regarding the Children's Hungry Food Act, addressing the disparity between paid lunch prices and reimbursement for Free and Reduced priced lunches. The goal of the legislation was to be able to close the disparity between the amount of reimbursement that a district receives for Free and Reduced students, when a meal is captured at the point of sale (cash register) and when a student comes through as a paid student. There is a disparity in what the federal government will reimburse.

Ms. Mulder stated that currently a Paid Lunch Equity Tool must be used; every district within the country that is part of the National School Lunch program must complete the tool and submit it to their state agency for compliance. Ms. Mulder informed that last year the district did not need to do this because there were leftover state funds and because it was the beginning of the program for the legislation, the state allowed the district to use those matching funds. This year they did not allow this.

## **Approved in Open Board Meeting, July 24, 2012**

Ms. Mulder stated that when the district submitted the Paid Lunch Equity Tool the state found that the district's weighted average was only 225, so prices need to be increased. For the minimum increase, the state is mandated by an increase of 10 cents, a gradual increase that does not have to meet the weighted average right away as long as it is shown the district is moving toward that goal. Ms. Mulder further stated that since the fund balance is so large for Food & Nutrition Services, the district is still mandated to move forward in order to be in compliance with the Paid Lunch Equity Tool.

Referring to the Meal Price Increase Mandate, Mrs. Rupert stated that Schools may chose to cover the difference in revenue with non-Federal funds instead of raising meal prices. Mrs. Rupert inquired whether this was considered.

Ms. Mulder responded that the Paid Lunch Equity Tool guideline indicates there is a \$579,000 difference. If the district does not increase prices, the district needs to be asked for those moneys because the district cannot use those state matching funds from last year. Ms. Mulder stated that funding can only come from the county and the deadline would need to go into effect at the end of July 2012.

Mrs. Rupert, who remarked that many parents did not feel this issue was vetted sufficiently at their school, requested that staff consider looking into grant funds or other avenues to raise moneys for next year.

Ms. Mulder informed that the Paid Lunch Equity Tool was received by the district in late April 2012 and the deadline to submit the Tool to the state was May 11, 2012. It was submitted on May 1, 2012 and the notification was received from the state on May 14, 2012. Ms. Mulder stated that a Parent Link was submitted prior to the end of the school year and the principals received a memorandum through the Principals Conference. A follow-up will made through Parent Link once the School Board approves the item.

Mrs. Rupert suggested that this be presented through Parent Teacher Association (PTA), School Advisory Council (SAC) and School Advisory Forum (SAF) groups.

Concurring that more advertising could have been presented, Mrs. Bartleman stated that the district does not have \$500,000 and there is not enough time to write a grant. She stated that 60% of children are on Free and Reduced Lunch in this county and if the mandate is not met they will not get free and reduced lunch. Mrs. Bartleman stated that next year the district needs to look at grants or other avenues and if money needs to be raised, that there be sufficient time to present before the parent groups.

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Mrs. Bartleman further stated that there is no choice because children need to eat and the district needs to participate in the Free and Reduced Lunch program.

Responding to Mrs. Korn's inquiry, Ms. Mulder stated that the original request was for a 15 cents increase rather than 10 cents; the discretion to impose 10 cents this year as long as there is a phase-in, with 5 cents imposed next year. Ms. Mulder further stated that the evaluation tool is completed every year and the figures will be pulled for next year.

Mrs. Korn stated that the Board has attempted to make use of the flexibility that was given, and 15 cents is being passed. Mrs. Korn was pleased that the funds are not only used for food, it is used for the capital funding from the cafeteria fund. Mrs. Korn said she was also pleased that staff is being proactive to ensure that equipment is in good condition and will not break down.

Mrs. Korn further stated that the increase will bring additional healthy choices that will be added to the lunch menu next year; despite the mandate, staff has been proactive to improve the quality and the selection.

Concurring, Ms. Murray stated that nutritional snacks will be added to vending machines.

### EE-3. Bid Recommendation \$500,000 or Greater – 13-003N (Approved)

Motion was made by Mrs. Leach, seconded by Mrs. Korn and carried, to approve BID recommendations as stated on the award recommendation for the Request for Proposal (RFP) listed below. Ms. Dinnen was absent. (8-0 vote)

<u>BID</u>	<u>Title – Location – Amount</u>
13-003N	Fresh Delivered Pizzas for Cafeterias – Food & Nutrition Services – Amount: \$1,750,000

This Invitation to Bid (ITB) is to provide fresh delivered cheese and pepperoni pizzas to school cafeterias. Delivery of these pizzas will be to high schools electing to participate in this program; they are: Deerfield Beach High, Hollywood Hills High, Monarch High, Nova High, Piper High, Plantation High, South Plantation High and Stoneman Douglas High. Schools may be added to or deleted from this contract at any time. Technical schools such as Atlantic Technical, McFatter Technical and Sheridan Technical reserve the right to utilize this contract. Pizzas will also be made available to elementary, middle schools and extended day programs as needed for special events.

**Approved in Open Board Meeting, July 24, 2012**

The estimated value is \$1,750,000. All expenditures for the contract will come from Food & Nutrition School Board semi-annually detailing expenditures by contract.

No discussion was held on this item.

EE-4. Additional Recommendations on Existing Contracts Greater than \$500,000 (Not Approved)

Motion was made by Mrs. Leach, seconded by Mrs. Rupert, to approve the following contract: 27-009V – Group Disability Coverage for School Board Employees. Ms. Dinnen was absent. Mrs. Bartleman was absent for the vote. (0-7 vote)

The contract for the above-mentioned Request for Proposal (RFP), was awarded to the Prudential Insurance company on July 25, 2006, and expired on December 31, 2011. The contract allows for two (2) additional one (1) year renewals. The first renewal for the extension of their initial contract period was for January 1, 2012 through December 31, 2012. Prudential held their rates flat for 2012; therefore, there was no increased cost to the Board for the 2012 calendar year.

The Superintendent's Insurance Advisory committee met on April 25, 2012, and voted to recommend approval of the final renewal contract period (January 1, 2013 through December 31, 2013), at a rate increase of 15 percent for both the core plan and the buy-up (enhanced plan).

The Committee voted ten (10) to one (1) to recommend the final renewal for Prudential under RFP 27-009V.

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

The financial impact to the Board for calendar year, January 1, 2013 through December 31, 2013, will be \$531,000.

Mrs. Good voiced concern that a rate increase of 15% is being requested since the RFP was bid in 2006. She inquired whether this increase was imbedded in the contract.

Mrs. Dildra Martin-Ogburn, Executive Director, Benefits and EEO Compliance, stated that at the time of the RFP in 2006 for the 2007 calendar year, their rates came in at approximately 57 cents for the core (what the Board pays toward employees). The rates remained flat through 2009, when the time came for renewal of all contracts. In 2010, they came in at a flat rate and staff asked them to reduce their rate, which they reduced to 51 cents and remained for 2010, 2011 and 2012.

## **Approved in Open Board Meeting, July 24, 2012**

Ms. Martin-Ogburn further stated that after discussion with the Insurance Committee they agreed to a 15% increase. She informed that it was vetted through the committee with all union representation, including Meet and Confer groups, and a recommendation was made to the Superintendent.

Mrs. Good inquired whether the district would have done better by bidding out the item.

Responding that this was considered, Mrs. Martin-Ogburn stated that when an RFP is issued those persons who may potentially bid on the contract are going to be looking at the last couple of years and looking at a loss ratio of 140% and 120%. There is no guarantee that anyone is going to bid; that is why they give a better rate than the current vendor that is in place based on the loss ratios. Mrs. Martin-Ogburn further stated that as a review is made of the trend over this past, there will be a readjustment. Also, the cost of going out to an RFP for one year has been reviewed and there will another RFP issued again because this will be the last year for the renewal. Mrs. Martin-Ogburn assured that a lot of research has been conducted and staff has not taken lightly bringing forward a 15% increase, understanding the constraints of the Board.

Remarking that six (6) years a long time to not go out for a bid, Mrs. Good requested consideration of other opportunities, such as partnering with other districts with regard to certain procurements. Mrs. Good stated that a 15% increase is problematic.

Acknowledging that a one-year renewal period was remaining, Mrs. Korn inquired why the district could not have gone out for an RFP for another three (3) years.

Mrs. Martin-Ogburn stated that the RFP, if it were to go out, would not be for a 1-year contract. The Board has been considering two or three years, with possibly a one or two time renewal, one-year renewal. There is one year left for this renewal; five years with two one-year renewals. Year 2013 would be the last of the one-year renewals which would require going out to an RFP. Mrs. Martin-Ogburn further stated that the committee, in weighing the options, looked at the past history of Prudential working with the district, reducing its rates by 10%, holding it flat, looking at the cost of going out for an RFP and looking at the timelines to go out for an RFP. The committee recommended the final one-year renewal.

Mrs. Korn stated that the timeline has everything to do with when the committee brought it forward, and the timeline is something that the committee did not review early enough in order to go out for an RFP.



## **Approved in Open Board Meeting, July 24, 2012**

Mrs. Korn further stated that 15% is enough of an increase to have gone out for an RFP. If the district's partners feel they are hit too hard, then the RFP needs to go out and the district needs to provide an opportunity for others to consider it.

Responding to Mrs. Korn's inquiry, Mr. Carland advised that usually there is a timeframe period in which to give notice of renewal; if the district is outside that period, the contract would generally lapse.

Mrs. Martin-Ogburn informed that a concern would be running into tight timelines to put out an RFP because of the time procedurally that it takes to develop a draft RFP, vetted through the committee and issued. Also, there is a six-week time frame to allow vendors to respond, time for staff's review and preparation of the analysis, back to the committee for review and evaluation, approved and presented to the Board for consideration. Mrs. Martin-Ogburn discussed the open enrollment process through October and stated that the rates are tested to ensure employees' paychecks are processed correctly.

Voicing concern over the long process in presenting items in a tight timeline, Mrs. Korn stated that the item should go out for an RFP and she would not support the item.

Mrs. Rich Levinson stated that the Board is constantly presented that there is not sufficient time and that Board approval is needed. She said she could not in good conscience approve a contract that goes up 15%, whether or not the company has worked in good faith with the district in the past, without going out for a RFP. Mrs. Rich Levinson further stated that there are no guarantees the district will get a better rate, but if someone still wants the district's business they will come in at that amount, if that is the low rate. She stated there are other companies that would like to do business with the district and staff needs to shorten their timelines.

Mrs. Rupert stated that she would not support the item.

Remarking that the Insurance Committee is composed of all collective bargaining units and the Meet and Confer groups, Mrs. Bartleman stated that they were trying to make a decision that they thought was best and it was not irresponsible.

Mrs. Martin-Ogburn informed that when the new contract takes effect on January 1 of the new contract year, staff is writing letters to all 27 vendors in February. They respond in writing within two months and they are received in April, and an Insurance Committee meeting is scheduled to review the information.

**Approved in Open Board Meeting, July 24, 2012**

Mr. Jeff Angelo, Consultant, informed the Board that the committee reviewed the loss ratio and it is unknown what the market will indicate by going out for an RFP. Looking at this loss ratio, 15% is reasonable from any carrier in this same setting. Mr. Angelo stated that the district provides a very good disability program, much better than most other districts, which is a good benefit relative to the cost.

Mrs. Bartleman noted that during the RFP process the district would have to provide the district's loss ratio to all the companies that are bidding, which would hurt the district. Mrs. Bartleman stated that lowering the loss ratio would require changing the plan, going through the Insurance Committee to redesign the plan by decreasing the plan and what is offered. Mrs. Bartleman further stated that an Insurance Committee was set up to make recommendations to the Board and part of the process is collective bargaining. She inquired whether there is enough time to redesign the plan knowing that benefits may have to be reduced, and have this discussion with employee groups.

Mrs. Martin-Ogburn responded that one of the major components of changing the plan is the waiting period for employees to be able to receive their benefits. Currently, there is a 30 day period and there would need to be discussion to increase to 60 or 90 days.

Mrs. Leach noted that the company had taken a 10% reduction at the request of the district, due to the district not having a high loss ratio for a couple of years, so the 15% increase is really a 5% increase based on the original agreement with the company.

Mrs. Rich Levinson stated that she appreciated the sacrifices the company has made, but no company is in business to not make a profit. The company reduced the increase because they believed they were making substantial enough profit to be able to do that, and they would not do it if they were losing money. Mrs. Rich Levinson stated it is the Board's fiduciary responsibility to go out to bid on this item.

Board Members requested going out for a new RFP and provide a 5-year loss ratio history.

EE-5. Agreement with Florida Virtual School (Approved)

Motion was made by Mrs. Rupert, seconded by Mrs. Leach and carried, to approve the Agreement with Florida Virtual School. Ms. Dinnen was absent. Mrs. Korn was absent for the vote. (7-0 vote)

Broward Virtual School was established in 2001 to accommodate students wishing to take courses online. Broward Virtual School provides full-time enrollment to students in Grades 6 – 12 as a school of choice using Florida Virtual School courses.

**Approved in Open Board Meeting, July 24, 2012**

Florida Virtual School provides core subjects, world languages, elective honors and advanced placement courses online and also provides professional development and technical support for Broward Virtual School teachers and students. This Agreement brings the District into compliance with Florida Statute 1002.45 – Virtual Instruction Programs.

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

The financial impact to the District is estimated to be \$150,000 for the 2012-2013 school year. Funds are included in the Educational Technology Service's budget; therefore, there is no additional financial impact.

No discussion was held on this item.

EE-6. Agreement with K-12, Florida LLC (Approved)

Motion was made by Mrs. Rupert, seconded by Mrs. Leach and carried, to approve the Agreement with K12, Florida LLC. Ms. Dinnen was absent. Mrs. Korn was absent for the vote. (7-0 vote)

In accordance with Florida Statute 1002.45, school districts must offer a full time K-12 virtual education program to Florida students. The School Board of Broward County, Florida, (SBBC) meets the requirements for grades 6 ? 12 through Broward Virtual School. K12 Florida, LLC is a Florida Department of Education approved provider of K-5 virtual education services. K12 Florida, LLC offers a turn-key solution. Approval of this Agreement will bring SBBC in compliance with the Virtual Instruction Program established by Florida Statute 1002.45. Each of the other five most populous public school districts in Florida have contracted with K12 Florida, LLC to comply with this legislation.

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

It is anticipated that there will be no negative financial impact to the district. K12 Florida, LLC will charge the district \$3,995 per student (quarterly). Per Florida Statute 1002.45, fees will be covered through Full-Time Equivalent (FTE) funding as stipulated in the Florida Education Finance Program (FEFP).

No discussion was held on this item.

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

- FF-1. Provider Agreement between the Early Learning Coalition of Broward County, Florida (ELC), and The School Board of Broward County, Florida (SBBC) (Approved)

Motion was made by Mrs. Rupert, seconded by Mrs. Leach and carried, to approve the provider agreement between the ELC of Broward County, Florida, and SBBC to implement the 2012-2013 Voluntary Pre-Kindergarten (VPK) Education Program. Ms. Dinnen was absent. (8-0 vote)

During the 2012-2013 school year, SBBC agrees to implement the VPK Program throughout the District. Some schools will provide a VPK/Extended Day Option for Head Start (HS) eligible students, which is an additional three hours of instruction beyond the regular school day. In addition some schools will provide VPK through their fee-based preschool programs.

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

The ELC will sign this agreement following the School Board approval.

The positive financial impact to the district is \$439,448. The source of funds is the ELC. There is no additional financial impact to the district.

No discussion was held on this item.

- FF-2. Amendment to the Continuation Contract of the Florida First Start Program with the Early Learning Coalition of Broward County, Inc. (Approved)

Motion was made by Mrs. Leach, seconded by Mrs. Rupert and carried, to approve the Amendment to the Continuation Contract of the Florida First Start Program between The School Board of Broward County, Florida, and the Early Learning Coalition of Broward County, Inc., (ELC). Ms. Dinnen was absent. (8-0 vote)

The original contract, (SBBC-FFS-12-ELC6), was approved by The School Board of Broward County, Florida, on June 21, 2011. This contract amendment is extending the term of the current contract from July 1, 2012 through June 30, 2013, with a budget equal to the fiscal year 2011-2012 contract funding allocation of \$474,777.

This amendment 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 ELC will sign this amendment following the School Board approval.

The positive financial impact to the district is \$474,777. The source of funds is the ELC Grant. There is no additional financial impact to the district.

No discussion was held on this item.

FF-3. Grant Applications (Approved)

Motion was made by Mrs. Good, seconded by Mrs. Rupert and carried, to approve the submission of grant applications to: Ms. Dinnen was absent. (8-0 vote)

- A. AT&T Aspire Local High School Impact Initiative, \$300,000
- B. The Broward County Behavioral Health Grant, \$1,043,940
- C. Captain Planet Foundation, \$2,500
- D. Dollar General Youth Literacy Grant, \$4,000
- E. Elmer's Teacher Tool Kit, \$1,000
- F. Ezra Jack Keats Foundation Minigrant, \$515
- G. ING Unsung Heroes Award, \$16,000
- H. Kids in Need Teacher Grants, \$240
- I. Magnet Schools of America Mini-Grant, \$2,350
- J. Motorola Foundation – Innovation Generation Grant, \$60,000
- K. Salary Assistance Program for Japanese – Language Courses, \$40,819
- L. Target Arts and Culture in Schools Grant, \$2,000
- M. The Wal-Mart Foundation, \$500
- N. Young Adult Ex-Offenders through Training and Service-Learning, \$1,434,493

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

The potential positive financial impact is \$2,908,357 from various sources. There is no additional financial impact to the district.

Mrs. Rich Levinson commended staff, departments and schools who submitted the listed grant applications and said she was pleased that there were more grants presented to the Board.

Mrs. Korn stated that in many cases it is the schools who follow through and ultimately get awarded grants through the work they have done. She acknowledged the following individuals for their assistance in securing grants:

**Approved in Open Board Meeting, July 24, 2012**

Christopher McGuire, Broward Virtual School; Barbara Zaremby, Coral Springs High School; Patricia Delukey and Diana Nusbaum, Apollo Middle School; Bonnie Greene, New Renaissance Middle School; Kathleen Weather, Blanche Ely High School; Christopher Gates, Broward Virtual School; Debra Thomas, Colbert Elementary; Laurie Tanner (2 grants), Crystal Lake Middle School; Jeanine Hess, Driftwood Elementary School; Kristina Cadwell, Northeast High School; William Bankowski, Pompano Beach High School; Judy Bremner, Sawgrass Springs Middle School; Barbara Humphries, New River Middle School; Ann Rees, Boulevard Heights Elementary; Oslay Gill, Riverland Elementary; Susan Colton, Parkside Elementary; Jeanette Wagner, Whispering Pines School; and David Watkins, Whiddon Rogers Education Center.

Mrs. Korn thanked these individuals for going the extra mile on behalf of the students and schools.

Ms. Murray noted that the grant approvals total \$2,908,357.

Mrs. Leslie Brown, Executive Director, Educational Programs, referred to Executive Summary, page 2 of 15, and noted two scriveners' error. She stated that it was not five (5) sites on the Behavioral Health Grant, it is 13 sites, and there are 25 Master Level Family Counselors associated with that grant.

FF-4. Continuation Agreement with Broward Health for Athletic Trainer Services (Approved)

Motion was made by Mrs. Good, seconded by Mrs. Rupert and carried, to approve Continuation Agreement with Broward Health to provide athletic trainer and physician services to student athletes attending twenty Broward County Public High Schools. The Agreement runs from August 6, 2012 through August 5, 2013. Ms. Dinnen was absent. (8-0 vote)

The athletic trainer program between Broward Health and The School Board of Broward County, Florida, is consistent with the intent of Florida Statute 1012.46, Athletic Trainers. Pursuant to this provision, the goal of the Legislature is to have school districts employ and have available an athletic trainer in each high school. School districts may establish and implement the athletic injuries prevention and treatment program. Central to this program should be employment and availability of persons trained in the prevention and treatment of physical injuries that may occur during athletic activities.

There is no increase in financial costs to the school system for athletic trainer services in 2012-2013. The financial impact remains unchanged since the 2009-2010 fiscal year.

**Approved in Open Board Meeting, July 24, 2012**

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

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

The total financial impact for the 2012-13 school year is \$529,200. The source of funding is \$529,200 from the general fund restricted budget allocation for Broward Health trainers.

Mrs. Rich Levinson noted that there is no increase in the financial cost, it remains unchanged for the fourth year in a row. She thanked Broward Health for continuing to work with the School District at the same rates, their participation on the Concussion Management Committee, and moving forward with concussion management.

FF-5. Continuation of Agreements with Community Mental Health Providers  
(Approved)

Motion was made by Mrs. Leach, seconded by Mrs. Rupert and carried, to approve the agreements with three (3) Community Mental Health Providers. Ms. Dinnen was absent. (8-0 vote)

These agreements are renewed on an annual basis.

The agreements provide for the provision of required educational services to youth participating in residential treatment programs operated by Atlantic Shores, LLC, Citrus Health Network, Inc., and Alternate Educational Systems, Inc. These Community Providers serve students in residential treatment programs that are not able to attend a school operated by The School Board of Broward County, Florida (SBBC) district. The educational curriculum is provided by the SBBC district and is integrated into the therapeutic services of the program. Referrals to the program come from the Department of Children & Families, the courts, parents, medical facilities and physicians. Each provider uses the state definition of medical necessity as a guide to determine individual treatment and education plans and length of stay at each site.

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

All costs are generated and funded through student Full Time Equivalents (FTE). The generated FTE is approximately \$734,495 dollars per year.

**Approved in Open Board Meeting, July 24, 2012**

There is no additional financial impact to the district beyond the FTE.

No discussion was held on this item.

- FF-6. Agreement with The School Board of Broward County, Florida and The Broward County Sheriff's Office for the Delivery of Educational Services in the Jails (Approved)

Motion was made by Mrs. Leach, seconded by Mrs. Rupert and carried, to approve the Agreement with The School Board of Broward County, Florida, and The Broward County Sheriff's Office for Delivery of Education Services in the jails. Ms. Dinnen was absent. (8-0 vote)

The agreement provides education services to youth and adults housed at the Broward County Main Jail and adults housed at the North Broward Detention Center, Joseph V. Conte Facility and Paul Rein Facility.

The juvenile program is a secondary curriculum program providing intensive classes in language arts, reading, mathematics and science as well as career/post-secondary exploration. The students participate in district testing activities. The Adult General Education program includes: Adult Basic Education (ABE) and General Education Development (GED) preparation. The program is administered by Whiddon-Rogers Education Center, Central Area Office.

Program funding is separate for the youth and adult programs.

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

There is an estimated financial impact of \$356,909 to the district. The source of these funds is through the Florida Education Finance Program (FEFP). The district's contribution to support this item is included in the Whiddon-Rogers Education Center budget.

No discussion was held on this item.

- FF-7. Partnership for a Healthy & Drug-Free Broward Contract with United Way of Broward County Commission on Substance Abuse (Approved)

Motion was made by Mrs. Rupert, seconded by Mrs. Korn and carried, to approve continuation of contract with United Way of Broward County Commission on Substance Abuse. Ms. Dinnen was absent. (8-0 vote)



**Approved in Open Board Meeting, July 24, 2012**

Continuation contract with United Way of Broward County Commission on Substance Abuse will provide funding for three (3) family counselors. Staff will collaborate with middle and high schools to implement environmental strategies designed to reduce underage drinking among youth using the Social Norms research-based approach.

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

This agreement will be executed by United Way of Broward County Commission on Substance Abuse after School Board approval.

The positive financial impact is \$214,160, which covers the cost of three (3) family counselors. There is no additional financial impact to the district.

No discussion was held on this item.

FF-8. Postsecondary Workforce Education and Community Education Fee Schedule for the 2012-13 School Year (Approved)

Motion was made by Mrs. Leach, seconded by Mrs. Rupert and carried, to approve the proposed Postsecondary Workforce Education and Community Education Fee Schedule for the 2012-13 school year. Ms. Dinnen was absent. (8-0 vote)

Workforce Education fees are established by the legislature in the General Appropriations Act. The School Board must annually adopt the State of Florida Fee Schedule for Postsecondary Workforce Education. The District sets the fees for Community Education Programs, also known as fee support. Over 200,000 adults and children enroll annually in technical, adult and community school programs, courses and activities. Students are classified as residents or non-residents for the purpose of assessing tuition fees.

The Florida resident fee for Technical Certificate and Applied Technology Diploma Programs in 2012-13 shall be \$2.75 per hour, which represents an increase of 25¢ per hour. The non-resident fee is \$11.13 per hour, which represents an increase of \$1.18 per hour. These fee increases align with the requirement set forth by the General Appropriations Act. Individuals enrolled in Adult General Education (AGE) programs shall be assessed a tuition resident fee of \$30 per term or a non-resident fee of \$120 per term. The fees were not increased for AGE programs. The tuition fees for Fee Support courses are established to cover all costs associated with operating the program, including instructional costs, equipment maintenance, and marketing. Fee support courses are grouped into eight levels.

## **Approved in Open Board Meeting, July 24, 2012**

The 2012-13 resident and non-resident tuition fees remained the same at: \$2.00 per hour for 100 level courses; \$3.00 for 200, 300 & 500 level courses; \$6.25 for 400 level courses; \$5.40 for 600 level courses; \$6.75 for 700 level courses; and \$11.25 for 800 level courses.

The positive financial impact to the district is estimated to be \$6,000,000. The source of funds is student fees. There is no additional financial impact to the district.

Mrs. Bartleman stated that there are many technical schools in the community and a student will receive a technical certificate for their course of study. If a student chooses a Broward County Public Schools technical program it will cost \$2.75 an hour for Florida residents. Mrs. Bartleman stated that students go into debt to attend a technical program and their credits do not count.

Mrs. Leach noted a television commercial promoting technical and vocational schools in Broward County.

### **FF-9. Debate Pilot Program (Approved)**

Motion was made by Mrs. Leach, seconded by Mrs. Good and carried, to approve new contract with The National Forensic League (NFL), and The School Board of Broward County, Florida (SBBC). Ms. Dinnen was absent. (8-0 vote)

In an effort to bridge the gap between high school and college, The School Board of Broward County, Florida, in partnership with the National Forensic League (NFL), is implementing a Debate Pilot Program in 15 selected high schools for the 2012-2013 school year. The participating high schools are Boyd Anderson, Coconut Creek, Coral Glades, Coral Springs, Deerfield Beach, Flanagan, Hollywood Hills, Miramar, Monarch, Piper, Plantation, South Plantation, Stoneman Douglas, Taravella and Western.

Debate participation enhances broader efforts by the District and State to improve teaching and learning by promoting key components of the Common Core State Standards (CCSS). The CCSS for English Language Arts and Literacy emphasize argument identification, construction, and interaction, all skills that are uniquely cultivated by participation in an active debate program. In addition to aligning with the Reading Standards for Informational Text and the Writing Standards found in the CCSS, successful debate programs also address all six of the Speaking and Listening Standards of the Common Core. By offering this curriculum at our high schools, the District is exposing students to the type of rigor embedded in the CCSS and necessary for a successful transition into college and the workforce.

## **Approved in Open Board Meeting, July 24, 2012**

As part of the pilot, the NFL will be providing funding for the teachers to attend the Summer Institute at Nova High School for training and support. They will also be providing course materials and lesson plans, web-based instruction and multimedia support, membership into the NFL's Honor Society for schools and individual students, and financial support for district-based mentors. The contract provides specific details as to the responsibilities of both the NFL and the SBBC and serves as a one-year agreement between the two parties.

The contract period is from July 1, 2012 through June 30, 2013.

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

The financial impact to the district will be \$64,449. The source of funding is the Division of Core Curriculum's budget. There is no additional financial impact to the district.

Mrs. Rich Levinson informed that she worked on this item with Curriculum and Mr. Runcie. She thanked Mr. Scott Wunn, Executive Director, National Forensic League, and Mr. Cherian Koshy, Director of Development, for coming forward to Broward County to initiate the pilot program.

Mrs. Rich Levinson stated that debate enhances students' ability to communicate and become successful following their school years. The new common core standards, speaking and listening components ties into debate directly and debate has been known to raise test scores, SAT, ACT scores, and increase the graduation rate. Mrs. Rich Levinson further stated that there are students in the debate programs in Broward County who have otherwise not been engaged in their academic studies. In addition, debate has opened up post-secondary opportunities for students.

Mrs. Rich Levinson informed that the one-year contract of the two-year pilot program will involve 15 schools for the 2012-2013 school year. Remarking that many schools have expressed an interest, Mrs. Rich Levinson stated that the goal is to have every high school in Broward County participating in debate by the second year of the program.

Mrs. Rich Levinson informed that the National Forensic League is contributing almost \$200,000 into the program this year, providing 3:1 match, and they want to see the effects of debate in a county with so much diversity. She noted the financial breakdown of how the money will be spent and stated that all of the coaches may not be going to summer camp because some of them have not been identified in the schools.

## Approved in Open Board Meeting, July 24, 2012

Remarking that there needs to be flexibility with the money, as a small amount of money is being held back for Free and Reduced, Mrs. Rich Levinson requested that any additional money that is not spent be used to finance Free and Reduced Lunch students to be able to participate in the tournaments. Mrs. Rich Levinson further requested that principals be notified to ensure they understand there must be an honors debate course offered; that principals understand the importance of what the program offers and how it will enhance the academic achievement in their schools.

Mr. David Shelley, Curriculum Generalist, Core Curriculum/Educational Programs, responded that a memorandum was sent to the principals specifying this information and mandate of the program.

Mrs. Korn stated that students who debate will accelerate their academic experience, it is engaging, relevant and ultimately it requires critical thinking. She was encouraged that in the second year the program will be rolled out to all schools. Mrs. Korn requested that staff closely monitor the outcomes for the students who are involved, to review what an impact the district is seeing in the first year and second year of this pilot program.

Mrs. Rich Levinson expressed gratitude to Lisa Miller, Debate Coach, Nova High School, for being the driving force and volunteering her time on this pilot program. Ms. Miller will be one of three mentors who will be working with the schools, including Jim Wakefield, Fort Lauderdale High School and Megan Loden West, Cypress Bay High School.

FF-10. Continuation Agreement with Summit Montessori Teacher Training Institute, L.L.C. (Approved)

Motion was made by Mrs. Good, seconded by Mrs. Rupert and carried, to approve the continuation agreement with Summit Montessori Teacher Training Institute, L.L.C., (SM), for Montessori training at Virginia Shuman Young Elementary and Beachside Montessori Village. Ms. Dinnen was absent. (8-0 vote)

Participating teachers from Virginia Shuman Young Elementary and Beachside Montessori Village will receive rigorous Montessori training to be certified in Montessori education. Training includes Montessori philosophy, materials and child development theory. The teachers participate in academic instruction and practice laboratories under the supervision of instructors from SM. SM has been certified as a Montessori training institute by the Montessori Accreditation Council for Teacher Education and is an affiliate of the American Montessori Society.

## **Approved in Open Board Meeting, July 24, 2012**

The management of SM reviewed all current training costs and was able to provide a total savings of \$10,000 in addition to a cost savings of \$200 per teacher (up to ten full-time teachers), for the 2012-2013 school year.

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

The district will be able to provide more teachers with the opportunity to receive training with the overall reduction in cost savings. The source of these funds is from each school's Magnet budget for 2012-2013 and will not exceed \$50,000. There is no additional financial impact to the district.

Mrs. Rich Levinson inquired about the benefits to the district, including Agenda Item FF-11, regarding what each facility will charge the district and how many teachers are involved.

Dr. Joanne Harrison, Deputy Superintendent, Educational Programs and Student Support, responded that last year the Board requested a review of how to reduce the price and subsequently an analysis was made of both companies; the difference between the two contracts and what the district was receiving from each contract. Dr. Harrison informed that a reduction was made of both contracts.

Mrs. Leona Miracola, Director, Innovative Programs, informed that both of the institutions are providing 11 courses for teachers to complete the certification program. Barry University does not have the exact number of individuals within their contract as with the Summit contract because everyone may be at a different place with their certification, but they have done some unique things.

As part of their proposal and contract, Mrs. Miracola stated that Barry University will have the training on-site at district locations versus the sites at Barry and they have eliminated all the costs for lab fees, materials and supplies, and also a reduction in the cost of tuition. In addition, Barry is the only entity that can provide that upper level for students 9-12 years of age, and Summit provides for elementary students. They are both very much in alignment with the cost for the training.

Dr. Harrison stated that at the end of the time when they train, the Board can be provided the actual figures as to how many people went to the training.

Mrs. Rich Levinson thanked staff for working with the providers and bringing the costs down.

## Approved in Open Board Meeting, July 24, 2012

Mrs. Leach inquired whether the training will be at multiple locations in Broward County.

Mrs. Miracola responded that they will be at one location in Broward County. They must be certified by Montessori Accreditation Council for Teacher Education (MACTE), a national accrediting association, and they had to approve one of the district's locations to be able to provide the training.

Mrs. Miracola informed that Sunrise Middle School and Beachside worked together to bring trainers to them. Mrs. Miracola was of the opinion that the training at Beachside will continue the partnership between Sunrise and Beachside versus traveling to Barry. She stated that Sunrise has been able to take all students, and they ended up with a wait list of students last year and this year they have been able to take all students. Mrs. Miracola assured that they have continued to maintain their applications.

Mrs. Bartleman thanked Mrs. Miracola for negotiating the contract, which was very time consuming.

### FF-11. Continuation Agreement with Barry University (Approved)

Motion was made by Mrs. Leach, seconded by Mrs. Rupert and carried, to approve the continuation agreement with Barry University (BU) for Montessori training at Virginia Shuman Young Elementary and Beachside Montessori Village. Ms. Dinnen was absent. (8-0 vote)

Participating teachers from Virginia Shuman Young Elementary and Beachside Montessori Village will receive rigorous Montessori training to be certified in Montessori education. Training includes Montessori philosophy, materials, and child development theory. The teachers participate in academic instruction and practice laboratories under the supervision of instructors from BU. The administration of BU reviewed all current training costs and was able to provide a cost savings of \$141 per class and an elimination of \$800 for any costs associated with tests, manuals, and materials for the 2012-2013 school year. Additionally, BU has extended the opportunity to provide on-site training. This training will be held at Beachside Montessori Village for teachers from both schools.

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 district will be able to provide more teachers with the opportunity to receive training with the overall reduction in cost savings. The source of these funds is from each school's Magnet budget for 2012-2013 and will not exceed \$55,000. There is no additional financial impact to the district.

**(See Agenda Item FF-10 for discussion)**

- FF-12. Amendment No. 1 to the Innovative Concepts (iCon) Agreement between The School Board of Broward County, Florida and WorkForce One Employment Solutions (Approved)

Motion was made by Mrs. Rupert, seconded by Mrs. Leach and carried, to approve the amendment to the Innovative Concepts (iCon) Agreement between The School Board of Broward County, Florida, and WorkForce One Employment Solutions. The contract period is July 1, 2012 through June 30, 2013. Ms. Dinnen was absent. Mrs. Leach was absent for the vote. (7-0 vote)

The School Board of Broward County, Florida, has been awarded a grant in the amount of \$359,600 to continue for the second year the Innovative Concepts (iCon) Program funded by WorkForce One Employment Solutions from federal Workforce Investment Act (WIA) funds. The program will facilitate validated research-based strategies aimed at increasing student achievement and career options for youth, by incorporating work readiness, entrepreneurship and financial literacy skills and life skills.

The criteria for the second year of the grant remains the same and the program will continue to serve a total of 190 students who are: 1) between the ages of 16 and 19 years old; 2) economically disadvantaged and have at least one barrier to employment, 3) have not completed high school or obtained a GED, and 4) in need of additional assistance to complete high school. The schools were selected by the Area Superintendents based on the percent of free and reduced lunch students and the school's dropout rate.

These are: Blanche Ely, Boyd Anderson, Deerfield, Dillard, Hallandale, McArthur, Plantation and Stranahan High Schools. The iCon Program will partner with Helping Abused Neglected Disadvantaged Youth (HANDY), and Junior Achievement (JA). These partners will work in the school with our students to provide instruction in Entrepreneurial and Financial Skills and Life Skills.

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

There is a positive financial impact of \$359,600 to the district. The source of funds is the federal Workforce Investment Act (WIA). There is no additional financial impact to the district.

Mrs. Rupert stated she was pleased with the stipulation addressing the foster care aging-out group, included as part of the criteria for selecting some of the children.

- FF-13. New Agreement between The School Board of Broward County, Florida, and Coral Springs High School and the City of Coral Springs  
(Approved)

Motion was made by Mrs. Good, seconded by Mrs. Rupert and carried, to approve the new agreement between The School Board of Broward County, Florida, and Coral Springs High School and the City of Coral Springs. The contract period is July 1, 2012 through June 30, 2015. Ms. Dinnen was absent. Mrs. Leach was absent for the vote. (7-0 vote)

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 new agreement with the City of Coral Springs will provide First Responder/Firefighter 1 clinical experiences to Coral Springs High School students in the Introduction to Firefighting Program. On-site clinical experiences are 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.

This new 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 \$12,960 to the district. The source of funds is the Coral Springs High School General Operating Budget. There is no additional financial impact to the district.

No discussion was held on this item.

## GG. HUMAN RESOURCES



HH. ATTORNEY

- HH-1. Settlement Agreement between The School Board of Broward County, Florida, and S.F.C.S., Inc., d/b/a South Florida Construction Services  
(Approved)

Motion was made by Mrs. Rupert, seconded by Mrs. Korn and carried, to approve the Settlement Agreement between The School Board of Broward County, Florida and S.F.C.S., Inc., d/b/a South Florida Construction Services. Ms. Dinnen was absent. Mrs. Leach was absent for the vote. (7-0 vote)

The School Board of Broward County, Florida (the "SBBC"), entered into two separate Contracts with S.F.C.S., Inc., d/b/a South Florida Construction Services ("SFCS"); one for Cooper City Elementary School, Project No. 01211-98-02 (the "Cooper City Project"), and one for Lake Forest Elementary School, Project No. 0831-99-01 (the "Lake Forest Project") (hereinafter, collectively referred to as the "Projects").

Both Projects are complete; however, there remains a dispute between the Parties concerning SFCS's entitlement to additional time and monetary compensation for delay. Both Projects were constructed pursuant to design documents prepared by M.C. HARRY & ASSOCIATES, INC. (hereinafter referred to as "A/E").

During construction of the Projects, SFCS submitted Requests for Change Orders for the Projects which were denied. Thereafter, SFCS filed an eight-count Complaint against SBBC on or about May 26, 2011, entitled S.F.C.S., Inc., d/b/a South Florida Construction Services v. The School Board of Broward County, Florida, in the Circuit Court of the 17th Judicial Circuit, in and for Broward County, Florida, assigned Case No. 11-0056 (18) (hereinafter referred to as the "Lawsuit").

In its Lawsuit, SFCS alleges that the SBBC, through the A/E, failed to make timely and necessary corrections, redesigns or revisions to defective and inadequate plans, specifications and related construction documents and failed to furnish timely and adequate construction drawings and other information needed to perform the contract work. Based on the allegations contained in the Lawsuit, the SBBC filed a Third-Party Complaint against the A/E for the Projects and seeking indemnity, contribution and reimbursement of costs associated with change orders on the Projects alleged to be caused by A/E errors and/or omissions in the construction plans.

**Approved in Open Board Meeting, July 24, 2012**

To attempt resolution of the dispute, the SBBC, SFCS and the A/E all attended mediation before a Florida Circuit Certified Mediator. The result of the mediation is the attached Settlement Agreement which settles and resolves the Lawsuit as to SBBC and SFCS, but does not settle or resolve the Third-Party Complaint between the SBBC and the A/E.

District staff and the General Counsel's Office recommend approval of the Settlement Agreement as a fair, reasonable and cost-effective resolution of the undisputed portions of SFCS's claims.

The financial impact to the district is \$200,000.

No discussion was held on this item.

**II. OFFICE OF THE SUPERINTENDENT**

**II-1. Interagency Personnel Assignment Agreement (Teacher of the Year)  
(Approved)**

Motion was made by Mrs. Good, seconded by Mrs. Rupert and carried, to approve the Interagency Personnel Assignment Agreement between the Florida Department of Education and The School Board of Broward County, Florida. Ms. Dinnen was absent. Mrs. Leach was absent for the vote. (7-0 vote)

Alvin Davis, Band Director at Miramar High School, was named the Broward County and Macy's Florida Department of Education (FDOE) Teacher of the Year for 2012. As such, he assumed the annual role of the Christa McAuliffe Ambassador for Education representing all Florida teachers and the FDOE throughout the school year. The FDOE agrees to reimburse the District for the salary and benefits for Mr. Davis on a quarterly basis for the 2011-12 school year.

There is no financial impact to the district. The FDOE is the funding source, total amount to be reimbursed to the district, \$62,462.07.

Mrs. Good congratulated Mr. Davis for being selected as one of the national nominees.

**II-2. Agreement for Lobbying Services with GS School Consulting Group, Inc.  
(Approved as Amended)**

Motion was made by Mrs. Rupert, seconded by Mrs. Good and carried, to approve the proposed agreement for fulltime lobbying services with GS School Consulting Group, Inc., (Georgia Slack), to provide services to June 30, 2014. This motion was superseded by a Motion to Amend (page 76). Ms. Dinnen was absent. (8-0 vote)

## **Approved in Open Board Meeting, July 24, 2012**

Ms. Georgia Slack, President of GS School Consulting Group, Inc., has represented the Broward School Board in Tallahassee since 1985, first as an Associate Superintendent for Broward County Public Schools, and, for the past 16 years as the chief lobbyist for the school system. As the lobbyist for Broward County Public Schools, Ms. Slack will continue to provide the full scope of legislative activities as outlined in the agreement and will provide these services on a fulltime basis and exclusively for the Broward County School District. Approval of this agreement will enable the Board to continue to use her many years of experience in the legislative process and knowledge of the Broward School District.

The agreement is for a two-year period, July 1, 2012 to June 30, 2014, with provisions for a 30-day cancellation.

Compensation for this agreement is as follows: the sum of \$148,985 per year, and is an amount that covers all regular and extended legislative sessions and other meetings as outlined in the contract. The contract continues a current provision which provides, upon approval by the Superintendent, an additional sum up to a maximum of \$10,500 per year to cover increased travel expenses and accommodations resulting from additional special sessions convened by the Legislature.

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

The financial impact is to the district is \$148,985 per year, with an additional sum up to \$10,500 per year for special session costs as approved by the Superintendent. Funds for this agreement will be available in the 2012-2013 and 2013-2014 Public Relations & Governmental Affairs Department budget.

Mrs. Korn inquired about the standard practice regarding when the district strategically works with lobbying firms. Mrs. Korn requested a workshop to discuss how the district can strategically work in Tallahassee with the lobbying firms.

Concurring, Mrs. Good reminded her colleagues that approximately two years ago the Board wanted to discuss the issue of lobbyists and the team component at a workshop, which did not take place. Mrs. Good acknowledged that it is not an easy time to be lobbying on behalf of the district during the budget shortfalls. Mrs. Good stated there should be discussions with the 4<sup>th</sup> largest district (Miami-Dade County Public Schools) and there may be opportunities for the district to review commonalities in lobbying efforts in Tallahassee. Mrs. Good thanked Ms. Slack for her lobbying efforts.

## **Approved in Open Board Meeting, July 24, 2012**

The Superintendent informed that Ms. Slack and Mr. Thomas Cerra, Lobbyist, Miami-Dade Public Schools, work extensively on a day-to-day basis, sharing the same office space and a fairly common agenda. Mr. Runcie stated that he also speaks with Superintendent Alberto Carvalho periodically, as recent as last week. The Superintendent further stated that the presence of the district's lobbyists in Tallahassee creates opportunities to create a common legislative agenda with other districts around the state, and it has effectively helped the district to navigate "both sides of the aisle."

Mr. Runcie was of the opinion that the district has achieved a good amount of success this year, given the fiscal challenges that the state continues to face in limited resources. The Superintendent concurred with having a workshop discussion, structuring specifically around what is going to be the district's legislative agenda and strategy going into the next year.

Mrs. Good referred to the requirement of a quarterly report to the Superintendent in each of the lobbying contracts, and requested staff to share these reports with the Board. Mrs. Good stated her preference for a one-year contract and having a workshop discussion with the lobbyists and the community about to how to best approach the next Legislative Session.

Mrs. Bartleman shared her experience when she lobbied in Tallahassee regarding the Charter School millage. Mrs. Bartleman thanked Ms. Slack and district lobbyists for their lobbying efforts.

Mrs. Rupert shared her positive experience in Tallahassee in her representation of the cyberbullying bill. She thanked everyone for their leadership, expertise and effort.

Concurring, Mrs. Leach stated she would be amenable to a one-year contract and a workshop discussion in preparation for the next session.

### Motion to Amend (Carried)

Motion was made by Mrs. Good, seconded by Mrs. Korn and carried, to amend to modify the contract for a one-year contract. Ms. Dinnen was absent. Ms. Murray voted "no." (7-1 vote)

Mr. Carland advised that the contract has been executed by the other party and a revised agreement will be presented as a counter-offer.

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

**Approved in Open Board Meeting, July 24, 2012**

II-3. Agreement for Lobbying Services with McKee Communications, Inc.  
(Approved as Amended)

Motion was made by Mrs. Leach, seconded by Mrs. Rupert and carried, to approve the agreement for lobbying services with McKee Communications, Inc., to provide services to June 30, 2014. This motion was superseded by a Motion to Amend (below). Ms. Dinnen was absent. (8-0 vote)

Clarence McKee, President of McKee Communications, Inc., has been a part of The School Board of Broward County, Florida's lobbying team since March of 2007, and has provided access to the Governor's office, Cabinet offices, legislative leadership and state agency personnel. This agreement will enable

The School Board of Broward County, Florida, to continue to call upon McKee Communications, Inc., for legislative services as directed by the Board and Superintendent to assist in overall lobbying efforts.

The agreement is for a two-year period, July 1, 2012 to June 30, 2014, with provisions for a 30-day cancellation.

Compensation for McKee Communications, Inc., is \$40,000 for services, as needed.

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

The financial impact to the district is \$40,000 per year. Funds for this agreement will be available in the 2012-2013 and 2013-2014 Public Relations & Governmental Affairs Department budget.

Referring to previous comments on this item under Agenda Item II-2, Mrs. Good stated that based on the agreement the individual is a consultant to the district's main lobbyist. She proposed an amendment for a one-year contract.

Motion to Amend (Carried)

Motion was made by Mrs. Good, seconded by Mrs. Korn and carried, to amend to modify the contract for a one-year contract. Ms. Dinnen was absent. (8-0 vote)

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

**Approved in Open Board Meeting, July 24, 2012**

II-4. Agreement for Lobbying Services with Colodny, Fass, Talenfeld, Karlinsky & Abate, P.A. (Approved as Amended)

Motion was made by Mrs. Good, seconded by Mrs. Rupert and carried, to approve the agreement for lobbying services with Colodny, Fass, Talenfeld, Karlinsky & Abate, P.A., to provide services to June 30, 2014. This motion was superseded by a Motion to Amend (below). Ms. Dinnen was absent. (8-0 vote)

The firm of Colodny, Fass, Talenfeld, Karlinsky & Abate, P.A., for the past eight years, has been part of The School Board of Broward County, Florida's lobbying team and has provided access to the Governor's office, Cabinet offices, legislative leadership and state agency personnel. This agreement will enable The School Board of Broward County, Florida, to continue to call upon the firm for legislative services as directed by the Board and Superintendent to assist in overall lobbying efforts.

The agreement is for a two-year period, July 1, 2012 to June 30, 2014, with provisions for a 30-day cancellation.

Compensation for Colodny, Fass, Talenfeld, Karlinsky & Abate, P.A., is \$40,000 for services, as needed.

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

The financial impact to the district is \$40,000 per year. Funds for this agreement will be available in the 2012-2013 and 2013-2014 Public Relations & Governmental Affairs Department budget.

Mrs. Good referred to the requirement of a quarterly report to the Superintendent in the lobbying contract, and requested staff to share these reports with the Board. She stated this will be informative to the Board as to what is occurring and the interaction between the consultants and Mr. Runcie.

Mrs. Good recommended that the contract be amended for one year.

Motion to Amend (Carried)

Motion was made by Mrs. Good, seconded by Mrs. Korn and carried, to amend to modify the contract for a one-year contract. Ms. Dinnen was absent. (8-0 vote)

Mrs. Good inquired why the contract does not contain language that the compensation was payable based on invoicing.

**Approved in Open Board Meeting, July 24, 2012**

Mr. Charles Webster, Governmental Affairs Coordinator, Public Relations, Public Relations and Governmental Affairs, responded that all contracts should be the same and he will ascertain that the language is consistent throughout.

Ms. Murray noted that the item indicates that compensation is \$40,000 for services as needed and the financial impact to the district is \$40,000 per year.

Mr. Runcie responded that this is a fixed-fee contract and is not based on an hourly rate.

Mr. Webster referred to 2.01 Term of Agreement, a two (2) year term.

Mrs. Good concurred with the confusion, stating that the services are not on an as-needed basis, it is \$40,000 per year with equal monthly installments. She requested that this be clarified.

Referring to 2.09 Compensation, Mrs. Korn stated that the language reads that if they spent a month in Tallahassee and did no work they would not get paid that month. That is different than actually having a \$40,000 set fee. Mrs. Korn requested further clarification, that it is understood to be a \$40,000 expense to the district.

Remarking that the language will be clarified with the parties, Mr. Carland advised that the intent of the language gives the assumption, because it is a flat-fee contract, that services are going to be provided. Mr. Carland stated that it is extra language that is not necessary, but the intent was as they provide services throughout the year they are going to get equal monthly installments. He indicated that the language will be clarified.

Responding to Mrs. Bartleman's inquiry, Mr. Webster stated that the fees are exactly the same as they were last year, \$40,000 over the past two years, which was the term of the last contract.

Ms. Murray stated the Board will vote on the one-year term of contract.

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

**Approved in Open Board Meeting, July 24, 2012**

II-5. Agreement for Federal Legislative Services with F. Mandley & Associates, Inc. (Approved as Amended)

Motion was made by Mrs. Rupert, seconded by Mrs. Good and carried, to approve the proposed agreement between F. Mandley & Associates, Inc., (Frank Mandley), and The School Board of Broward County, Florida, to provide federal legislative services through June 30, 2014. This motion was superseded by a Motion to Amend (below). Ms. Dinnen was absent. (8-0 vote)

Frank Mandley, President and CEO of F. Mandley & Associates, Inc., has provided federal legislative services to the school district since 1999, initially as Director of Grants Administration & Government Programs. Since 2010 he has served as lobbyist for the school district.

Under the term of this agreement, Mr. Mandley will provide the full scope of federal legislative activities outlined in this agreement to advance the school district's federal legislative agenda; track all federal legislative, regulatory, and policy actions that could impact the school district; service as the district's Federal Legislative Liaison to The Council of the Great City Schools and other national education advocacy organizations; and maintain relations on behalf of the school district with members of the Broward Congressional Delegation.

Federal initiatives include, but are not limited to, the reauthorization of ESEA; issues related to IDEA, Race to the Top, Investing in Innovation etc., as well as discretionary and formula grants, appropriations and other issues, as directed by the Superintendent of Schools.

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

The financial impact is \$24,000 per year, with an additional sum up to \$2,400 per year for travel expenses to Washington, DC, as approved by the Superintendent. Funds for this agreement will be available in the 2012-2013 and 2013-2014 Public Relations & Governmental Affairs Department budget.

Mrs. Good offered the same motion as the previous lobbyists' contracts.

Motion to Amend (Carried)

Motion was made by Mrs. Good, seconded by Mrs. Korn and carried, to amend to modify the contract for a one-year contract. Ms. Dinnen was absent. (8-0 vote)

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



II-6. School Resource Officer (SRO) Program Agreements – (2011-2012)  
(Approved)

Motion was made by Mrs. Good, seconded by Mrs. Rupert and carried, to approve the SRO Agreements with designated municipalities for police officers to serve as School Resource Officers as listed in the Executive Summary. Ms. Dinnen was absent. (8-0 vote)

The Agreements provide for police officers to serve as School Resource Officers in seventeen (17) elementary, seven (7) middle and four (4) high schools that are operated by the School Board and located in the designated municipal police jurisdictions. The School Resource Officer Program is one of the most effective, proactive safety and security programs in our schools. This cooperative partnership was initiated by the Broward Sheriff's Office dating back to the 1985-86 school year. Now, in its twenty-seventh year, the SROs concentrate on preventative initiatives such as anti-drug and alcohol programs, conflict mediation and anti-violence, crime initiatives and Stranger Danger. In addition, these officers provide a positive presence and serve as role models for students of all ages, as well as liaisons between schools and law enforcement.

The remaining SRO Agreement for the City of Fort Lauderdale will be submitted to the Board upon receipt.

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

The financial impact of the SRO Program is \$1,248,804. The source of funds is the schools' budgets for the 2011-2012 school year.

Mrs. Good commended the City of Miramar for their efforts in providing SROs to all city schools, including providing two SROs to their two high schools.

II-7. First Amendment to Agreement with Broward County (Approved)

Motion was made by Mrs. Leach, seconded by Mrs. Rupert and carried, to approve the First Amendment to Agreement with Broward County in order to include additional requirements of the State for the Energy Efficiency and Conservation Block Grant. Ms. Dinnen was absent. (8-0 vote)

Broward County requested BECON's technical assistance and expertise in video production to create three videos on "green" construction and alternatives to current construction methods.

**Approved in Open Board Meeting, July 24, 2012**

The three target audiences are: the general public, the construction industry and construction regulatory professionals. The videos have been completed on schedule but amended language from the State has been required for payment.

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

This agreement will be executed after School Board approval.

BECON-TV will be paid a sum of \$15,000 for the work performed and completed pursuant to this agreement.

No discussion was held on this item.

**JJ. FACILITIES AND CONSTRUCTION MANAGEMENT**

**JJ-1. Agreement for Open End Services – General Civil and Environmental Engineering Services – Keith and Associates, Inc. (Not Approved)**

Motion was made by Mrs. Leach, seconded by Mrs. Bartleman, to approve the Agreement for Open End Services with Keith and Associates, Inc., for General Civil and Environmental Engineering Services. Ms. Dinnen was absent. (8-0 vote)

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.

## 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.

Thanking staff for presenting the item with a memorandum to vote down the item, Mrs. Rich Levinson stated she looked forward to seeing these items in the future include new spending limits that are based on the decreased Capital budget. She stated that data is needed on how these contracts have been accessed and they need to be brought back to a proportional amount with the decrease in the Capital budget.

Mr. Lindner responded that the data will be provided when they are sent back in August 2012.

Ms. Murray informed that a "yes" vote will indicate voting down the item.

JJ-2. Agreement for Open End Services – General Civil & Environmental Engineering Services – IBI Group (Florida) Inc. (Not Approved)

Motion was made by Mrs. Leach, seconded by Mrs. Rupert, to approve the Agreement for Open End Services with IBI Group (Florida) Inc., for General Civil & Environmental Engineering Services. Ms. Dinnen was absent. (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.

Mrs. Rich Levinson stated that her comments under Agenda Item JJ-1 will apply to this agenda item.

Ms. Murray stated that a "yes" vote is to vote down this item.

- JJ-3. 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  
(Not Approved)

Motion was made by Mrs. Leach, seconded by Mrs. Rupert, 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.

Ms. Dinnen was absent. Ms. Murray voted "no." (7-1 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.

## **Approved in Open Board Meeting, July 24, 2012**

Remarking that she does not always agree on a hard bid due to unforeseen conditions, Ms. Murray stated that the project is seven years in the making for a school that is over 35 years old and there have been multiple repairs on the roof. Ms. Murray voiced a concern over the rainy season and its effect on the condition of the school and the promise made to the community. She said she would not support voting down the project.

Mrs. Korn said that she understood the concerns regarding the timing and the continuous delays. She stated that the plans under the GMP is not the 2010 building code and the company reserves the right to change the price based on the result of meeting the current code.

Mrs. Korn further stated that there is a GMP against plans that the district will not be using and it is unknown whether the difference in pricing will be minimal, based on the new code. She said that the Board's fiduciary responsibility is to make sure that when dollars are being spent everything necessary has been done to ensure that those dollars were accurately spent.

Mr. Lindner responded that a letter from the contractor indicates that they have reviewed the difference between the 2007 and 2010 codes and they have placed a \$31,887 contingency. They believe the Florida Building codes will not have an impact on the construction phase, however, there will be a difference in testing and engineering costs, and they have built the \$31,887 contingency into their GMP.

Mrs. Korn stated she would be agreeable to the item if the company says they do not need to reserve the right to make an adjustment beyond the \$31,887. Mrs. Korn further stated she did not know what the condition differences were for there to be a spread of almost \$5 a square foot between this project and the Fort Lauderdale project. She said that without the GMP at the 2010 building code she would not support the item.

Mrs. Good inquired how binding is the letter from National Roofing regarding the GMP Summary.

Mr. Carland responded that the basic terms of the parties' agreement is the contingency in a limited amount and shall cover any additional funds. Mr. Carland noted that the letter states it appears that the new Florida Building codes will not have an impact, but they have limited themselves to what costs would result, the contingency of \$31,887.

Remarking that it has been known that Hallandale has had issues with the roof, Mrs. Good stated that she cannot move forward unless there is assurance that this can be imbedded in a binding document.

## **Approved in Open Board Meeting, July 24, 2012**

Concurring, Mrs. Rich Levinson stated that the Board is looking for a solid GMP and the community needs to know that the Board is serious about fixing the roof but in a most cost effective manner.

Responding to Mrs. Leach's inquiry, Mr. Lindner stated that the original budget was \$2.4 million, during the height of the construction boom, and comparing the current price against that price is not a valid comparison. Mr. Lindner informed that the TPM fee is determined in negotiation, normally at a percentage of the cost of the work, as well as the cost for design and permitting. Part of the negotiation was to get the price down because the cost of work is cheaper now, and the TPM is the same fee as what was approved in 2009.

Mr. Lindner stated that the only thing that can be done is to cancel the contract and pay for the work that has been performed. The 2007 - designs would be used, the specification package, to hire a new architect and put the work out for bid. Mr. Lindner further stated that the designer will not accept the liability of the district using those plans without full payment. He said the options would be to have a set of plans used as a design specifications package, to put it out for Design/Build or to hire an architect and get an approved set of plans and put those out for a hard bid. Mr. Lindner said that there is no time constraints on the funding of Build America Bonds (BABS).

Mr. Carland confirmed with his staff that the quote before the Board, including the letter and the summary reflecting the same cap on any contingency for the 2010 building code, would be the binding terms and it is sufficient guaranteeing that there would be no additional costs. If there was no additional costs related to the building code, that would be a savings to the district.

Mr. Williams assured that the work is going to be done but the process has to continue.

Mrs. Bartleman inquired about the status of the roof and why the project has taken so long, having been awarded in April 2009.

Mr. Lindner responded that the roof is watertight and maintenance is done when notified. Mr. Lindner informed that the department lost half of its staff and the project migrated to different project managers; the roof was "holding" by the work of maintenance staff. When some of the larger projects were closed out, this was one of the projects that moved forward. Mr. Lindner stated that staff spent several months attempting to negotiate the price down until it came to a level where it matched close to the construction management price. Also, negotiation ensued regarding the roof warranty, from 10 years to 20 years, which was not part of the original project. Negotiations continued on the price and it was finally submitted in writing in May 2012.

## **Approved in Open Board Meeting, July 24, 2012**

Mr. Lindner informed that the construction costs were significantly higher and the access to contractors was more difficult. The amount was close to the market price. He stated if a hard bid is sought it will take as long as the architect designs a roof, gets it permitted and run through the bid process. Mr. Lindner was of the opinion that it would take a minimum of four or five months, and the estimator believes that the changes will be minimal and it will not have an effect on the GMP so that getting a permit would not be critical.

Mrs. Rupert requested information on an individual project for roofing.

Mr. Lindner responded that he will forward an e-mail to the Board from the Project Manager who conducted an analysis as a basis for comparison for roofing only, the price the roofing contractor was paying.

Mrs. Rupert voiced her preference for a hard bid on this project.

Motion (Failed)

Motion was made by Mrs. Leach , seconded by Mrs. Rupert, to call the question. A roll-call vote was taken: Ms. Dinnen was absent. Mrs. Leach and Mrs. Rupert voted "yes." Mrs. Bartleman, Mrs. Good, Mrs. Korn, Mrs. Rich Levinson, Ms. Murray and Mr. Williams voted "no." (2-6 vote)

Mrs. Good requested staff to provide two agenda items for the July 24, 2012, Regular School Board Meeting with alternative recommendations, including historical information on the project.

Ms. Murray inquired what fees will have to be paid if the Board votes down the item.

Mr. Lindner informed that the design fee and any current fees will need to be paid, approximately \$50,000.

Mrs. Rich Levinson requested that the comparison provided to the Board include the maintenance costs and how much longer it will take to maintain the roof. She stated this will ensure that the Board has sufficient information to make a decision on how to proceed in the roof replacement.

Mrs. Korn inquired whether automatically the fees have to be paid if the item is voted down.

**Approved in Open Board Meeting, July 24, 2012**

Mr. Lindner responded that fees will not be paid until the ultimate resolution is made. If the Board votes to not proceed with the TPM delivery, this agreement would have to be canceled, pay the contractor what is owed for work performed, obtain the design documents that were permitted in 2007 and use those as the design criteria package to present to another architect to design a new roof, get the roof permitted and then present this for a hard bid.

Mrs. Korn inquired whether the Board will have another opportunity to discuss with the contractor whether or not they would agree to increase based on the 2010 code compliant plans.

Mr. Lindner responded that the final negotiations and contract would be presented to the Board. He was of the opinion that the 2010 issue is not an issue.

Mrs. Rich Levinson requested that two items be presented to the Board, voting down one item and approving one item, in order to determine a most cost-effective method.

Mr. Carland advised that two items would offer an alternative method to achieve the construction of the roof.

Mrs. Bartleman suggested that the clause be eliminated, that they have the ability to increase the price.

The following individual addressed this item:

Ronald Bell

Ms. Murray stated that a yes vote would indicate voting down the item.

Following the vote on the item, Mr. Williams reiterated that this issue is part of the CCC report and it is a priority to complete the work.

- JJ-4. 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) (Not Approved)

Motion was made by Mrs. Leach, seconded by Mrs. Rupert, 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. Ms. Dinnen was absent. (8-0 vote)

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



## Approved in Open Board Meeting, July 24, 2012

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.

Responding to Mrs. Leach's request, Mr. Carland informed that he and staff reviewed the item with the understanding that the delays in the project resulted from choices of the district and/or things beyond the contractor's control; that there would be a situation whereby there would be an opportunity to get a "break" on the contract.

Mrs. Leach stated that throughout the process for the contract the district added to the scope of the work, the primary reason why the contract's time was extended.

Mr. Carland stated that there was a combination of issues; additional scope and other issues that occurred on the project.

Mr. Lindner informed that it was caused by a time delay between when the work was scoped and the time the work was actually awarded. From the time the work was actually awarded, there was a difference in additional equipment that failed, which prevented obtaining final tests and balances. Mr. Lindner stated that the repair of equipment, in order to get the satisfactory tests and balances, were awarded to the contractor while he was on site so he could complete the work.

Mr. Lindner requested that the Board vote this item down and approve Agenda Item JJ-5, which has more back-up information.

Ms. Murray stated that a yes vote would indicate voting down the item.

JJ-5. 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) (Approved)

Motion was made by Mrs. Leach, seconded by Mrs. Rupert and carried, 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. Ms. Dinnen was absent. (8-0 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.

Mr. Lindner informed that this item replaces Agenda Item JJ-5.

**Approved in Open Board Meeting, July 24, 2012**

- JJ-6. Approve Contract Extension – AMPCO Electric, Inc. – Stacy Bomar Construction, LLC – TCS Contracting Corp. – Construction Services Emergency Projects IV Re-bid – Bid No. 2009-02-FC (Approved)

Motion was made by Mrs. Leach, seconded by Mrs. Rupert and carried, to approve the contract extension for an additional one-year period for Construction Services Emergency Projects IV Re-bid, No. 2009-02-FC with AMPCO Electric, Inc., Stacy Bomar Construction, LLC, and TCS Contracting Corp. Ms. Dinnen was absent. (8-0 vote)

The School Board of Broward County, Florida, approved the award of contracts for Construction Services Emergency Projects IV Re-bid on September 10, 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, upon final School Board approval, be extended for one (1) additional one-year period in the original amounts, of 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.

At the March 20, 2012, School Board Meeting, the Board approved extension of contracts for 5 contractors. At that time, AMPCO Electric, Inc., Stacy Bomar Construction, LLC, and TCS Contracting Corp., were not pre-qualified. Currently, AMPCO Electric, Inc., Stacy Bomar Construction, LLC, and TCS Contracting Corp., are pre-qualified as general contractors and have no pending litigations with The School Board of Broward County, Florida. This item will extend the Construction Services Emergency Projects IV Re-bid contract with AMPCO Electric, Inc., Stacy Bomar Construction, LLC, and TCS Contracting Corp., 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.

No discussion was held on this item.

**Approved in Open Board Meeting, July 24, 2012**

- JJ-7. Final Acceptance and Release of Retainage – Balfour Beatty Construction – New Prototype Elementary School f.k.a. Elementary "A" – Discovery Elementary School, Sunrise – Project No. P.001005 (f.k.a.3962-25-05) (Approved)

Motion was made by Mrs. Leach, seconded by Mrs. Rupert and carried, to approve the Final Acceptance of the Discovery Elementary School, New Prototype Elementary School f.k.a. Elementary "A", Project No. P.001005, and release the balance of retainage in the amount of \$48,445. Ms. Dinnen was absent. (8-0 vote)

The contractor, Balfour Beatty Construction, has completed the project scope of work within the contract limits. Please refer to Executive Summary.

The funds being released totaling \$48,445 are included in the Adopted District Educational Facilities Plan, Fiscal Years, 2006-2007 to 2010-2011, page 28.

No discussion was held on this item.

- JJ-8. Change Order #7 – Bazanj Construction Corporation – Attucks Middle – General Renovation Projects, ADA Restrooms and Signage, Bleachers – Project No. P.000061 (Approved)

Motion was made by Mrs. Good, seconded by Mrs. Rupert and carried, to approve Change Order #7 for Bazanj Construction Corporation, Attucks Middle, General Renovation Projects, ADA Restrooms and Signage, Bleachers, Project No. P.000061. Ms. Dinnen was absent. Mrs. Leach was absent for the vote. (7-0 vote)

<u><b>Attucks Middle</b></u>		Change Order 07	\$9,504
Consultant Omission	\$9,504		

Please refer to the Executive Summary (Exhibit 1).

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

No discussion was held on this item.

- JJ-9. Change Order #5 – TGSV Enterprises, Inc. – Southwest Area Bus Complex – New Complex – Project No. P.000673 (Approved)

Motion was made by Mrs. Rupert, seconded by Mrs. Korn and carried, to approve Change Order #5, TGSV Enterprises, Inc., Southwest Area Bus Complex, New Complex, Project No. P.000673. Ms. Dinnen was absent. Mrs. Rupert and Mrs. Good voted "no." (6-2 vote)

## Approved in Open Board Meeting, July 24, 2012

### Southwest Area Bus Complex

Consultant Omission

\$10,823

Change Order 05

\$10,823

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

Mr. Lindner informed that a signed Certificate of Occupancy has been obtained.

Mrs. Good inquired how many more change orders are outstanding.

Mr. Lindner responded that there will be more change orders for this project when it is closed out. Mr. Lindner stated that the entire project was essentially done on a change order, and most of the changes will go back to the architect. Remarking that there is financial stress with this contractor, Mr. Lindner stated that an attempt will be made to gather all the change orders when the project is closed out.

Mrs. Rupert inquired whether the original bid was \$2.675 million.

Responding affirmatively, Mr. Lindner stated that the change order amount to date is \$427,001, which is 25% of the original amount. He concurred that this is a high amount of change orders.

The following individual addressed this item:

Theresa Moore

JJ-10. Agreement with Broward County – Building Code Services –  
Emergency/Non Guaranteed Supplemental Support (Approved)

Motion was made by Mrs. Leach, seconded by Mrs. Rupert and carried, to approve the agreement with Broward County Board of Commissioners for Building Code Services, Emergency/Non Guaranteed Supplemental Support and authorize spending authority of \$2,000,000. Ms. Dinnen was absent. Mrs. Korn was absent for the vote. (7-0 vote)

This is a new agreement with Broward County Board of Commissioners for Building Code Services, Emergency/Non Guaranteed Supplemental Support.

The scope of the agreement consists of building code services including building official services, plan review, permit inspection, code compliance and other services on an as-needed basis until June 19, 2017. Costs will be as per Article 3 of the agreement.

## **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.

The agreement will be executed by the Broward County Board of Commissioners after Board approval.

There is no financial impact at this time. Use of this agreement 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 these services. 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 partnering with other similar school districts was considered to perform emergency services.

Mr. Jeffrey Moquin, Task Assigned Chief of Staff, informed that the district is part of a state mutual aid agreement in the event of a catastrophe and it provides opportunities for the district to receive services from other school districts. Depending on the scope and magnitude of the catastrophe, it may be an avenue that could be explored in order to get adequate resources during a recovery standpoint. Mr. Moquin stated that the ability is desired for local services because under that agreement, the reimbursement structure that is established would have to cover the salaries, benefits and travel expenses, including lodging and meals. When reviewing a cost comparison, Mr. Moquin stated, in the event that the district is able to supplement existing staff with this particular item, it would probably be more cost effective than accessing resources through the state mutual aid agreement.

Mr. Robert Hamberger, Chief Building Official, informed that contact was made with Miami-Dade County and Palm Beach County school districts to discuss their available resources, which are minimal, and to their dismay they did not have any agreement in place. Mr. Hamberger was of the opinion that they are virtually unprepared for any kind of disaster event. They would not have the manpower in-house to be able to keep up with the reconstruction effort that a natural disaster, such as Category 3 or 4 hurricane, might impact on a district.

Mrs. Good inquired whether the costs are reimbursable by FEMA if the district were to use them for their noted purpose.

**Approved in Open Board Meeting, July 24, 2012**

Responding affirmatively, Mr. Lindner stated that the costs come as part of an overhead charge, not direct reimbursement. For instance, employees who drive trucks get their wages and salaries reimbursed but anybody above a certain pay grade comes as part of an administrative fee and are covered on an add-on fee based upon the total cost of the claim.

Mr. Moquin informed when the services are outsourced versus in-house the district is more inclined to get reimbursements. When they look at existing staff they want to know that it is over and above what the district's typical workday would be.

Mrs. Good remarked that the inspectors that would be utilized in Broward County might not have the State Requirement for Educational Facilities (SREF) background, but those are more design oriented and typically these inspectors would just need to know the Florida Building Code.

Concurring, Mr. Hamberger stated that anyone that ever worked for the district from Broward County Building Code Services did have the mandatory 21 hours in order to work in the district. This would also apply if the district needed to exercise this contract.

Mr. Moquin added that this is one of the changes that was made since the last time this item was before the Board, to have that certification in order to provide services.

Mrs. Good, who noted that the Scope of Services does not speak to emergency services, asked for assurance that the agreement will not be utilized only for the purpose of an emergency situation.

Mr. Hamberger responded, that is the sole purpose of the contract.

Referring to 3.2, Mrs. Good stated that the county will not reimburse the district for any payments, and the overpayments shall be limited to erroneous payments; if there were errors the district would have the ability to deal with the county on this issue.

Mr. Carland advised that the wording is beneficial to the district, it does not restrict the errors to one party or the other. If there are errors that cause an overpayment, regardless of whose fault, it would be recoverable and it protects the district.

Mrs. Bartleman voiced concern that if a hurricane occurs their inspectors will also be overburdened. She suggested that if there is a big storm this summer the contract will not help the district.

## **Approved in Open Board Meeting, July 24, 2012**

Concurring, Mr. Hamberger stated that he has discussed this issue with Broward County Chief Building Official; depending on the extent of the catastrophe they may be overwhelmed because they provide the same services to 14 other jurisdictions within Broward County.

Mr. Hamberger suggested that in moving forward the district may want to consider putting other emergency contracts in place so that the school district is not putting all their resources in one place. He stated if there is a devastating storm, Mr. Lindner has over 1,000 people who are available trying to assist schools.

Mr. Hamberger stated that the agreement is a starting point and it establishes the type of contract desired and what is acceptable to the Board. He noted that some of the other firms would be private services, which will be more expensive, and emergency contracts would only be needed at that given time. Mr. Hamberger further stated that prices go up on everything following a hurricane, and if prices can be locked in at this time it would be an advantage to the district.

Concurring, Mr. Lindner stated this is why staff selected emergency contracts with pre-determined prices. Mr. Lindner informed that the district is unique because it has a work force that can begin work immediately after the storm. One of the issues in the past was not having enough inspectors to keep up with how fast staff was working. Mr. Lindner further stated that municipalities and organizations supported by Broward County do not have the search capability that the district has. He stated that 650 people can be placed on the job an hour after the storm.

### **KK. OFFICE OF CHIEF FINANCIAL OFFICER**

**Adjournment** This meeting was adjourned at 7:06 p.m.

RT