

Approved in Open Board Meeting, March 5, 2013

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

February 5, 2013  
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, February 5, 2013, in the Board Room of the Kathleen C. Wright Administrative Center, 600 Southeast Third Avenue, Fort Lauderdale, Florida. Present were: Chair Laurie Rich Levinson; Vice Chair Patricia Good; Members Robin Bartleman, Abby M. Freedman, Donna P. Korn, Katherine M. Leach, Ann Murray, Dr. Rosalind Osgood, (Nora Rupert was absent); Superintendent Robert W. Runcie; and J. Paul Carland, II., Esq.

**Call to Order** Mrs. Rich Levinson, Board Chair, called the meeting to order. Students from Maplewood Elementary School (appearing through video conference) led the Pledge of Allegiance to the Flag of the United States of America, and sang the Star Spangled Banner and the Maplewood school song.

**Minutes for Approval** Motion was made by Ms. Murray, seconded by Mrs. Leach and carried, to approve the official minutes for the following Board Meetings: Mrs. Rupert was absent. (8-0 vote)

January 15, 2013 – Special – Expulsions

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

**SPECIAL PRESENTATIONS**

**Partners in Education: Recognition of ArtServe with Sunset School**

Nina Randall, Coordinator, Partners In Education, discussed the three-year partnership between ArtServe and Sunset School. Ms. Randall introduced Principal Don Cottrell and Julia Andrews, Art Serve.

Mr. Cottrell spoke to the School Board about what ArtServe has meant for the students at Sunset, artists sharing their talents which has resulted in children's ability to communicate, gaining appreciation of all arts, and giving them a therapeutic outlook that did not exist for them prior to this partnership.

Ms. Andrews, who said that ArtServe is very proud to be a part of this program, introduced the artists who participated in this program: Pablo Blanco, Choreographer and Dancer (Hip Hop); Steven Sylvester, Clay Artist; Andrea (staff), Marketing; Robin Drazin, (staff) Comptroller; Jorge Benitez, Electronic Art; Byron Swort.

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Ms. Randall informed that the video is unable to be viewed at this time and it will be presented for viewing at a subsequent meeting.

Ms. Andrews stated that the video can be seen on YouTube and on ArtServe's and Sunset School's websites.

On behalf of the School Board, Mrs. Rich Levinson thanked Ms. Randall for featuring a district partner each month. She expressed gratitude to the artists for appearing at today's meeting and for all the work they do with the students, which is making a profound impact on their lives.

Concurring, Mrs. Leach thanked Mr. Cottrell and Ms. Andrews for their leadership in this partnership and helping children to achieve.

### The Dori Slosberg Foundation's Seat Belt Competition (In the Click)

Matthew Schroder, M.Ed., Curriculum Supervisor, Physical Education and Driver's Education, College & Career Readiness, informed that the district's drivers education program and the Dori Schlosberg Foundation recently held a contest at four area high schools to promote seat belts and to increase the usage of seat belts by students, parents, teachers, and employees.

Mr. Schroder recognized Tara Kirschner, Executive Director, Slosberg Foundation, and Irv Slosberg (not present) for all their support of drivers education programs and keeping roads safe.

Ms. Kirschner thanked the School Board, Superintendent, and Mr. Schroeder for the phenomenal drivers education program. She stated the foundation is pleased to be involved in awareness and educational programs to enhance drivers education and to keep students safe on the road. Ms. Kirschner discussed the In the Click contest and introduced the winning schools and representatives:

1<sup>st</sup> Place - Fort Lauderdale High School (James Yach); 2<sup>nd</sup> Place - Taravella High School (Barbara Ledbetter and Jen Gaver); 3<sup>rd</sup> Place - Flanagan High School (Brad Fatout); and 4<sup>th</sup> Place - Coral Glades High School (Nita Chabra).

On behalf of the School Board, Mrs. Rich Levinson thanked the students for attending and thanked the Dori Slosberg Foundation for all they do in helping and reaching out to students to become safer.

### National School Counselor Week: Desiree Tanke, President, Broward Schools Counselor Association

(Mr. Runcie was not present during this presentation)

Mrs. Rich Levinson introduced Ms. Tanke, Professional School Counselor, Hawkes Bluff Elementary School.

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Ms. Tanke introduced Gigi McIntire, Professional School Counselor, Mirror Lake Elementary School. Ms. Tanke thanked the School Board for supporting counselors, and reminded everyone that counselors are for kids. Ms. Tanke presented to the Board Members and Superintendent Runcie a framed plaque, "Professional School Counselors Working Towards College and Career Readiness, Broward Schools Counselor Association."

Ms. McIntire informed that artist George Miller painted the plaque, someone who quit the U.S. Postal Service and became an artist. Remarking that Mr. Miller had a hidden talent, Ms. McIntire stated that one of the goals of school counselors is to look for talents and gifts in all walks of life.

Ms. Tanke and Ms. McIntire thanked the Board for their support and wished their colleagues a happy School Counselor Week.

Mrs. Rich Levinson, on behalf of the School Board, thanked the Broward Schools Counselor Association for all they do and for attending this meeting.

Concurring, Mrs. Bartleman informed that there is a bill in the Legislature to lower the pupil to counselor ratio at the schools. Mrs. Bartleman stated that the Board values counselors for everything they do for students, an integral part of the schools.

### Recognition of Renee Herman/Staff for Harvest Food Drive (Via Video Conference)

(Mr. Runcie was not present during this presentation)

Mrs. Bartleman introduced the following individuals attending this meeting in recognition and presentation of Certificates of Outstanding Achievement:

Renee Herman, Jodi Samson, Amy Freund, Patti Bradley, Kim O'Neill; Laurel Thompson, Ed.D., Director, Student Services; Sandra Bernard-Bastien, Children's Services Council; Susie Gordon; and Israel Canales, Manager, Site Management Operations.

Appearing via video conference: David Jones, Principal Western High School.

A video presentation was shown highlighting the Harvest Food Drive.

Mrs. Bartleman stated that the video demonstrates how many families are truly helped.

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Mrs. Rich Levinson, congratulating the Harvest Drive on their 20<sup>th</sup> Anniversary, stated that she became involved and met Ms. Herman in 1998 when her oldest child was in kindergarten at Country Isles Elementary School. Mrs. Rich Levinson said that the Harvest Drive has grown to provide turkey dinners and other products to more than 2,000 families in Broward County. Mrs. Rich Levinson thanked everyone for taking part in this initiative, including the social workers and participation by the student clubs. She added that a 10<sup>th</sup> Harvest Food Drive site has been added at Cypress Bay High School.

Mrs. Rich Levinson recognized and thanked Western High School and the families that it serves, the hub of the Harvest Food Drive, and thanked the students and Principal Jones and staff for all they do.

Ms. Herman, creator of the Harvest Food Drive, thanked the School Board for their honor and support over the 20 years, and the opportunity to teach the life skill of giving back, helping students and their families, and working with the kids.

Mrs. Bartleman informed that a pantry is open year-round at Western High School and social workers can access this pantry for families in need. All schools were thanked for participating in this across-the-county drive.

Mrs. Bartleman and Mrs. Rich Levinson presented a resolution in support of the Harvest Food Drive organization and recognized schools, organizers, and workers, social workers and all individuals involved in this mission to stamp out hunger in Broward County, Florida.

The following individuals addressed and thanked the Board for their support:  
Jodi Samson and Renee Herman.

Mrs. Bartleman recognized additional individuals associated with this event:  
Teresa Reynolds, Barbara Ledbetter, Betsy Roberts, Grace Carreto-nagales, Danielle Nascimento, Vera Koutsoyannis, Jennifer Lostumbo, Antoinette Daughty, Paul Zenon, Philomene Carrenard, Mercedes Egues, Debra Hixson, Charles King, Judy T. Conner, Jim Payne, Sean Holloway, Collie Blake, Jill Harris, Liliana Pardo-Posse, Vicki Barsch.

Mrs. Bartleman recognized Children's Services Council and the Jim Moran Foundation.

Dr. Thompson thanked the School Board and Superintendent for the nice honor and for everyone working tirelessly on the Harvest Drive. Dr. Thompson reminded, if students are not well fed they are not ready to learn. This is important in supporting academic achievement.

Mrs. Good thanked Principal Krista Herrera and Glades Middle School students and staff.

Mrs. Freedman thanked Principal Jack Vesey, Westglades Middle School for the wonderful job, stating that she enjoyed participating.

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Ms. Murray acknowledged and thanked South Broward and Hallandale high schools and elementary schools who strongly supported the Harvest Food Drive.

Board Members congratulated everyone who attended today's presentation.

### **REPORTS**

The following reports were presented:

Employee Unions – Bernie Schultz

Gifted Advisory Council – Heidi Jameson

Broward County Association of Student Councils and Student Advisor to the Board  
- Mariah Brown and Blaire Hirt (including video presentation re: South Florida Leadership Training Camp)

Broward County Council PTAs/PTSAs – Linda Nestor

District Advisory Council – Jodi Klein

### **BOARD MEMBERS**

(Board Reports were not submitted)

#### **Speakers**

Michael Sirbola

Ida Bell

Nancy Linley-Harris

Janette Ramos

Rhonda Ward

Patricia Taime

Karen Cormack

In response to Ms. Bell's concerns about Transportation, Superintendent Runcie asked her to meet with Eric Chisem, Task Assigned, Transportation & Fleet Services, who will coordinate with staff from Human Resources to address this issue, and ensure that the proper procedure is being followed relative to this individual. Mr. Runcie stated that he will meet with the handful of bus drivers to discuss this issue, if desired.

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

CONSENT ITEMS

A. RESOLUTIONS

- A-1. Resolution #13-54, to Declare the 110 Portables Contained in Year Two (2) of the Eight-Year Portable Reduction Plan as Surplus (Adopted)

Motion was made by Ms. Murray, seconded by Mrs. Leach and carried, to adopt Resolution #13-54, to declare the 110 portables contained in Year Two (2) of the Eight-Year Portable Reduction Plan (PRP) as surplus. Mrs. Rupert was absent. (8-0 vote)

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

The PRP is a phased Plan to remove portables that are at least twenty (20) years and older, and carry student stations from the District's portable inventory. The PRP is contained in each annual Five-Year District Educational Facilities Plan (DEFP) and designed to dispose of a total of 1,180 portables over an eight-year period (2010/11-2018/19). A detailed list of the portables (including location) scheduled for disposition in that pertinent year is also contained in each annual DEFP. Thus, a detailed list of the portables slated for disposition in the second year of the PRP is contained in the 2012/13-2016/17 Adopted District Educational Facilities Plan, and in the Board's adoption of the DEFP on September 5, 2012, it approved the elimination of student stations from the listed portables, and subsequently, their disposition.

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

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

Board Members Mrs. Korn, Mrs. Good and Mrs. Rich Levinson referred to the financial impact statement and requested staff to identify the dollar amount associated with the Board items in the future in order to provide clarity.

Mrs. Good inquired whether the Board has approved an item as to the costs associated with the demolition or whether it was approved indirectly with another item.

Chris Akagbosu, Director, Portfolio Management & Services, responded that it was approved in the current District Educational Facilities Plan (DEFP), capital budget, for portables disposition.

Mrs. Good stated she would like to include in the upcoming interlocal agreement/ disposition of portables workshop the discussion as it relates to the funds associated with the demolition of portables.

Mrs. Good and Mrs. Rich Levinson requested that staff provide an update to the Board via a memorandum on the actual dollar amount spent in year (1) and what is being proposed in year (2).

Mrs. Rich Levinson stated that the workshop conversation would include a discussion about year 3 and beyond in the Portable Reduction Plan.

Mrs. Bartleman voiced concern over the demolition of portables and has issues with the 8-year plan. She stated her support of this item does not indicate that she will approve these items in the future. Mrs. Bartleman stated these portables are not being used but there are schools where the gross capacity is being utilized and the demolition of those portables will necessitate boundary changes.

Mrs. Bartleman further stated there is not a breakdown per portable as to the cost, under Appendix B. She said this level of detail needs to be included in the capital plan. Mrs. Bartleman stated when the capital plan is typed in the Broward Schools search engine it does not show a result. She suggested staff to update the website to make the search engine more user friendly.

Remarking that the removal of priorities is not a priority for this Board and this has been placed by state requirements, Mrs. Korn stated these dollars could be placed somewhere else. When the Board approves the DEFP it is not approving the expenditure of those dollars, it is an indication that those dollars will be there.

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Mrs. Korn further stated when the plan is approved staff has to still come before the Board for approval of the expenditure.

Responding to Mrs. Korn's inquiry, Mr. Carland stated that what is indicated in Florida Statutes on facilities, 1013, in order for staff to take any action regarding the property the Board would have to declare it surplused. Declaring them to be surplused does authorize administration to go forward to take action to dispose of the property.

Regarding the spending issue, Mr. Carland stated that the Board does not necessarily vote on the financial impact, it is part of backup material. The staff's understanding is that the DEFP included approval of a budget for taking a particular action. Mr. Carland was not sure whether additional approval is required by the Board to approve the spending, but it is correct that if the Board does not want administration to go forward and take action it is not likely for the Board to approve the item.

Mrs. Leach inquired what is needed to remove the portables to take them off the "books."

Mr. Akagbosu responded that the Department of Education (DOE) has indicated that the portables have to be removed from the site and then they are taken out of capacity. Remarking that the DOE reversed their position this year, Mr. Akagbosu stated that the reversal was done prior to the action taken in September to approve the DEFP, which took away the capacity. At this time, the physical unit has to be gone before it is taken out of capacity.

Mrs. Rich Levinson stated that in September this change was made; there were previous discussions by the Board to possibly not spending all that money.

Mr. Akagbosu stated this has been confirmed by e-mail. He informed that communication is sent to the schools to follow the comprehensive plan to remove the portables; unplug (water and electricity), place pads and take away the units. Remarking that Physical Plant Operations (PPO) has a schedule to follow, Mr. Akagbosu stated he was uncertain whether the demolition would occur on site and there would need to be sod restoration. He informed that PPO is working on getting a set dollar amount, and at one point in time the cost was \$60,000 per portable but lately there has been an indication it will cost approximately \$30,000.

Mrs. Rich Levinson noted that this is a major amount of money and staff needs to zero in on this.



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Ms. Murray stated, even if the portables were not demolished the district does not have storage land to place them on. If the district does not begin now the efforts will triple in the future to become compliant with the state's requirements.

Mrs. Bartleman noted these portables are easy because they are not occupied and the Interlocal Agreement is dictating the portables and eliminating gross capacity. In addition, there is a question whether or not the district has to eliminate the portables based on the language in the state statute. Mrs. Bartleman said she looks forward to the workshop discussion and will support the item because it is not yet impacting students.

Mrs. Rich Levinson informed that the workshop is as a result of the Oversight Committee discussion; there are seven (7) new board members since that Interlocal Agreement was put into place, as well as debate on the statute interpretation. Mrs. Rich Levinson stated that the Board needs a discussion as to what direction to take because future years do affect many students.

The following individuals addressed this item:

Rhonda Ward

- A-2. Resolution #13-55 – Resolution Determining the Boundaries of the Seven Single-Member School Board Residence Areas (Adopted)

Motion was made by Mrs. Good, seconded by Mrs. Leach and carried, to adopt The School Board of Broward County, Florida, Resolution #13-55 – Seven Single-Member School Board Residence Areas with graphic map and corresponding map data. Mrs. Rupert was absent. (8-0 vote)

Florida Statute Ch. 1001.36, states that: School board members residence areas "shall as nearly as practicable, be equal in population, and that changes shall be made only in odd numbered years and provided further, that no change which would affect the residence qualifications of any incumbent member shall disqualify such incumbent member during the term for which he or she is elected."

Upon adoption of the Resolution, the District shall record the Resolution with the clerk of the circuit court, advertise it in a newspaper within thirty (30) days, and file a certified copy of it with the Department of State.

Copies of the *Resolution with Graphic Map and Corresponding Map Data* are 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. Good thanked the committee for an extremely informative process for those involved and members of the community who participated. She thanked the Chair, Michael Rajner, her appointees – Marilyn Soltanipour and Barbara Jones, and all the committee members for their ability to compromise and come to the table with a proposal that was acceptable to the Board.

Mrs. Good requested a policy to put into place the committee structure so that as the information will be available everyone will know the process, and there will not be the time constraints that occurred this time. Mrs. Good stated that anything that can be done procedurally or policy-wise to assist boards in the future, to ensure there is some mechanism in place, would be advantageous at that time. Gratitude was expressed to the municipalities that participated throughout the process. Mrs. Good noted that input and committee compromises were made for the betterment of the district.

Dr. Osgood, thanking the committee and staff for their time and hard work during this process, stated that the Board made strong decisions and took responsibility, ensuring that all children are equally represented. Remarking that she is losing an area in Pompano but gaining a new area, Dr. Osgood said she looked forward to the relationships with the new residents. She said she was proud of the team of “leading ladies” as it relates to the redistricting process.

Mrs. Rich Levinson expressed gratitude to Michael Rajner for chairing the Redistricting Committee and to the committee and staff for spending an incredible amount of hours in meetings. This resulted in a transparent process with the community and the committee came to consensus with individuals throughout the district. Mrs. Rich Levinson stated that the map was almost approved exactly the way it was presented to the Board, which is indicative of the process and everyone working together.

Mrs. Leach stated that although she was elected by Plantation, she will not be serving them under the new map but will continue to support all schools in Broward County to ensure that all children are afforded a good education.

Mrs. Rich Levinson noted that almost every Board Member’s district changed substantially, and the redistricting was about having compact, contiguous and equal representation districts, representing all children.

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Mrs. Bartleman thanked the committee, her appointee Alan Erlich, and to Michael Rajner for his efforts and hard work. Mrs. Bartleman stated she was proud of Mr. Rajner's accomplishments in leading the group and the great map that is before the Board.

Mrs. Good thanked Leslie Brown, Executive Director, Portfolio Management, and Jill Young, Director, Demographics & Student Assignment, and staff. She said her appointees indicated that staff's assistance in this process was very valuable, including the legal advice by Mr. Carland.

Responding to Mrs. Good's inquiry, Mr. Carland stated that the statute indicates that while there is advertising responsibilities and filing responsibilities with the Clerk and the state, there is no indication in the statute to indicate that there is any delay in application. The new districts would apply as of the Board's approval and his office will assist in making the correct filings as the statute requires.

Mrs. Good inquired, in moving forward whether staff works with the Supervisor of Elections office with regard to any changes in precincts.

Mrs. Brown responded affirmatively.

Remarking that many Board Members may have appointees that may be impacted by the redistricting, Mrs. Good inquired whether this issue will be workshopped.

Jeff Moquin, Chief of Staff (Task Assigned), responded affirmatively and stated that this issue will be brought forward. The first step in the Rule Adoption process is to bring it to a workshop.

Mrs. Good inquired about the process regarding appointees who are no longer a part of a Board Member's district, whether they can remain in place until a policy comes before the Board for review.

Mr. Carland further stated that the policy provides that appointees must be in the Board Member's district, which would effectively change with the passage of the new districts. If Rule Making is implemented immediately, the Board will be traveling with a proposed rule if it is brought forward by the Superintendent. Mr. Carland advised that the appointee should be in the Board Member's district but it would be up to the Board to make a short-term, interim change. If the Board's direction is to implement rule making immediately, the changes in the policy would be occurring at the same time that the districts are changing.

Mrs. Good stated she would like her appointees to remain in place until the Board has an opportunity to collectively discuss this issue.

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Mrs. Leach said she appointed new appointees in November 2012, without knowing what the map would look like. She would prefer they remain until the end of their term.

Mrs. Freedman requested that the Board follow the policies that are in place, and should be respectful of other people's appointments and try to keep them, where possible.

Mr. Carland advised that the policy states that the appointee shall reside within the member's district, appearing that it is a concurrent obligation to reside in that area. Mr. Carland stated that on a temporary basis, dependent on bringing a policy forward, if an appointee has been written out of an appointing Board Member's district, if the member in whose district they find themselves is willing to appoint them on a temporary basis pending the review of the rule, that would be appropriate. Appointees serve at the pleasure of School Board Members and they may make temporary changes.

Mrs. Rich Levinson noted that this issue is not part of the item. She inquired what needs to be done if the consensus of the Board is to carry their appointees until November.

Mr. Carland responded that it would be a policy change. In the meantime, the policy requires that the appointees live in the Board Member's district. If an appointee has since been written out because of the new boundary lines, they would not be residing within the district, which is not in accordance with the rule. Mr. Carland clarified if the appointee does not reside within the member's district they would not be an appointee, according to the rule.

Dr. Osgood inquired whether new appointees need to be appointed if the current appointees live outside the district.

Mr. Carland responded that is the technical requirement of the rule.

Mrs. Bartleman stated that staff needs to check with the committees regarding quorum at the meeting.

Mr. Moquin suggested that the Board allow him to work with Mr. Carland and individual Board Members who may have appointees impacted, to ascertain what is the best way to expeditiously resolve the issue. Whether there is an opportunity for the Board Member to now appoint a different person. Mr. Moquin indicated that this issue could be added to the agenda as a first discussion at the February 12, 2013 Board Workshop.

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Mrs. Leach noted that some of the committees have had their own internal elections and this will create them having to have internal elections if they become officers of the committee.

Mrs. Bartleman stated that the Board should be proactive about the policy and the workshop discussion needs to include how to deal with the committees.

Ms. Murray thanked staff for recognizing Collins Elementary and putting them back into District 1, which the community does appreciate. Remarking that even though she is losing the Nova zone she will still be involved with Nova.

The following individuals addressed this item:

Rhonda Ward  
Michael Rajner

- \*A-3. Resolution in Support of Women's History Month – March 2013  
(Adopted)

Adopted Resolution #13-56, in support of Women's History Month – March 2013.

- \*A-4. Resolution in Support of National World Languages Month – March 2013  
(Adopted)

Adopted Resolution #13-57, in support of National World Languages Month – March 2013.

- A-5. Resolution in Support of Music in Our Schools Month – March 2013  
(Adopted)

Motion was made by Dr. Osgood, seconded by Mrs. Good, and carried, to adopt Resolution #13-58, in support of Music in Our Schools Month – March 2013. Mrs. Rupert was absent. (8-0 vote)

Mrs. Good stated that the School Board is supportive of the music program with the schools and have had opportunities to attend many events. Remarking that she recently attended the All County Music event, Mrs. Good stated that many students excel in other subjects due to a music program.

Concurring, Mrs. Rich Levinson stated that there are great celebrations for Music in Our Schools Month and she looked forward to attending and listening to students' talents.

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Mrs. Bartleman, who noted that many schools need musical instruments which come from capital dollars, urged everyone to communicate to the Legislature that dollars are needed for students.

**B. BOARD MEMBERS**

- \*B-1. Request to Move March 19, 2013 School Board Meeting to March 18, 2013 (Approved)

It is recommended that The School Board of Broward County, Florida, move the March 19, 2013 Special School Board Meeting for Expulsions, and Regular School Board Meeting to March 18, 2013, at 10:00 a.m., and 10:15 a.m., respectively.

Due to the New School Board Member Orientation scheduled for March 19, 2013, and the Day in the Legislature, both in Tallahassee, it is recommended to move the March 19, 2013 Special School Board Meeting for Expulsions, scheduled for 10:00 a.m., and the Regular School Board Meeting, scheduled for 10:15 a.m., to March 18, 2013. The meetings and times remain the same.

There is no financial impact to the school district.

- \*B-2. 2013 Joint Education Legislative Action Plan (Adopted)

Adopted the Proposed 2013 Joint Education Legislative Action Plan for The Broward League of Cities and The School Board of Broward County, Florida.

The Broward League of Cities is a non-partisan, non-profit organization dedicated to raising awareness and resolving issues facing Broward County's 31 cities and municipalities at the local, county and state level. The organizations dedicated committees conduct research and suggest policies for current topics affecting residents, including education, housing economic concerns and municipal services. The League's Education Committee met with The School Board of Broward County, Florida, to draft a proposed 2013 Joint Legislative Action Plan that contains issues of priority concern to the District, as well as additional substantive issues of mutual concern. The Joint Legislative Action Plan will be posted on the District's website and distributed to the Broward Delegation members, other legislators and interested citizen groups.

There is no financial impact to the district.

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B-3. Community Commitment to Coordinated Child Abuse Investigations  
(Approved)

Motion was made by Mrs. Good, seconded by Dr. Osgood and carried, to approve the Community Partners Agreement. Mrs. Rupert was absent. (8-0 vote)

Community Partners have joined together in a collaborative effort to investigate crimes perpetrated against children and prosecute those individuals responsible for committing such crimes. The law enforcement community recognizes the constant challenges that confront them when investigating crimes against children. To meet these challenges and successfully investigate these crimes and protect the child victims involved, open and constant communication, cooperation and assistance among the community partners is a fundamental necessity.

There is no financial impact to the school district.

Mrs. Korn stated that she recently attended an event at the Nancy J. Cotterman Center, funded through many resources in Broward County and works with the community for those individuals who have been sexually assaulted and who are victims of child abuse. Mrs. Korn spoke of individuals who shared stories of how the center has impacted their lives and eventually turning their lives around.

Mrs. Korn stated that the Community Partners have asked the school district to become a partner and she asked her colleagues for their support of this agreement.

Dr. Osgood concurred that an organization like this will be vital as a partner with the center at Lauderhill Manors, as many of these children and families are dealing with this issue.

Mrs. Bartleman informed that the district has an interagency agreement for sharing information with a lot of these agencies, but is unsure whether the center itself has an interagency agreement for sharing school information. Mrs. Bartleman inquired whether this will be presented to the Board or whether this will be part of the process.

Responding that this is not that type of an agreement, Mrs. Korn stated this agreement is an indication of the district's partnership for a willingness to work with them. It is not identifying information sharing, which would require another type of agreement.

E. OFFICE OF STRATEGY & OPERATIONS

- \*E-1. New Charter School Agreement – IGEA Charter Schools of Florida, Inc., d/b/a iGeneration Empowerment Academy of Broward (Approved)

Approved a new Charter School Agreement for IGEA Charter Schools of Florida, Inc., d/b/a/ iGeneration Empowerment Academy of Broward.

On November 15, 2011, The School Board of Broward County, Florida, approved a charter application for IGEA Charter Schools of Florida, Inc., (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. On June 19, 2012, a charter agreement was approved for the operation, and opening of a new charter school for school year 2012-2013.

This charter agreement replaces the initial charter agreement between the parties that terminated on July 20, 2012, due to the charter school's failure to timely submit the required pre-opening documents. This new contract has been revised to acknowledge the charter school's subsequent provision of the required documents.

A copy of all supporting documents is available at the Charter Schools Support office on the 12<sup>th</sup> floor of the K. C. Wright building.

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 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.

- \*E-2. First Amendment to Charter School Agreement with Success Leadership Academy, Inc., on behalf of Success Leadership Academy – 5365 (Approved)

Approved the First Amendment to the Charter School Agreement with Success Leadership Academy, Inc., on behalf of Success Leadership Academy – 5365.

Success Leadership Academy, Inc., a Florida non-profit corporation, on behalf of Success Leadership Academy – 5365, desires to amend its charter school agreement to change the location of the charter school for the 2012-2013 school year and subsequent years.



**Approved in Open Board Meeting, March 5, 2013**

A copy of all supporting documents is available at the Charter Schools Support office on the 12<sup>th</sup> floor of the K. C. Wright building.

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 First Amendment to the 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.

- \*E-3. Second Amendment to Reciprocal Use Agreement between The School Board of Broward County, Florida and the City of Cooper City (Approved)

Approved the Second Amendment to Reciprocal Use Agreement between The School Board of Broward County, Florida, and the City of Cooper City.

At the May 20, 2011 Board Workshop, staff presented information regarding requests from several municipalities to revisit the Reciprocal Use Agreements (RUA) The School Board of Broward County, Florida, (SBBC) had with 17 municipalities. These requests were primarily in response to the District's implementation of its Four-Day Summer Work Week and the potential increase in facility costs it would have on the municipalities as a result of their utilization of District schools to facilitate their summer camps. Subsequently, an amendment was made to the City of Cooper City RUA on June 7, 2011, to address the unintended consequence of this issue.

However, staff is recommending this Second Amendment to the City's RUA to address additional issues the City and certain municipalities had with the RUA. Agreed upon solutions to address the additional issues have been reached by the School District and the municipalities, and are incorporated into this Second Amended Agreement. Therefore, staff is recommending approval of this Second Amendment to the City of Cooper City RUA to address the issues.

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

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

**Approved in Open Board Meeting, March 5, 2013**

- \*E-4. First Amendment to Reciprocal Use Agreement between The School Board of Broward County, Florida and the City of Miramar (Approved)

Approved the First Amendment to Reciprocal Use Agreement between The School Board of Broward County, Florida and the City of Miramar.

At the May 20, 2011 Board Workshop, staff presented information regarding requests from several municipalities to revisit the Reciprocal Use Agreements (RUA) The School Board of Broward County, Florida (SBBC) had with 17 municipalities. These requests were primarily in response to the District's implementation of its Four-Day Summer Work Week and the potential increase in facility costs it would have on the municipalities as a result of their utilization of District schools to facilitate their summer camps. Subsequently, an amendment was made to the City of Cooper City RUA on June 7, 2011, to address the unintended consequence of this issue with a goal of incorporating the same into the remainder municipal RUA's. However, in the course of pursuing such efforts, certain municipalities came up with additional issues they had with the RUA.

Agreed upon solutions to address the Four-Day Summer Work Week issue and the additional issues have been reached by the School District and the municipalities, and are incorporated into this First Amended Agreement. Therefore, staff is recommending approval of this First Amendment to the City of Miramar RUA to address the issues.

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

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

**F. OFFICE OF ACADEMICS**

- F-1. Amplify Access Pilot Agreement (Approved)

Motion was made by Ms. Murray, seconded by Mrs. Bartleman and carried, to approve the agreement between The School Board of Broward County, Florida (SBBC), and Amplify Education, Inc., (Amplify). Amplify is an education company dedicated to reimagining K-12 education by creating digital products and services that empower teachers, students, and parents in new ways. Amplify is working with educators and institutions to gain better insight into how certain educational products and services (our "Solutions") are used, with the goal of using information gathered to help improve products that support student learning. Mrs. Rupert was absent. (8-0 vote)

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## Approved in Open Board Meeting, March 5, 2013

Amplify is developing new distribution and delivery mechanisms that bring digital teaching and learning into the classroom and beyond the school day – giving teachers, students, and parents a new level of access to educational resources and opportunities.

Amplify is currently working with The School Board of Broward County, Florida, to conduct a series of pilots during the 2012-2013 school year (the "Pilot") to observe the effectiveness of potential solutions, with the goal of using information gathered from these observations to improve and market products that support student learning. The Pilot will terminate on or before the last day of instruction of the 2012-2013 school year, not to exceed 6/30/2013.

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

There is no financial impact to the district.

Mrs. Rich Levinson requested a synopsis about this exciting pilot program.

Marie Wright, Executive Director, Instruction & Interventions, informed that the district will have a great opportunity to take bold steps into the 21<sup>st</sup> Century. Part of the district's strategic plan and vision is to completely eradicate achievement gaps for students, and a cadre and hard-working professional teachers have engaged in years of professional learning around the concept of differentiating instruction.

Dr. Wright informed that Amplify is an up-and-coming solution to personalized learning. They are not currently on the market. The district would be providing feedback to them for their development of their product and the district would have an opportunity to test-run what this would look like in a school. There is no cost to the district for this mobile device platform that assists with teacher management of that personalized learning space, being able to procure and push out assignments and assessments to students based on their individual needs.

Mrs. Bartleman referred to page 2 of 9, 2.07 Third Party Content. Remarking that the students will be using tablet devices, Mrs. Bartleman voiced concern that they are not responsible for content filtering and the students may be able to go to inappropriate sites.

Dr. Wright responded that the district's IT department is very involved in this project and everything will be going through proxy servers at Broward County Schools.

**Approved in Open Board Meeting, March 5, 2013**

Mrs. Bartleman inquired whether the students will be able to take the devices home.

Dr. Wright stated that staff is still working on that plan. Noting that it is a very short pilot, Dr. Wright said it is anticipated that the devices will be in the classroom the first week of April 2013 and this will be worked out with the principal and teachers.

Mrs. Bartleman stated if the pilot is successful, because the district agreed to pilot the program up front, whether there is a benefit to the school district if the Board chooses to contract with this vendor.

Dr. Wright responded that she spoke with the company yesterday and they do have an early-adopter program, and there were 10 districts that were selected as pilots and they do have incentive programs. Staff is also negotiating that some of the devices be left in Broward County. Dr. Wright stated that initially all the devices were going to be left but due to upcoming legislation and the state trying to provide technology funds, might potentially prohibit that company from doing business with the district in the future.

Referring to page 3 of 9, 2.10 Time Commitment, (no specific time commitment), Mrs. Korn inquired why the company wants the district to pilot the program without any commitment.

Dr. Wright responded that they are not necessarily saying to teachers that the vendor must capture their time within a certain time frame during the pilot. There will be interviews with the teachers and students, and there is a teacher consent form and student consent form that is ready to go and translated in multiple languages, pending approval.

Remarking that the district should get a benefit if the pilot is to be successful, Mrs. Korn stated there must be some level of training, some level of utilizing this program into the curriculum.

- \*F-2. Continuation Agreement between The School Board of Broward County, Florida and Plantation General Hospital Limited Partnership d/b/a Plantation General Hospital (Approved)

Approved the Continuation Agreement between The School Board of Broward County, Florida and Plantation General Hospital Limited Partnership d/b/a Plantation General Hospital. The contract period is January 9, 2013 through December 31, 2014.

**Approved in Open Board Meeting, March 5, 2013**

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 Plantation General Hospital Limited Partnership d/b/a Plantation General Hospital provides clinical experiences necessary to meet Florida Department of Education's 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 outstanding 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.

**G. OFFICE OF HUMAN RESOURCES**

- \*G-1. Personnel Recommendations for Instructional Appointments and Leaves for 2012-2013 School Year (Approved)

Approved the personnel recommendations for the 2012-2013 appointments and leaves as listed in the Executive Summary and respective lists for Instructional staff. All recommendations are made with the understanding that these individuals will comply with regulations/policies as set forth by the Florida Department of Education and The School Board of Broward County, Florida. The teacher approvals on this G-1 item are teachers in subject areas for which there is no surplus and/or layoff teacher in that certification area that could be placed in these positions.

The Personnel Recommendations for Instructional Employees include the following items:

**Approved in Open Board Meeting, March 5, 2013**

1. Teacher Approvals
2. Instructional Leaves

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

\*G-2. Personnel Recommendations for Instructional Separation of Employment or Discipline for the 2012-2013 School Year (Approved)

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

The Personnel Recommendations for Instructional Employees include the following items:

1. Instructional Resignations/Retirements/Layoffs

There will be no financial impact to the school district.

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

Motion was made by Ms. Murray, seconded by Mrs. Korn and carried, to approve the personnel recommendations for appointments and reassignments as listed on the Executive Summary, respective lists and individual appointments for Non-Instructional Employees. All recommendations are made pending security clearance and with the understanding that these individuals will comply with regulations/policies as set forth by the Florida Department of Education and The School Board of Broward County, Florida. Mrs. Rupert was absent. (8-0 vote)

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

1. Non-Instructional Approval(s)
2. Non-Instructional Reassignment(s) – Promotion(s)
3. Non-Instructional Reassignment(s) – Demotion(s)
4. Non-Instructional Substitutes/Temporary Employees
5. Non-Instructional Leave(s) – Layoff(s)
6. District Managerial/Professional/Technical
7. Reassignment of Current School-Based/District Managerial/Professional Technical Personnel

**Approved in Open Board Meeting, March 5, 2013**

8. School-Based Managerial
9. School-Based/District Managerial Acting/Special/Task Assignment(s)
10. School-Based/District Managerial/Professional/Technical Leave(s) – Layoff(s)
11. Salary Adjustment

Funding has been budgeted in the 2012-2013 school/ fiscal year for all appointments through June 30, 2013.

Referring to the proposed Task Assigned position for Project Manager III, Mrs. Good thanked staff for sharing information with her in advance of the Board meeting. Mrs. Good said that her inquiry is to the process and not pertaining to the individual that is being considered. The position is being considered in regard to the district's desire to end a lease and relocate staff to other alternate locations throughout the district.

Mrs. Good voiced concern that the individual being considered is currently a Real Property Analyst, Pay Grade 24, who is being task assigned to a Project Manager III position. She inquired why the position of a Project Manager III is being considered.

Mr. Akagbosu responded that due to the complexity of the task, which includes the Sawgrass site and two other moves that are tied to Sawgrass and the critical nature of the three sites, requires a Project Manager III level to coordinate this work and ensure its success.

Responding to Mrs. Good's inquiry, Victoria Kaufman, Director, Non-Instructional Staffing, stated there are currently five (5) Project Manager III positions.

Mrs. Good inquired why those individuals could not fulfill the responsibilities of that project.

Shelley Meloni, Acting Chief Facilities & Construction Officer, responded that the current work of the existing PM IIIs at this point is quite significant and could not be dedicated to this particular effort.

Remarking that the Board has indicated this project is of the utmost importance and it is clearly needed, Mrs. Good said that she reviewed the job descriptions for Project Managers I, II and III, and the goals of all three positions are almost identical. Mrs. Good stated she understood the work load, but is concerned about the level of pay grades and there are other individuals at this same pay grade.

**Approved in Open Board Meeting, March 5, 2013**

Mrs. Meloni informed that the level of independence that a PM III works at is appropriate for this type of task, whereas with a PM I there is a lot more supervision involved. PM IIIs are more independent in the way they work, are at the highest level of Project Management, and is able to significantly manage more complex projects than PM Is and PM IIs. This is not the type of project that would be assigned to a PM I.

Mrs. Good noted that the individual's pay would increase for a period of time, through August 5, 2013, and a determination will be made by the Director as to whether to expand the position. Mrs. Good inquired whether this would require further Board action.

Responding affirmatively, Mrs. Kaufman stated that the item would be submitted to the Board if the task assignment was going to be continued. If not, the employee is returned to his previous position and salary.

Remarking that the employee will be performing two jobs, Mrs. Good inquired whether a sufficient amount of time necessary will be dedicated to the task assignment necessary to accomplish the goal.

Mr. Akagbosu responded that this issue was discussed with the individual, as there are two people in the busy Real Estate department. He stated that individuals will work as a team and he will assume some real estate tasks and projects, confident that the job can be done.

Mrs. Good voiced concern that everyone has to be task assigned in a higher pay grade in order to get the job done and was troubled by the pay, that something less significant is not being considered as far as Project Management positions. She understands she must support the item, but she would have preferred to have seen something differently done.

Mrs. Korn voiced concern about an individual having two full-time jobs, handling the logistics of the Sawgrass project, moving 500 employees, identifying and clearing other sites, and gathering staff who are located throughout the district. Mrs. Korn stated this individual is coordinating internal efforts and there may be significant repercussions if deadlines are missed. Mrs. Korn noted that this has not been done to this degree in the past, and she wants assurance that the right people, with not too much of a job load, will be able to accomplish the task.

Mrs. Leach inquired whether additional positions are forthcoming and whether this structure is adequate to assume this goal.



**Approved in Open Board Meeting, March 5, 2013**

Mr. Runcie responded that staff is in the process of securing some resources from the district's architectural design pool to help develop a detailed project plan, with specific tasks and milestones that will be able to be monitored, and provide periodic reports to the Board on the project's progress.

Mr. Runcie stated that staff has identified another resource to dedicate to this project, as it is very complex and the district cannot afford improper execution. The Superintendent stated there will be two full-time resources working on the project, as well as external expertise to map out what the scope of work should be, working backwards from a date where people are sitting in a seat back to where we are today.

Mrs. Meloni informed that the other resource in consideration is a task assignment of the current space planner individual to a Project Manager III to dedicate to this effort.

Concurring with the complexity of the project, Mrs. Good stated that the district must be frugal when considering the placement of individuals and the compensation associated with the task. Mrs. Good agreed that individuals should be compensated for additional responsibilities. When looking at the job descriptions, Mrs. Good was of the opinion that a Project Manager I can have more independence if management chooses to give them more independence.

Mrs. Good further stated she cannot follow the logic of everyone being a PM III just based on the complexity of the job. She said the individuals should be capable, professional, and understand the jobs and tasks assigned to them. This is a role that will require someone that understands deadlines, the complexity of the issues, and the understanding of space planning when deciding where individuals will be placed.

Mrs. Good stated that the district has incredible staff at current pay grades that can handle these responsibilities. Mrs. Good further stated the Board is being told that there are individuals at lower pay grades that are going to have flexibility in their work schedule to do additional responsibilities but the district wants to pay them more.

Mrs. Meloni noted that the individual's job duties currently do not correspond at all to project management, and space planning has a limitation on what it does versus project management of a facilities type project. Mrs. Meloni stated the duties of a Project Manager would be above and beyond those two current positions.

Mrs. Good questioned the August 5th date when the lease expires in December.

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Mrs. Kaufman responded that per the BTU/TSP contract, employees may be task assigned for a period of six months and then upon review and approval of the supervisor it can be extended.

Mrs. Good inquired whether staff foresees this project extending beyond August 5th.

Mr. Akagbosu responded that the lease will expire on the 31<sup>st</sup>, although staff does not plan to be there on that date, and the agreement calls for a 90-day notice to be given.

Responding to Mrs. Good's inquiry, Mr. Carland stated that the recommendation by the Superintendent is for the appointment of an individual into a position through the task assignment process and Board policy. The Board would be unable to disapprove or deny the recommendation without good cause.

Mrs. Bartleman noted that the individual being task assigned was in charge of the building after Hurricane Wilma and performed all his duties as the Project Manager. The pay grade is at the Superintendent's discretion.

Mrs. Rich Levinson said she was quite confident that the individual selected will be able to perform the job, but there are many employees throughout the district who are performing two and three jobs without the benefit of additional pay. Mrs. Rich Levinson stated that staff needs to determine how to get the jobs done without moving someone up three pay grades.

Dr. Osgood stated that her questions have been addressed.

The following individual addressed this item:

Mike Marchetti

A vote was taken on the item.

Following the vote on the item, Mrs. Bartleman, Mrs. Korn, and Mrs. Rich Levinson recognized and congratulated newly-appointed district personnel.

**Approved in Open Board Meeting, March 5, 2013**

- \*G-4. Personnel Recommendations for Non-Instructional Separation of Employment or Discipline(s) for the 2012-2013 School Year (Approved)

Approved 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.

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.

- \*G-5. Supplemental Pay Positions – List #12 (Approved)

Approved the recommended supplemental pay positions of employees for the 2012-2013 school/fiscal year.

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

The Supplemental Pay Positions include the following type of supplements: Secondary department chairpersons high school; secondary department chairpersons and/or team leaders middle school; elementary grade level chairpersons and/or team leaders; athletic supplements; general supplements; and special supplements for the 2012-2013 school year. Individuals listed meet the requirements for the supplemental positions.

Funding has been budgeted in the 2012-2013 school/fiscal year for all supplements through June 30, 2013.

- G-6. Approval of Out-of-Field Teaching Assignments (Approved)

Motion was made by Ms. Murray, seconded by Mrs. Leach and carried, to approve the list of out-of-field teaching assignments. Mrs. Rupert was absent. (8-0 vote)

**Approved in Open Board Meeting, March 5, 2013**

State Board of Education Rule (SBER) 6A-1.0503, Definition of Qualified Instructional Personnel requires out-of-field teachers to take at least six (6) semester hours of college coursework towards certification and/or 120 in-service points, for gifted and reading assignments, each year until appropriately certified. When applicable, teachers may opt to pass the appropriate subject area exam in lieu of completing coursework. Teachers out-of-field due to the English for Speakers of Other Languages (ESOL)/Multicultural Education Training Advocacy (META) Agreement are required to complete 15 semester hours of college coursework or 300 in-service points within six (6) years from the date of the assignment to students identified as English Language Learners (ELL).

There is no additional financial impact to the school district.

Ms. Murray voiced concern over the Out-of-Field Teaching Assignments, stating it is hopeful that the people being placed in classes that are needed will have the capability and the capacity to move students in the right direction.

Susan Rockelman, Director, Instructional Staffing, responded that principals are advised, before they place someone on out of field, to look at their staff to ensure that the people who are appropriately certified are being utilized. Mrs. Rockelman stated, when they hire new teachers they are not allowed to go out of field if they have not taken some content area, they have not registered for the subject-area exam, or are not in preparatory courses.

During the year, the assistant principals are required to be in the teachers' classrooms several times during the year to do the evaluations. The evaluations require a certain amount of data marks which is completed by the principals in order to complete the teachers' evaluations.

Ms. Murray stated that schools are struggling with the end-of-the-year course exams, and children are being challenged and qualified teachers are needed. Ms. Murray requested that feedback be provided, from the principals to the Superintendent, to make sure that the students are college ready and have adequate training. She stated there needs to be conversation between the Superintendent, principals and universities.

Mrs. Rich Levinson stated that staff is working with the colleges in the limited pool of candidates in the math and science areas, and structuring programs so that the district will be getting more teachers in those areas.

**Approved in Open Board Meeting, March 5, 2013**

Concurring, Mr. Runcie stated that the district is working extensively with Florida Atlantic University where sourcing occurs with approximately 80% of teachers. One of the proposals with one of the schools is to partner with Broward College at Lauderhill Middle School, to begin to develop more STEM related teachers as part of bringing that opportunity to the community, and this will help to bring capacity to the district. The Superintendent informed that he met with Human Resources staff to expand recruiting efforts this year to universities across South Florida and the East Coast, also utilizing video conferencing capability to keep recruitment costs to a minimum.

Dr. Osgood concurred with her colleague's concern, which shows the Board the priorities that must be placed in recruiting, training and developing teachers locally; that new students access opportunities, partnering with Broward College in order to groom and develop teachers locally, creating a pool of qualified, certified teachers that will work in the school system.

Commenting that the list appears to be long, Mrs. Leach stated that many of the teachers are ESE teachers. She stated that a few years ago a change was made whereby a teacher did not have to just be K-12 certified. Mrs. Leach noted if she was to return to her previous job she would need to receive additional certification in content area, which is what appears to be the situation on this item. Mrs. Leach further stated that the change came in after teachers were in place and doing those jobs for a long time; catching up on those certifications with the current state standards.

Mrs. Bartleman stated she would make a similar comment about ESE and the ESOL endorsement, which provides teachers five years to obtain based on the Multicultural, Education, Training and Advocacy, Inc. (META) Consent Decree (she has five in Miami-Dade and six in Broward). Teachers are allowed to have that time to take the courses. This is due to the League of United Latin American Citizens (LULAC) lawsuit. Mrs. Bartleman further stated that the biggest numbers are in Gifted and ESOL; they all have their content area certification but if they have one or more Gifted students in their class, they must obtain a Gifted endorsement. Mrs. Bartleman concurred that the district has to continue working with the universities on Math, Science and Social Studies courses.

Ms. Murray stated that it would behoove staff to advise teachers and encourage them to become multi-certified because the need is growing every year.

**Approved in Open Board Meeting, March 5, 2013**

Mrs. Rockelman responded that the majority of teachers that graduate from Florida universities have the ESOL certification. Many of them are from out of state and do not have similar programs that the district has, and staff works with those teachers. Mrs. Rockelman stated that tuition reimbursement and reimbursement for test fees are offered in order to encourage teachers to take the courses that they need.

Mrs. Bartleman noted that many teachers are working two or three jobs to pay their mortgages and many teachers, especially ESOL teachers, are doing this on their own time. Mrs. Bartleman stated it is very difficult for teachers to balance everything in their lives.

Mrs. Rich Levinson stated it is important to note that ESE numbers are down in those areas and a total of 9% across the board for out-of-field teaching. Mrs. Rich Levinson said she was pleased that the district is addressing Gifted teachers, as it is a part of exceptional education and it is important that those teachers know how to teach gifted students.

The following individual addressed this item:

Rhonda Ward

G-7. Recommendation(s) for Instructional/Non-Instructional Discipline for the 2012-2013 School Year (Approved)

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

This disciplinary action recommendation is a result of an investigation by the Broward District Schools Police Department. 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. These cases were 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.

Mrs. Korn offered to separate out one name from this item.

**Approved in Open Board Meeting, March 5, 2013**

Motion to Separate (Carried)

Motion was made by Mrs. Korn, seconded by Ms. Murray and carried, to separate one name (Cynthia Kula) and voted separately. Mrs. Rupert was absent. (8-0 vote)

A vote was taken on the Motion to Separate.

Mrs. Korn stated that the separated item will be discussed at a Board Workshop and she appreciated the comments made by Mr. Runcie. Mrs. Korn was of the opinion that the case requires something more immediate and for that reason she will be voting "no." She understood the Board's position and looks forward to the workshop.

A vote was taken on the separated item (one name). Mrs. Korn and Mrs. Leach voted "no." Mrs. Rupert was absent. (6-2 vote)

A vote was taken on the remaining G-7 agenda item.

**H. OFFICE OF THE GENERAL COUNSEL**

**I. OFFICE OF THE SUPERINTENDENT**

**\*I-1. Petition for Formal Proceedings – SA (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 (3) days, subject to the teacher's appeal rights.

The teacher, Sherry Abram, has failed to follow directives required of her as a Head Start Teacher. Due to the severity of the infractions, a three (3) day suspension without pay 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 February 5, 2013. The teacher has the right to request a hearing with the Division of Administrative Hearing (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 February 27, 2013.

There is no financial impact to the district.

**Approved in Open Board Meeting, March 5, 2013**

I-2. Petition for Formal Proceedings – VB (Received)

Motion was made by Ms. Murray, seconded by Mrs. Bartleman and carried, to receive the Petition for Formal proceedings submitted by the Superintendent in reference to this teacher and that teacher be suspended without pay for five (5) days, subject to the teacher's appeal rights. Mrs. Rupert was absent. (8-0 vote)

The teacher, Veronica Blue, failed to follow directives on multiple occasions which amounts to gross insubordination. Due to the severity of the infractions, a five (5) 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 five (5) day suspension without pay would be presented to the School Board on February 5, 2013. 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 March 4, 2013.

There is no financial impact to the district.

Mrs. Bartleman informed that her concerns address Agenda Items I-1, I-2 and I-3.

Mrs. Bartleman inquired about the steps necessary prior to a termination and whether the progressive discipline is outlined in the contract.

Amanda Bailey, Director, Employee Relations, informed that progressive discipline is outlined in the contract. Principals try very hard to work with staff and there are steps that they take prior to notifying staff in the Employee Relations department for guidance. Mrs. Bailey stated that once the Employee Relations department is contacted they begin to provide formal guidance in support. The department will continue to work in administration to ensure that progressive discipline is followed, as required. If the behavior continues, the progressive discipline will be brought back to the Board.

Mrs. Bartleman inquired specifically about administrators in the district, as there are multiple steps whereby individuals could have been given a one or two-day suspension.



**Approved in Open Board Meeting, March 5, 2013**

Mrs. Bailey responded that it depends on the group that is involved, as in transportation issues employees have a collective bargaining agreement and have the rules and procedures. Although the contracts are similar, they are not the same. Mrs. Bailey stated that staff works within the guidelines of the collective bargaining agreements to assist administration at the schools or district departments to ensure that employees are provided progressive discipline.

Mrs. Bartleman stated that teachers have certain paperwork requirements that are audited, particularly in Head Start (referring to Agenda Item I-1) or ESE. When those tests are not completed, or the paperwork is not filled out, there is no indication on the agenda item that the teacher completed those tasks. At the time of the audit, if the paperwork is not completed the district will lose that money.

Mrs. Bartleman further stated that it took a long process to reach the suspension and questioned why not give a one-day suspension rather than waiting for a three-day suspension. She stated that eventually there will be a financial impact to the district by loss of money.

Mrs. Bailey responded that typically for suspension staff tries to counsel principals and work with them on progressive discipline issues, use that measure. If a dispute arises to that disciplinary action through the grievance procedure process staff can fairly defend and support principals and their actions. Mrs. Bailey stated that staff becomes involved when principals reach out and seek assistance; working on documents that need to be drafted or worked on with pertinent facts to ensure that progressive discipline is being followed accurately and consistently.

Mrs. Bailey informed that in this case, usually after the counseling is provided the school will pursue having a conversation with the impacted employee, issue the discipline and, if needed, if the behavior or performance is not corrected then the discipline is pursued, when the Employee Relations office is contacted again.

Responding to Mrs. Bartleman's inquiry, Mrs. Bailey stated that staff will check with the principal to ensure that the compliance for the Head Start paperwork has been completed following the recommendation for discipline.

The following individual addressed this item:

Rhonda Ward

**Approved in Open Board Meeting, March 5, 2013**

I-3. Petition for Formal Proceedings – AJ (Received)

Motion was made by Mrs. Bartleman, seconded by Mrs. Leach and carried, to receive the Petition for Formal Proceedings submitted by the Superintendent in reference to this teacher and that teacher be suspended immediately without pay pending final action on these charges. Mrs. Rupert was absent. (8-0 vote)

The Broward District Schools Police Department completed an investigation into allegations of Battery. The allegation was thoroughly investigated and the results were presented to the Professional Standards Committee (PSC). The employee waived his rights to a pre-disciplinary hearing.

The cadre attorney prepared the Petition for Formal Proceedings and the employee was provided notice that a recommendation for termination would be presented to the School Board on February 5, 2013. 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.

There is no financial impact to the school district.

Mrs. Bartleman stated that she is comfortable on this item following her discussion with David Golt, Executive Director, Chief of Police, Broward District Schools Police Department.

\*I-4. Petition for Formal Proceedings – CM (Received)

Received the Petition for Formal proceedings submitted by the Superintendent in reference to this teacher and that teacher be suspended without pay for seven (7) days, subject to the teacher's appeal rights.

The teacher, Christopher Marshall, failed to follow directives on multiple occasions which amount to gross insubordination. Due to the severity of the infractions, a seven (7) 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 seven (7) day suspension without pay would be presented to the School Board on **February 5, 2013**. 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 March 4, 2013.

**Approved in Open Board Meeting, March 5, 2013**

There is no financial impact to the district.

- I-5. 2012-2013 School Improvement Plan for Charter School:  
Kathleen C. Wright Leadership Academy Charter School (5045)  
(Approved)

Motion was made by Ms. Murray, seconded by Mrs. Leach and carried, to approve the School Improvement Plan submitted by Kathleen C. Wright Leadership Academy Charter School in alignment with the new State Board Rule 6A-1.099827, Charter School Corrective Action and School Improvement Plans, Section 1008.33(3)(c), Florida Statutes, rule to implement Section 1002.33(9)(n), Florida Statutes. Mrs. Rupert was absent. (8-0 vote)

Charter schools that receive a school grade of "D" or "F" are required to develop and implement a School Improvement Plan (SIP). The SIP must contain the nine components outlined in State Board of Education Rule 6A-6.1099827, which can be found at:  
<https://www.flrules.org/gateway/ruleNo.asp?id=6A-1.099827> .

A District SIP Review Team conducts support session to assist the school with the SIP process and review content.

The director and a representative of the school's governing board shall submit to the Sponsor for approval, a School Improvement Plan to raise student achievement (Section 1002.33(9)(n)1., Florida Statutes). The director and a representative of the governing board must appear before the Sponsor at a public meeting to present the plan.

The Sponsor shall approve or deny the SIP and shall notify the charter school in writing within 10 calendar days of its decision to approve or deny the SIP. The Sponsor shall deny a SIP if it does not comply with guidelines as outlined in subsection 4 of the rule. If denied, the sponsor shall provide, in writing, specific reasons for denial and timeline for resubmission.

There is no financial impact to the district.

Agenda Items I-5, I-6, and I-7 were discussed concurrently.

Note: The following individuals were present during this discussion (names provided by staff following the Board meeting):

Anthony Wright (Governing Board), Ron Wright (Governing Board), Olivia Hilton (Executive Director), Dewonda Chambers (Principal), Anthony Carter (Student Services Manager).

**Approved in Open Board Meeting, March 5, 2013**

Mrs. Bartleman stated that the SIP plan requirements are not as detailed as School Board plans. She inquired about the differences in the plans.

Jody Perry, Director, Charter Schools Support, responded that as of July 17, 2013 the state determined that charter schools do not have to be involved with a Differentiated Accountability process that was removed. At that time, the state informed the district that there was rule implementation and that the process and procedures for charter schools and sponsors are different from that of a district-type of process. The actual template that a charter school uses only has nine (9) specific elements in it at a level that district schools are required to provide.

Mark Quintana, Ed.D., Coordinator, Office of Strategic Improvement, noted that the Governing Boards for the three charter schools are represented at today's Board meeting.

Dr. Quintana informed that the district receives a template from the Florida Department of Education (FDOE) that schools are required to follow, a comprehensive template consisting of 50 pages. As detailed and in-depth information is provided with the schools working in collaboration with communities, at minimum through their School Advisory Councils the template can become 75 pages long.

The SIP plans that are before the Board contain the minimum requirements that the state is requiring of charter schools. Some components that are missing are the Differentiated Accountability components because they no longer have to adhere to this as the district has to.

Mrs. Bartleman stated that failing charter schools do not have to meet the same standards as traditional public schools (i.e. FCAT). She inquired why the state does not hold the charter schools to a higher bar when it is clear that the students are not reading. Acknowledging that some of the district schools fall into Differentiated Accountability, Mrs. Bartleman voiced concern that some charter schools are failing and do not meet the high standards as district schools must meet. She suggested that Differentiated Accountability be presented to the Legislature because it is important enough to ensure the child succeeds.

Mrs. Leach thanked staff for working with these charter schools, as this is an unfunded mandate and staff has put a lot of time and effort into making sure these plans move the achievement level for students.

Mrs. Perry noted that several individuals throughout the district worked on this plan, Assessment, Innovative Programs, Exceptional Student Education, and others.

**Approved in Open Board Meeting, March 5, 2013**

The following individual addressed this item:

Rhonda Ward

Mrs. Rich Levinson informed that statute supersedes policy in the state of Florida, and these issues must be presented to the Florida Legislature.

Mrs. Bartleman stated that the governing boards of the charter schools are responsible for monitoring those plans.

Mrs. Perry responded that the governing board of the school is responsible for the monitoring with annual input from the sponsor (School Board). The rule specifically says that the charter school has to come before the district next year and indicate how the plan is working, what they put in place, and what works and what does not work. If the district does not see there has been an increase in achievement, they will modify the plan, another year before district staff can go into the process.

Dr. Osgood inquired about the status of the children's learning during this process.

Mrs. Perry stated that it is a parental choice. The parents are to be notified by the charter governing board of the SIP status and their grades, which these schools have complied with. Parents have the right to keep their children at the school site or make another choice.

- I-6. 2012-2013 School Improvement Plan for Charter School:  
RISE Academy School of Science and Technology @ Tamarac (5389)  
(Approved)

Motion was made by Ms. Murray, seconded by Mrs. Leach and carried, to approve the School Improvement Plan submitted by RISE Academy School of Science and Technology @ Tamarac in alignment with the new State Board Rule 6A-1.099827, Charter School Corrective Action and School Improvement Plans, Section 1008.33(3)(c), Florida Statutes, rule to implement Section 1002.33(9)(n), Florida Statutes. Mrs. Rupert was absent. (8-0 vote)

Charter schools that receive a school grade of "D" or "F" are required to develop and implement a School Improvement Plan (SIP). The SIP must contain the nine components outlined in State Board of Education Rule 6A-6.1099827, which can be found at:  
<https://www.flrules.org/gateway/ruleNo.asp?id=6A-1.099827> .

A District SIP Review Team conducts support session to assist the school with the SIP process and review content.

**Approved in Open Board Meeting, March 5, 2013**

The director and a representative of the school's governing board shall submit to the Sponsor for approval, a School Improvement Plan to raise student achievement (Section 1002.33(9)(n)1., Florida Statutes). The director and a representative of the governing board must appear before the Sponsor at a public meeting to present the plan.

The Sponsor shall approve or deny the SIP and shall notify the charter school in writing within 10 calendar days of its decision to approve or deny the SIP. The Sponsor shall deny a SIP if it does not comply with guidelines as outlined in subsection 4 of the rule. If denied, the sponsor shall provide, in writing, specific reasons for denial and timeline for resubmission.

There is no financial impact to the district.

Agenda Items I-5, I-6, and I-7 were discussed concurrently.

Note: The following individuals were present during this discussion (names provided by staff following the Board meeting):

Dr. Carmella Morton (Executive Director), Dr. George Peart, (Governing Board), and Tai Hinkins (Principal).

- I-7. 2012-2013 School Improvement Plan for Charter School: Somerset Preparatory Academy Charter High at North Lauderdale (5006) (Approved)

Motion was made by Ms. Murray, seconded by Mrs. Leach and carried, to approve the School Improvement Plan submitted by Somerset Preparatory Academy Charter High at North Lauderdale in alignment with the new State Board Rule 6A-1.099827, Charter School Corrective Action and School Improvement Plans, Section 1008.33(3)(c), Florida Statutes, rule to implement Section 1002.33(9)(n), Florida Statutes. Mrs. Rupert was absent. (8-0 vote)

Charter schools that receive a school grade of "D" or "F" are required to develop and implement a School Improvement Plan (SIP). The SIP must contain the nine components outlined in State Board of Education Rule 6A-6.1099827, which can be found at: <https://www.flrules.org/gateway/ruleNo.asp?id=6A-1.099827> .

A District SIP Review Team conducts support session to assist the school with the SIP process and review content.

**Approved in Open Board Meeting, March 5, 2013**

The director and a representative of the school's governing board shall submit to the Sponsor for approval, a School Improvement Plan to raise student achievement (Section 1002.33(9)(n)1., Florida Statutes). The director and a representative of the governing board must appear before the Sponsor at a public meeting to present the plan.

The Sponsor shall approve or deny the SIP and shall notify the charter school in writing within 10 calendar days of its decision to approve or deny the SIP. The Sponsor shall deny a SIP if it does not comply with guidelines as outlined in subsection 4 of the rule. If denied, the sponsor shall provide, in writing, specific reasons for denial and timeline for resubmission.

There is no financial impact to the district.

Agenda Items I-5, I-6, and I-7 were discussed concurrently.

Note: The following individuals were present during this discussion (names provided by staff following the Board meeting):

James Griffin (Principal), Daniel Shourds (Assistant Principal), Lourdes Isla (Governing Board), and Maria Devitt (ESP Representative).

**J. OFFICE OF FACILITIES & CONSTRUCTION**

- \*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 January 16, 2013, 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:

BDI Construction Company – Issue Pre-qualification Re-Certification  
\*\*

Brang Construction Incorporated – Issue Pre-qualification Re-Certification \*\*

Hedrick Brothers Construction Co., Inc. – Issue Pre-qualification Re-Certification

Hypower, Inc. – Issue Pre-qualification Re-Certification

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Kaufman Lynn Construction, Inc. – Issue Pre-qualification  
Re-Certification  
Pure Air Control Services, Inc. – Issue Pre-qualification  
Re-Certification  
Skanska USA Building, Inc. – Issue Pre-qualification Re-Certification  
Sprinklermatic Fire Protection Systems, Inc. (State Alarm) – Issue  
Pre-qualification Re-Certification  
Sprinklermatic Fire Protection Systems, Inc. (Fire Protection) –  
Issue Pre-qualification Re-Certification  
Stacy Bomar Construction LLC – Issue Pre-qualification Re-  
Certification \*\*  
Team Contracting, Inc. – Issue Pre-qualification Re-Certification \*\*  
Temptrol Air Conditioning, Inc. – Issue Recommendation to Not  
Re-Certify \*\*

\*New Certification \*\*Certified M/WBE and/or SBE  
Contractor Pre-Qualification Staff Application Review Executive  
Summaries are available for review at the Office of Facilities &  
Construction. Although the number of construction projects has been  
reduced in the Capital Plan, there is an appropriation of approximately  
\$16,550,000 in various categories including, Remodeling & Renovations,  
Indoor Air Quality, Safety and ADA for fiscal year 2012-2013. Budgeted  
for fiscal year 2013-2014 is \$8,493,000 and for fiscal year 2014-2015 is  
\$4,083,000.

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.

\*J-2. Rejection of All Bids – Traffic Signal Improvements – Nova Blanche  
Forman Elementary School, Davie – Project No. P.000249 (f.k.a.1282-24-  
01) (Approved)

Approved the rejection of all bids received for Nova Blanche Forman  
Elementary School, Traffic Signal Improvements, Project No. P000249.

**Consultant:** Miller Legg & Associates, Inc.

**Scope of Work:**

Traffic signal and roadway improvements to the intersection of Davie  
Road and SW 37th Street. Refer to Exhibit 1, for detailed explanation.

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 FINANCIAL MANAGEMENT**



L. OFFICE OF PORTFOLIO SERVICES

- L-1. Nova Southeastern University 2013 Office of Residential Life and Housing Conference Contract (Approved)

Motion was made by Mrs. Bartleman, seconded by Mrs. Good and carried, to approve Use Agreement with Nova Southeastern University (NSU) for the 2013 South Florida Leadership Training Camp. Mrs. Rupert was absent. (8-0 vote)

Nova Southeastern University will be the site for the South Florida Summer Leadership Training Camp (SFLTC). Approximately 300 students will be participating at the camp. SFLTC will be held from July 27 through August 2, 2013. This year, funding for the leadership camp is generated through business donations and school club/organizations. The registration fee per student is \$350.

It is the policy of NSU not to sign their contract first for the use of their facility. This Contract will be executed by Nova Southeastern University following The School Board of Broward County, Florida's approval. This Contract has been reviewed and approved as to form and legal content by the Office of the General Counsel.

There is no financial impact to the school district. The source of funds is the registration fees paid by schools and donations raised from businesses.

Mrs. Good expressed gratitude to Mike Roland, Student Activities Liaison/Stadium Manager, Athletics, for his efforts with Student Government Association and his involvement in the South Florida Leadership Training Camp, which is a success story.

Mrs. Good, who reminded her colleagues that there was a previous audit issue regarding SGA issues, requested that as part of the camp there may be opportunities to share with the students the proper way to record their actions within the organizations and having effective minutes taken so that the Board can properly document what is needed to be resolved.

Student Advisor Mariah Brown responded that she has shared this concern with Mr. Roland and an attempt is made to teach the students these skills, especially for the secretaries and treasurers because they are in charge of the minutes, and making sure that the bookkeepers at the schools perform these functions. Ms. Brown stated that it could be added into the curriculum for the upcoming school year or into the summer curriculum.

## Approved in Open Board Meeting, March 5, 2013

Remarking that it is important to have accurate records, Mrs. Good stated that SGAs do the best they can and additional training is also a value.

Mrs. Rich Levinson thanked the Student Advisors for their leadership and thanked Mr. Roland for doing a fabulous job, which is projected by the students' feelings toward him.

Remarking that she had the opportunity to attend the last SGA meeting, Mrs. Bartleman stated that one of the issues with the schools is the difficulty and discouragement for the group because no one is available to collect money for clubs and other activities, when a bookkeeper is not on staff. Mrs. Bartleman requested that staff speak with individuals at the sites when reviewing this process. She stated this is becoming a big problem at the secondary schools.

Ms. Murray stated that she has followed many graduating students who have gone through the Leadership program and how they continue to be leaders at universities and colleges. Ms. Murray requested that these students be tracked, how they have learned and how the capacity to grow continues as they move forward. She stated the biggest benefit is building confidence, giving them the courage to pursue and be successful.

### OPEN ITEMS

#### **AA. RESOLUTIONS**

#### **BB. BOARD MEMBERS**

#### **CC. BOARD POLICIES**

- CC-1. Proposed New Job Description and Minimum Qualifications for the Director, Marketing & Communications (Approved)

Motion was made by Mrs. Korn, seconded by Dr. Osgood and carried, to approve the proposed, new job description and minimum qualifications for the Director, Marketing & Communications position. This is the first reading. Mrs. Rupert was absent. (8-0 vote)

The job description for the Director, Marketing & Communications has been created as a result of the analysis of the organization. The position was approved as part of the 2012-2013 Organizational Chart at the May 15, 2012 School Board Meeting.

**Approved in Open Board Meeting, March 5, 2013**

The addition of this position is to increase the overall communications efforts throughout the District, facilitate public relations and marketing efforts to promote the variety of programs and options offered within the District, and collaborate with schools and departments to publicize news to internal/external stakeholders and the Broward community.

The position is vacant and will follow the standard advertising and selection process. See Executive Summary.

There is no financial impact to the district.

Ms. Murray inquired whether this position has been advertised.

Mrs. Rich Levinson stated that the item is a first reading and it has not been advertised.

**DD. OFFICE OF THE CHIEF AUDITOR**

**EE. OFFICE OF STRATEGY & OPERATIONS**

- EE-1. Renewal of Parking License Agreement between The School Board of Broward County, Florida, and First Church of Christ, Scientist for Student Parking at South Plantation High School  
(Postponed)

Motion was made by Dr. Osgood, seconded Ms. Murray, to approve the renewal of parking license Agreement between The School Board of Broward County, Florida, and First Church of Christ, Scientist for student parking at South Plantation High School. This motion was superseded by a Motion to Postpone (page 45). Mrs. Rupert was absent. (8-0 vote)

With the new building addition at South Plantation High School, the number of student parking spaces has been reduced. This license agreement will provide forty additional parking spaces for students. The agreement is for a period of five years with a 90-day option to terminate for either party.

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 \$1,600 per year, paid for with the money to be generated from student parking fees associated with securing a campus parking decal.

Mrs. Good offered a motion to table the item until after lunch, when staff is present.

**Approved in Open Board Meeting, March 5, 2013**

Motion to Table (Carried)

Motion was made by Mrs. Good, seconded by Mrs. Bartleman and carried, to table the agenda item. Mrs. Rupert was absent. (8-0 vote)

Following the Delegation of Speakers, the following discussion commenced on this item:

Motion to Remove from Table (Carried)

Motion was made by Mrs. Leach, seconded by Mrs. Korn and carried, to remove the item from the table for discussion. Mrs. Rupert was absent. (8-0 vote)

Mrs. Good inquired whether the parking lot is adjacent to the school or across from the school.

Mr. Akagbosu responded that the parking lot is across the street on the west side of the school.

Mrs. Good stated that Southwest 54<sup>th</sup> Avenue divides the school between the parking lot. She stated there was no information in the Summary and Explanation of the Agenda Item regarding a safety review. Mrs. Good further stated that typically the Department of Education (DOE) has requirements or State Requirements for Educational Facilities (SREF) has requirements with regard to student crossing right of ways.

Responding that the lease has been in effect, Mr. Akagbosu stated he believes there is a crossing guard and it has not been an issue. He reminded the Board this lease is one of the leases for presentation, a comprehensive review of leases, and the Board did not object in moving forward.

Commenting that she understood the issue, Mrs. Good stated that having had an opportunity to review the details she is concerned about the location of the parking lot and students crossing the right of way. Mrs. Good asked for assurance that the Safety department has approved this agreement, that all the guidelines have been met, and that all the approvals necessary from the DOE were received in regard to students crossing this right of way.

Mr. Akagbosu stated there has never been a problem with the students utilizing this area.

Mr. Runcie informed that the agenda item will be postponed in order for staff to perform a security analysis and re-submitted to the Board.

**Approved in Open Board Meeting, March 5, 2013**

Motion to Postpone (Carried)

Motion was made by Mrs. Good, seconded by Mrs. Leach and carried, to postpone the agenda item to the February 20, 2013 Regular School Board meeting. Mrs. Rupert was absent for the vote. (8-0 vote)

EE-2. Modified Payments of Voluntary Mitigation Commitment for Students Anticipated from Land Use Plan Amendment PC 06-30 (Not Approved)

Motion was made by Ms. Murray, seconded by Mrs. Leach, to approve the modified payments of Voluntary Mitigation Commitment for students anticipated from Land Use Plan Amendment PC 06-30, as proposed by SPL Holdings, LLC and SPL South Holdings, LLC to allow payment of the total mitigation amount due in multiple installments for the proposed development of 434 single-family residential units in the Sabal Palm Development, located in the City of Tamarac, as delineated in the Amended Declaration of Restrictive Covenant (DRC). Mrs. Rupert was absent. (0-8 vote)

In 2006, the previous owner(s)/developer(s), Prestige Homes of Tamarac, Inc., of Land Use Plan Amendment PC 06-30, (AKA the Sabal Palm Development), proposed a land use change for the site located in the City of Tamarac from Commercial Recreation to Medium (10) Residential to allow a total of 496 residential units, consisting of 208 single-family units (103 three-bedroom units and 105 four-bedroom units) and 288 townhouse units (214 two-bedroom units and 74 three-bedroom units). At that time, the development was anticipated to generate 64 elementary, 26 middle, and 24 high school students for a total of 114 students into Broward County Public Schools. Schools affected during the review period, the 2005-06 school year, were Broadview and Pinewood Elementary, Lauderdale Lakes and Silver Lakes Middle, and Boyd Anderson High Schools; and at that time, it was determined that mitigation was due for the anticipated elementary and middle school students.

On July 24, 2007, the School Board accepted an alternative mitigation proposal from Prestige Homes of Tamarac, Inc., to pay for the cost of four (4) modular classrooms plus the Student Station Cost Factors for six (6) additional middle school students generated in accordance with Section 2.2 of the Declaration of Restrictive Covenant (DRC) recorded in BK 44460, pages 1682-1698 of the Broward County Public Records. Furthermore, the total amount due was required to be paid in one lump sum prior to issuance of the first building permit for the proposed units.

On December 5, 2011, SPL Holdings, LLC and SPL South Holdings, LLC (the current owners of the property) modified the proposed development to 434 single-family (all four or more bedrooms) units.

**Approved in Open Board Meeting, March 5, 2013**

Staff subsequently determined that the revised units would now generate 219 (104 elementary, 54 middle, and 61 high school) students, which is an additional 105 (40 elementary, 28 middle, and 37 high school) students into Broward County Public Schools. SPL Holdings, LLC and the SPL South Holdings, LLC is committed to paying the voluntary mitigation amount due for the project but is proposing to make such payment in four installments in the manner outlined in the Amended DRC (Exhibit No. 2).

The Amended DRC has been reviewed and approved as to form and legal content by the Office of the General Counsel.

There is a positive financial impact to the district of \$1,334,376.

Mrs. Good inquired whether the request is to change the installment of the payment from a one-lump sum to multiple installments. She further inquired whether the mitigation amount is changing, what is being paid by the developer.

Mr. Akagbosu responded that the installments are changing and the mitigation is based on the current agreement and until this item passes, the mitigation option is four (4) modular classrooms. The current amount due is \$1.2 million, plus an additional cost per student station for six (6) middle school students. The cost changes every month and, depending on when they pay, that amount is going to continue to increase.

Mr. Akagbosu stated that the developer is within his rights because concurrency is still in effect so a portion of the development is vested. Once the mitigation is satisfied they will pay impact fees for additional units. The additional students being generated will be reviewed for concurrency, there is additional space, and if they meet concurrency, school impact fees will be paid, on top of mitigation.

Referring to the Amended DRC, Mrs. Good stated this refers to the LLC to pay student impact fees due to the remaining 258 units. She inquired how does that correlate to the 434 single family units.

Mr. Akagbosu responded that the restricted covenant has been amended because the development unit made a change to single family. The option is to satisfy the mitigation so the payment is based now on the developer pulling permits for 44 units at a time, four times. The balance of units remaining then would be 258 units and impact fees would be due to 258 units.

Mrs. Good inquired whether the 434 single family homes will generate 105 more students than were generated originally.

## Approved in Open Board Meeting, March 5, 2013

Mr. Akagbosu responded affirmatively. The number of additional students generated, due to school concurrency being in effect, those numbers are subject to concurrency. There is capacity to accommodate those numbers. Mr. Akagbosu stated by meeting concurrency in this capacity, due to the Broward County Land Development Code, impact fees must be paid. The 105 students will impact the impact fees that will be used to satisfy concurrency.

Mrs. Good voiced concern that in the Summary Explanation and Background there is no mention that in 2007 staff felt that the mitigation should equate to \$1.7 million and what was agreed upon was \$1.2 million. She inquired why there is no mention of this information in the item.

Mr. Akagbosu referred to Exhibit 3, which includes a previous Board item and current agreement, and Exhibit C, the July 10, 2007 letter issued by the district, which provides a history on this issue.

Mrs. Good stated that a critical point in history of this item should have been highlighted, as a lot of the Board Members and the general public may not be aware of this history. Remarking that she understood that staff felt it should have been a higher mitigation amount, Mrs. Good stated that it was never approved in that manner when it was submitted to the Board. Mrs. Good further stated that the impact is even now more significant and she will not support changing any parameters surrounding the payment of this mitigation.

Mr. Runcie inquired whether these are installment payments or whether they are paying for the units as they pull the permits, prior to the units being built.

Mr. Akagbosu responded that the payment structure is modeled after concurrency because policy allows alternative payments. They are paying for the units before the students show up; if they pull 44 units they have to pay the full 44 units before they can get permits from the county. If they do not pay they cannot build the units. Mr. Akagbosu stated the current agreement states one lump sum and they are making a request to pay first for the units before pulling permits to build the units in order to have capacity.

Mrs. Good stated that the summary is not concurrency. This is a mitigation proposal that was agreed to by the developer and the district at one point in time. Mrs. Good further stated that she was not willing to further exacerbate a problematic situation and now treating a mitigation proposal as concurrency.

**Approved in Open Board Meeting, March 5, 2013**

Mr. Akagbosu reiterated that Policy 1161 allows a developer to seek a different payment structure, which is consistent to structure the payments modeled after concurrency. Mr. Akagbosu noted that staff met with the legal department on this issue.

Dr. Osgood inquired how this item will result in a positive financial impact.

Mr. Akagbosu responded, when items are brought forward for mitigation the mitigation has to be above school impact fees. The dollar amount is a benchmark, the mitigation can never be lower than that amount. If the mitigation is lower, the developer will pay school impact fees, as indicated in Broward County code. Mr. Akagbosu stated, when the item was brought forth and changed to \$1.2 million there was a positive impact. Since time has passed, the impact fee has grown to be \$3.8 million. It is a positive impact based on mitigation but, with time, the impact fee grew and, by default, they end up paying in bulk. The payments have to come consistent with making sure that the units that are pulled the district has the capacity to serve them before the students show up.

Mr. Runcie noted that the impact fees are separate from the fees associated with the units. The Superintendent inquired whether the impact fees are paid in total up front.

Mr. Akagbosu responded that the impact fees will be paid at the end because they have to satisfy the legal agreement.

Mr. Runcie inquired at what point is the \$1.2 million paid.

Mr. Akagbosu responded that this amount will be paid in installments four times, 44 units being pulled at one time to satisfy the \$1.2 million, which is the mitigation.

Mrs. Rich Levinson stated that staff is attempting to modify the way the payments are made and there was a previous agreement.

Mrs. Korn assumed that in the past developers appeared before the Board asking for a similar arrangement. Mrs. Korn inquired about the past practice in terms of making this concession, as policy allows.

Mr. Akagbosu responded that the practice has been similar, and due to the economy starting to go down there was not a lot of developers on the mitigation commitments.

Mrs. Korn stated it is clear that policy allows a developer to ask what they are asking for. She inquired whether other developers have asked for this similar request, staggered payments.



**Approved in Open Board Meeting, March 5, 2013**

Mr. Akagbosu responded that one developer has exercised that option and it was built into the agreement, but others have not.

Mrs. Korn concurred with her colleague, stating that the reality is there was a concession made many years ago and it is unknown if the new owner gave consideration to this as an upfront cost. Mrs. Korn stated there were three specific things outlined; number 3., Payment of the total mitigation amount due will be made directly to the School Board prior to issuance of a Florida county Department of Planning and Environmental Protection. Mrs. Korn further stated it is not necessary from the Board's perspective to support the request, even though the developer had every right to ask for another concession.

Dr. Osgood inquired whether staff is bringing forward the developer's request as provided by policy or whether staff is making a recommendation.

Mr. Akagbosu responded that staff is bringing the item forward consistent with what the policy allows and because the developer made the request.

Mrs. Freedman inquired whether the developer expressed an inability to pay and that is why he was making a request; if the Board does not grant the request the district may not get the money.

Mr. Akagbosu responded that the developer was objecting to the lump sum and staff informed him that he must abide by the mitigation, but the developer insisted and indicated he had the right to come forward. Mr. Akagbosu met with legal counsel, had a comprehensive conversation around this issue and brought it forward at the insistence of the developer to exercise that right.

Mrs. Freedman stated that the district may not get any money, they may not pull the required documents.

Mr. Akagbosu informed that they plan to proceed; if they do not pay they cannot build.

Mrs. Leach suggested tabling the item to ascertain whether negotiation can ensue that would be beneficial to the district.

Mrs. Bartleman stated she would like to hear from legal staff regarding this decision.

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Mr. Carland informed that the matter was worked on with cadre counsel, Mr. Alan Gabriel, and the Legal department does not make a business decision for the district. Mr. Gabriel assisted staff in determining if the recommendation was going to come forward to the Board in amending the payment structure and what documentation would be needed.

Mrs. Bartleman inquired why the business decision was made in this manner and why it was brought to the Board.

Mr. Runcie responded that the developer came forward by exercising their right to request some adjustment in the payment schedule. The payments not collected would equal the amount that is the agreement; it is an adjustment, a change in the payment. Mr. Runcie stated that he is not totally aware of the details of the history of the original agreement. The item was brought forward for review on face value.

Mrs. Bartleman inquired of the Superintendent whether he is comfortable with the payment plan and altering the agreement, even though it is the second concession.

Mr. Runcie responded that he is comfortable with the payment plan as aligned with the construction of units so that the district will be able to collect payments in advance of any construction activity associated with it.

Ms. Murray noted that in the past developers have presented before the Board for modification and the Board has adhered to the rules.

### Motion to Call Question (Failed)

Motion was made by Ms. Murray, seconded by Mrs. Good, to call the question. Mrs. Rupert was absent. Mrs. Good, Mrs. Leach, Mrs. Rich Levinson, Dr. Osgood, and Ms. Murray voted "yes." Mrs. Bartleman, Mrs. Freedman and Mrs. Korn voted "no." (5-3 vote)

A vote was taken on the item.

Mrs. Rich Levinson stated that the discussion will continue, the vote needs to be a two-thirds vote.

Mrs. Bartleman said she was uncomfortable now making a decision after hearing the concerns of the Board Members. She suggested tabling the item until the next meeting, following public input, so she can meet with staff.

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Remarking that the district has entered into a negotiated agreement, according to the requirements of concurrency, Mr. Carland stated that this is not the same status as the applicant. Mr. Carland further stated if the Board is going to table the item there might be an opportunity to review that issue further, but he is not aware of anything that requires the Board to conduct a special public hearing at this stage.

The following individual addressed this item:

Scott Backman, Esq. (on behalf of the developer)

Mr. Backman indicated that there is a long history with this project and there is no affiliation with the prior developer. He discussed the inability to pay all the millions of dollars in standard, required impact fees required by Broward County in order to begin development. Mr. Backman requested a payment modification.

Mrs. Korn stated she would like the district help to stimulate some new development if the district is made whole and that the Board needs to consider what the dollars are for. Mrs. Korn further stated, if this is going to be seen as a precedence the district will be put in a position of not having the dollars upfront to do the necessary development that the district needs to do to prepare for these students.

Mrs. Freedman voiced concern with moving forward since it involves a lot of money, the developer's ability to be able to front the \$1.2 million and then develop the property. Mrs. Freedman was of the opinion that the developer should have presented before the Board prior to agreeing to the obligation.

Mrs. Good inquired whether there are other forms of mitigation plans from other developers.

Mr. Akagbosu responded affirmatively.

Mrs. Good stated that the Board took a hard stance and changed the way the Board moved forward with regard to impact fee credits to promote affordable housing. She stated many of the developers are aware of what the requests were and made decisions to move forward with the property. Mrs. Good voiced concern that any modification may put the district in multiple proposals that come before the Board for modification.

(Mr. Moquin assumed the Superintendent's seat on the dais, during the absence of Mr. Runcie).

**Approved in Open Board Meeting, March 5, 2013**

In response to Mrs. Bartleman's inquiry, Mr. Carland stated that these cases are negotiated on a case-by-case, development-by-development basis and are reviewed individually. Mr. Carland further stated he did not think that approval of a certain manner of payment of mitigation would bind the Board in subsequent agreements in the sense of legal precedence. If the Board does establish with one particular development that would be acceptable, the questions will persist and appear before the Board to indicate why this is not allowed in their circumstance and the Board or staff would have to defend those differences. Mr. Carland advised that the policy does not in and of itself address that particular issue.

Mrs. Bartleman suggested tabling the item to the February 20, 2013 Regular Board meeting. Mrs. Bartleman requested a Board Workshop to explore other options and to discuss a policy change to reflect payment plans that could be used, and what is best for Broward County, students and the School Board.

Motion to Postpone (Died)

Motion was made by Mrs. Bartleman to postpone the agenda item to the February 20, 2013 Regular School Board meeting.

(Motion died for lack of second).

Dr. Osgood said she would like the opportunity to take each incident case-by-case because discussion adds a lot of value to a Board Member's decision. She said she did not want to create a situation where contracts and mitigation issues are in place and then revised repeatedly.

Mrs. Bartleman stated that she will not support this item because she wants to meet with staff and the Legal department.

EE-3. Bid Recommendation \$1,000,000 or Greater – 13-042V (Approved)

Motion was made by Mrs. Bartleman, seconded by Mrs. Leach and carried, to approve Bid recommendations as stated on the award recommendations. Mrs. Rupert was absent. (8-0 vote)

<u>BID</u>	<u>TITLE</u>	<u>LOCATION</u>	<u>AMOUNT</u>
13-042V	Paper & Plastic Items for Cafeterias	Materials Logistics	\$1,750,000

**Approved in Open Board Meeting, March 5, 2013**

Board approval of this Bid recommendation does not mean the amount shown will be spent. This amount represents the estimated contract value and may be spread among the awarded vendors through the term of this contract from available funds already included in the department's budget.

All expenditures for this contract will come from the existing approved department's budget. Staff will provide a report to the Board semi-annually detailing expenditures.

No discussion was held on this item.

EE-4. Bid Recommendation \$1,000,000 or Greater – 53-056R (Not Approved)

Motion was made by Mrs. Leach, seconded by Ms. Murray, to approve Bid recommendations as stated on the award recommendation.

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

<u>BID</u>	<u>TITLE</u>	<u>LOCATION</u>	<u>AMOUNT</u>
*53-056R	School Buses	Student Transportation & Fleet Services	\$5,700,000

\*School Board Policy 3320, Part II, Rule n, allows for the purchase of items from contract awarded by other city or county governmental agencies, other school boards, community colleges, or state university system cooperative bid agreements. Award of this contract will allow the Supply Management & Logistics Department to release purchase orders for items awarded in this contract in a timely manner at contract prices. These requests do not increase current budgets.

Board approval of this Bid recommendation does not mean the amount shown will be spent. This amount represents the estimated contract value and may be spread among the awarded vendors through the term of this contract from available funds included in the Capital Budget.

All expenditures for this contract will come from Capital Budget. Staff will provide a report to the Board semi-annually detailing expenditures.

Mrs. Rich Levinson stated that the item includes a memorandum to vote down the agenda item.

EE-5. Bid Recommendation \$1,000,000 or Greater – 53-056R (Approved)

Motion was made by Mrs. Leach, seconded by Ms. Murray and carried, to approve Bid recommendations as stated on the award recommendation. Mrs. Rupert was absent. (8-0 vote)

**Approved in Open Board Meeting, March 5, 2013**

<u>BID</u>	<u>TITLE</u>	<u>LOCATION</u>	<u>AMOUNT</u>
*53-056R	School Buses	Student Transportation & Fleet Services	\$5,700,000 Previously approved

\*School Board Policy 3320, Part II, Rule n, allows for the purchase of items from contract awarded by other city or county governmental agencies, other school boards, community colleges, or state university system cooperative bid agreements. Award of this contract will allow the Supply Management & Logistics Department to release purchase orders for items awarded in this contract in a timely manner at contract prices. These requests do not increase current budgets.

The Board approved the purchase of 50 new school buses and approved an appropriation of \$353,293.74 from the Capital Projects Reserve during the current fiscal year to fund the first payment for the purchase on item EE-3 at the 12/4/12 Regular School Board Meeting (see Exhibit 3 for additional information concerning the existing fleet). Future lease payments of approximately \$706,587.47 per year will be included in the Capital Budget and the annually adopted District Educational Facilities Plan. Purchase price plus interest expense for eight years is approximately \$5,652,699.79. This is not a request for an additional expenditure but providing the terms and conditions to execute this contract.

These buses will be purchased utilizing Bid 53-056R (DOE Contract No. 2013-1) in accordance with State Statute 1006.27. The pooling of school buses and related purchases assists in securing school buses at as reasonable price as possible by creating an economies of scale due to all Districts in Florida purchasing from this contract. The cost per bus is approximately \$105,330, determined by bus type and optional equipment necessary (see the pricing guide for a complete listing of bus and optional equipment costs). All three major bus manufacturers are awarded on the Department of Education (DOE) Contract (Blue Bird Corporation, Integrated Coach Corporation (IC) and Thomas Built Buses, Inc.). These buses will supplement the existing fleet to ensure the fleet size is adequate to execute existing routes, and to begin removing buses with the highest annual cost of repair out of daily service.

All expenditures for this contract will come from Capital Budget. Staff will provide a report to the Board semi-annually detailing expenditures.

Mrs. Good thanked staff for providing additional information on the item, modifying the item, and including all the necessary information.

**Approved in Open Board Meeting, March 5, 2013**

EE-6. Grant Applications (Approved)

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

- A. City of Hollywood Achieving Excellence in Education Grant, \$3,400
- B. Florida Students Against Destructive Decisions Mini Grant, \$1,000
- C. Harold Rosenberg Fund for Children's Education, \$1,000
- D. If I Only Had the \$\$\$ Grant, \$1,000
- E. Promoting Reentry Success through Continuity of Educational Opportunities (PRSCEO) Grant, \$389,783
- F. Target Field Trip Grant, \$3,280
- G. The Walmart Foundation, \$500

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

The potential positive financial impact is \$399,963 from various sources. There is no additional financial impact to the district.

Mrs. Rich Levinson expressed gratitude to staff for taking the extra step to secure grants for the district. She noted that she recently visited Welleby Elementary School and the Physical Education coach received a \$5,000 grant last year and received a \$5,000 grant this year. The coach indicated to her that there are many grants out there for everyone, some with stringent requirements and others with minimal requirements. Mrs. Rich Levinson stated there are ways to help subsidize and enhance what students can be provided.

Mrs. Korn recognized the schools and individuals (as indicated in the agenda item) for going above and beyond to apply for and have grants awarded.

EE-7. First Amendment to Agreement for RFP 13-001N – Employee Benefit Insurance Consultant Services (Approved as amended)

Motion was made by Mrs. Good, seconded by Ms. Murray and carried, to approve the First Amendment to Agreement between The School Board of Broward County, Florida, and Gallagher Benefit Services, Inc. This motion was superseded by a Motion to Amend (page 60). Mrs. Rupert was absent. (8-0 vote)

The original Agreement was approved by the Board on March 20, 2012. The contract allows for the expenditure of no more than \$341,000 per year, during the term of the initial contract period.

## Approved in Open Board Meeting, March 5, 2013

Due to increased request for services, including Medical, Life, Disability, and Supplemental RFPs, as well as providing technical assistance, actuarial support, and forecasting for various Union workgroups, cost will exceed the originally approved expenditures for the 2012-2013 contract.

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

There will be an additional financial impact to the District of \$500,000 for the term of the 2012-2013 contract.

Mrs. Korn voiced concern over the timing in which these dollars are coming before the Board for approval. Remarking that the quality of the work done by the consultant is not being questioned, Mrs. Korn stated that this item is coming to the Board after the dollars were spent. She said there had to be a knowledge that what the district was getting in terms of services by the consultant was going to exceed what had already been approved. Mrs. Korn further stated what the consultant was asked to do was significantly outside of the scope that typically has been asked of the consultant, under this contract.

Mrs. Korn said that this item was not of concern to her because it was known that there would be some upfront costs in determining whether the district should be self-insured. To come to the Board after dollars have been spent is unacceptable and, she is placed in a position of having to approve these dollars because the consultant did actually the job that they are billing the district. Mrs. Korn stated that she will support the item reluctantly and she is extremely unhappy.

Mrs. Good inquired how much has been spent to date.

Dr. Martin-Ogburn responded, just over \$305,000 on a \$341,000 contract.

Mrs. Good stated that the Superintendent is directing staff to utilize the services of the consultant and he needs to be part of the discussion. She said that the remaining amount on the contract, approximately \$40,000, will not be sufficient to last the remainder of the year.

Mrs. Good requested additional information on the amendment, whether paragraph 2.03 Fees is being modified by excluding the total billing per year will not exceed \$341,090.00.

Dr. Martin-Ogburn responded affirmatively.



**Approved in Open Board Meeting, March 5, 2013**

Mrs. Good voiced concern about the modification and not having a cap. She stated it is important that everyone is clear as to what occurred to get to this point so that in moving forward the district is not put in the same position again. Mrs. Good further stated that the consultant also understand the position the Board is being placed in, as far as reaching a limitation.

Mrs. Good said she was not comfortable with removing the cap altogether, understanding that it was being utilized in an effort to negotiate with BTU and unions. Mrs. Good inquired whether staff is comfortable with that cap amount moving forward.

Dr. Martin-Ogburn responded that it is hard to say. She informed that what occurred to this point was because of taking on additional projects that were not necessarily scheduled for this year. Reminding that the district went to a self-insured model this year, Dr. Martin-Ogburn stated that staff spent time preparing contracts and negotiating with Coventry. In addition, a disability RFP was issued rather than next year and those dollars were spent. A second supplemental RFP was issued in order to obtain supplemental carriers for long-term care and pre-paid legal that was lost during the last RFP.

Mrs. Good stated it is important to receive correspondence from the Superintendent explaining the issue at this point, based on the variety of facts that were mentioned. Mrs. Good requested additional rationale as to some form of a cap in association with this agreement.

Dr. Martin-Ogburn informed that this is the first time the district has had a contract for the consultant that included a cap. The previous contract, from 2005-2009 or 2004-2009 did not have a cap. This cap came out of negotiations in the Insurance Committee with the consultant; at that time everyone felt it could be worked out not knowing the additional service request that would be asked of staff.

Mrs. Good stated that a cap has been brought up by the Board in a variety of contract issues, maybe not dealing with insurance services, but it has been done within the facilities area. Mrs. Good was of the opinion that it helps to better manage how the district's funds are being utilized and better prepare the district in budgetary issues. The district has to live within their means and, where possible, should attempt to do so.

Mrs. Good further stated if something is foreseen that may impact a cap that is in place, it needs to come to the Board in a timely manner to explain what they foresee needing the use of these types of services and how the cap may be impacted.

**Approved in Open Board Meeting, March 5, 2013**

Mrs. Freedman expressed that in moving forward and making decisions whenever a contract is involved, staff needs to be cognizant of the fact when utilizing these consultant services it needs to be included into the cost and not seen as two (2) separate items. Mrs. Freedman suggested that anytime a contract is in place on the table and consulting fees are being utilized, that staff decide how to proceed.

Mr. Runcie, apologizing that the item was not presented sooner, stated that his focus was working with the BTU and unions to identify opportunities for saving significant costs, tens of millions of dollars, in the health care area, and trying to find a way to do that and improve the quality of access and availability to employees and their families. Remarking that substantial progress has been made in this regard, Mr. Runcie stated this was a critical piece of the ability to get a final agreement with the union, which had not occurred in four and one-half years, as memorialized in the Memorandum of Understanding (MOU), and has continued to be used.

The Superintendent concurred that it has been an unusual year in terms of the amount of activity. Staff needs to ensure there are competitive health care benefits and programs in the district, which will be done by issuing an RFP. Mr. Runcie stated that the item was brought to the Board prior to the end of the contract or the fees exceed what the contract amount is.

Mrs. Bartleman, who remarked that she will support the item, inquired about the anticipated savings by moving to a self-insurance model.

The Superintendent responded that the anticipated savings is approximately \$4 million.

Mrs. Bartleman stated that she and the Board wanted to go out for the RFP so that employees have better health insurance and better dependent coverage. Remarking that even though the timing is not perfect, Mrs. Bartleman said the department has done a lot of work and the consultant is hired to write the RFPs, which is a good investment for the district, noting the \$4 million that was saved. Mrs. Bartleman said she looked forward to any changes being made with the insurance and employees need to be in a position where they can afford to pay for their insurance for themselves and their dependents.

Mr. Runcie suggested that when the periodic Closed-Door briefings are held, that the Board be provided with a regular update on the expenditures and fees of this account.

**Approved in Open Board Meeting, March 5, 2013**

Mr. Carland advised that only bargaining strategies and issues can be discussed in a Closed Door session. Mr. Carland stated that he will work with the Superintendent on how this information can be provided, by way of workshop or memorandum.

Responding to Dr. Osgood's inquiry, Dr. Martin-Ogburn stated that every effort is being made to work with the different unions to come to an agreement as to what the new plan design will look like.

Dr. Osgood inquired whether spending this money will save the district "mega bucks" and will be a major profit in moving forward.

Dr. Martin-Ogburn responded it is hopeful, with everyone working with the labor unions to come to a consensus. She stated it is a "tightrope" because an attempt is being made to save the district money while being cognizant of the dollars that employees have to spend for dependent care.

Mrs. Good suggested tabling the item so that the cap can be increased for 2013 to carry through the end of the year and adding cap amounts for the additional years. She stated this is done for other contracts and this contract is no different.

Remarking that \$36,000 remains on the contract and there is billing through December, Dr. Martin-Ogburn stated that she has not received the January 2013 billing but it is expected momentarily. January and February 2013 need to be considered and the cost may have already exceeded the cost of the contract.

Mrs. Korn stated that this is delayed information in this case. There is no question that the expense exists, it is the timing of the expense being brought to the Board. Mrs. Korn suggested providing a cap based on the numbers that are before the Board, by amending the item.

Mrs. Good inquired whether an amendment can be made.

Mr. Carland, noting that the agreement has been signed by the vendor, advised that the Board can amend any of the provisions and then approve the item. The agreement would be sent to the vendor to sign off and agree to those terms, as a counter-offer.

Mr. Runcie inquired what amount is staff comfortable with capping.

Dr. Martin-Ogburn responded that an additional \$500,000 is being requested.

**Approved in Open Board Meeting, March 5, 2013**

Mrs. Korn stated that back-up information indicates that \$454,000 was an estimate and the request would provide wiggle-room, which is reasonable.

Following discussion on the cap amounts, Mr. Carland proposed the following amendment, by way of motion:

Motion to Amend (Carried)

Motion was made by Mrs. Bartleman, seconded by Ms. Murray and carried, to amend that in year (1) one, the total would be a not-to-exceed amount of \$591,090 (an additional \$250,000 to the current \$341,090); year (2) two, the not-to-exceed total would be \$591,090; year (3) three, the amount would stay at the current \$341,090. (9-0 vote)

A vote was taken on the amendment, followed by a vote on the item as amended.

**FF. OFFICE OF ACADEMICS**

FF-1. Agreement with CE Tours (Approved)

Motion was made by Ms. Murray, seconded by Mrs. Korn and carried, to approve agreement with CE Tours to provide services under the US Department of Education High School Graduation Initiative Grant (USDOE HSGI). Mrs. Rupert was absent. (8-0 vote)

The School Board of Broward County, Florida (SBBC), is the recipient of a five-year grant from the U.S. Department of Education, entitled High School Graduation Initiative. The Mentoring Tomorrow's Leaders (MTL) project is being funded through this grant. The USDOE will provide in excess of \$4.5 million over five years to re-engage students who have dropped out and to ensure that at-risk students at two SBBC schools with the highest dropout rates (Boyd H. Anderson and Plantation High Schools) successfully complete high school and go on to post-secondary educational institutions. A portion of these funds is being used to send at-risk students and their peer mentors from these schools on a Teen College Tour. The target population is 10<sup>th</sup> graders who have been enrolled in Mentoring Tomorrow's Leaders and shown significant academic progress, as well as their peer mentors (11<sup>th</sup> and 12<sup>th</sup> graders). The intent of the initiative is to create a college-going culture at these schools through inspiring at-risk students and their peers to successfully complete high school and go on to post secondary educational institutions.

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, March 5, 2013**

The financial impact is \$49,905. The source of the funds is the USDOE High School Graduation Initiative Grant budget. There is no additional financial impact to the district.

No discussion was held on this item.

**GG. OFFICE OF HUMAN RESOURCES**

GG-1. Revised 2012-2013 Salary Schedule for Federation of Public Employees (FOPE) Secretarial/Clerical Employees (Adopted)

Motion was made by Mrs. Good, seconded by Mrs. Leach and carried, to adopt the amended FOPE Secretarial/Clerical Salary Schedule for the 2012-2013 school year. Mrs. Rupert was absent. (8-0 vote)

The amended Salary Schedule provides for an overall 2% increase to the salaries of employees covered under the FOPE Secretarial/Clerical unit effective January 1, 2013.

The salary adjustment of 2% will generate an increased payroll cost of approximately \$695,202 including fringe benefits for 2012-2013.

Agenda Items GG-1 through GG-5 were discussed concurrently.

Ms. Bailey informed that the item for the Board's review and approval is for salary increases to represented employee groups. Ms. Bailey thanked team members who worked tirelessly on these agreements to ensure that employees receive equitable work conditions and compensation.

Ms. Bailey recognized representatives: Dorothy Davis, Chief Negotiator for Food Service workers; Susan Cooper, Clerical Units; Team Members: Mary Mulder, Director, Food and Nutrition Services; Diane Punziano and Mark Mills, Food and Nutrition Services; Lula Taylor, Supervisor, Personnel Records; Ron Forsman, Principal Rickards Middle School; Chip Osborn, Principal, Walter C. Young Middle School.

A motion was made by Mrs. Good, and seconded by Mrs. Bartleman, to add Agenda Item GG-5 for discussion by acclamation.

The following individuals addressed this item:

Lisa Maxwell, BPAA  
Dale Spear, ESMAB  
Glenda Linton, FOPE (appearing with Carol Nicome-Brady)  
Pete Tingom (ESMAB & COPA)

**Approved in Open Board Meeting, March 5, 2013**

Mrs. Rich Levinson stated that all employees are important to the Board and it is with great pleasure to give a raise to all these employee groups. She thanked employees for their hard work on behalf of students and the district.

Mrs. Good expressed gratitude to the Superintendent and Mrs. Bailey for their leadership, and stated that the efforts of this dynamic team is evident in today's results. Mrs. Good expressed her appreciation for the efforts of all employees.

Mrs. Korn acknowledged the employee groups for their patience and positive reflection, considering how long it has been since raises were given.

Dr. Osgood asked the assembly to applaud in celebration of this event.

Mrs. Bartleman, who noted that this is a long time coming for these groups, acknowledged that these groups voluntarily helped the district when the furlough was needed to balance the budget. Mrs. Bartleman thanked everyone for their efforts in this partnership.

The following individual addressed this item:

Rhonda Ward

GG-2. Revised 2012-2013 Salary Schedules for Federation of Public Employees (FOPE) School Food Service Workers (Adopted)

Motion was made by Mrs. Good, seconded by Mrs. Leach and carried, to adopt the amended FOPE School Food Service Salary Schedules for the 2012-2013 school year. Mrs. Rupert was absent. (8-0 vote)

The amended Salary Schedules provide for an overall 2% increase to the salaries of employees covered under the FOPE School Food Service unit effective January 1, 2013.

The salary adjustment of 2% will generate an increased payroll cost of approximately \$218,309 including fringe benefits for 2012-2013. The increase in funds required for this Agreement are in reserve in the Food Service Fund.

Agenda Items GG-1 through GG-5 were discussed concurrently.

**Approved in Open Board Meeting, March 5, 2013**

GG-3. 2012-2013 Clerical Salary Schedule for Confidential Office Personnel Association (COPA) (Adopted)

Motion was made by Mrs. Good, seconded by Mrs. Leach and carried, to adopt the 2012-2013 Clerical Salary Schedule for the Meet and Confer group, Confidential Office Personnel Association (COPA). Mrs. Rupert was absent. (8-0 vote)

This agreement provides for an overall 2% wage increase for the 2012-2013 school year effective January 1, 2013.

The salary adjustment of 2% will generate an increased payroll cost of approximately \$138,747 including fringe benefits for 2012-2013.

Agenda Items GG-1 through GG-5 were discussed concurrently.

GG-4. 2012-2013 School-Based Administrators Salary Schedule for Broward Principals and Assistants Association (BPAA) (Adopted)

Motion was made by Mrs. Good, seconded by Mrs. Leach and carried, to adopt the 2012-2013 School-Based Administrators Salary Schedule for the Meet and Confer group, Broward Principals and Assistants Association (BPAA). Mrs. Rupert was absent. (8-0 vote)

This agreement provides for a one (1) step increase to all eligible School-Based Administrators effective January 1, 2013.

The salary adjustment of 2% will generate an increased payroll cost of approximately \$410,756 including fringe benefits for 2012-2013.

Agenda Items GG-1 through GG-5 were discussed concurrently.

GG-5. 2012-2013 ESMAB Salary Schedule for Educational Support & Management Association of Broward, Inc., (ESMAB) (Adopted)

Motion was made by Mrs. Good, seconded by Mrs. Leach and carried, to adopt the 2012-2013 ESMAB Salary Schedule for the Meet and Confer group, Educational Support & Management Association of Broward, Inc., (ESMAB). Mrs. Rupert was absent. (8-0 vote)

This agreement provides for an overall 2% increase to the salaries of employees covered under the ESMAB group effective January 1, 2013.

The salary adjustment of 2% will generate an increased payroll cost of approximately \$194,107 including fringe benefits for 2012-2013.

Agenda Items GG-1 through GG-5 were discussed concurrently.

**HH. OFFICE OF THE GENERAL COUNSEL**

- HH-1. Complete Settlement Agreement and General Release of all Claims between The School Board of Broward County, Florida and Gallagher Bassett Services, Inc. (Approved)

Motion was made by Mrs. Korn, seconded by Mrs. Leach and carried, to approve the Complete Settlement Agreement and General Release of all Claims between The School Board of Broward County, Florida and Gallagher Bassett Services, Inc. Mrs. Rupert was absent. Ms. Murray was absent for the vote. (7-0 vote)

The School Board brought an action in the Circuit Court of the 17<sup>th</sup> Judicial Circuit, Broward County, Florida against Gallagher Bassett Services, Inc., ("Gallagher Bassett") (Case No. 09-44284) to recover certain losses that the School Board believed were incurred solely because of Gallagher Bassett's acts or omissions as the prior Third Party Administrator of the School Board's workers' compensation claims program. This litigation resulted from the School Board's successful defense of a federal civil action filed some years ago by the School Board's excess workers' compensation insurance carrier, Employers' Reinsurance Corporation ("ERC"). Notwithstanding a very favorable settlement with ERC, the School Board was not able to recover 100% of its losses, due to the assertions by ERC of Gallagher Bassett's failure to manage claims properly. After extensive discovery from party and non-party witnesses, significant motion practice, mediation, and subsequent negotiations, the parties have agreed to the terms of settlement subject to Board approval.

Pending approval of the attached Complete Settlement Agreement and General Release of all Claims ("Settlement Agreement"), the School Board and Gallagher Bassett have agreed to resolve and settle all claims asserted with respect to the above-referenced litigation. Gallagher Bassett will pay the School Board \$800,000 (eight hundred thousand dollars) within ten (10) days of the date of the Board's approval and the Board's execution of the Settlement Agreement. Similarly, the School Board will dismiss with prejudice the pending lawsuit against Gallagher Bassett within three (3) days of receipt of the settlement sum set forth above. The remaining settlement terms and conditions are outlined within the attached Settlement Agreement.

The Chief of Staff (Task Assigned); the School Board's special defense counsel, Anthony Carriuolo, Esq., and the General Counsel recommend approval of the Settlement Agreement as a fair and reasonable cost-effective resolution of this dispute.

The District will receive Eight Hundred Thousand Dollars (\$800,000).



**Approved in Open Board Meeting, March 5, 2013**

Mr. Carland informed that cadre counsel is present for any Board inquiry.

No discussion was held on this item.

**II. OFFICE OF THE SUPERINTENDENT**

**JJ. OFFICE OF FACILITIES & CONSTRUCTION**

- JJ-1. Terminate Professional Services Agreement – Saltz Michelson Architects, Inc. – Project No. P. 000725 (f.k.a. 2751-27-03) (Approved)

Motion was made by Ms. Murray, seconded by Mrs. Korn and carried, to approve the Termination of the Professional Services Agreement with Saltz Michelson Architects, Inc., J.P. Taravella High School, Athletic Building/ ADA Remodeling, Project No. P.000725, approved by the Board on December 11, 2007. Mrs. Rupert was absent. (8-0 vote)

The Professional Services Agreement is terminated for convenience in accordance with Article 10.2.1, of the Agreement dated December 11, 2007. Refer to Exhibit 1, for detailed explanation.

Saltz Michelson Architects, Inc., was paid \$535,445.

Funds released by this Termination, totaling \$275,373, will be placed in the Capital Projects Reserve.

No discussion was held on this item.

- JJ-2. Terminate Professional Services Agreement – Harvard Jolly, Inc. – Remodeling/Renovations – Lauderhill Middle School – Project No. 1391-25-01 (Approved)

Motion was made by Ms. Murray, seconded by Mrs. Leach and carried, to approve the Termination of the Professional Services Agreement with Harvard Jolly, Inc., Lauderhill Middle School, Remodeling/Renovations, Project No. 1391-25-01, approved by the Board on December 7, 2004. Mrs. Rupert was absent. (8-0 vote)

The Professional Services Agreement is terminated for convenience in accordance with Article 10.2.1, of the Agreement dated December 7, 2004. Refer to Exhibit 1, for detailed explanation.

Harvard Jolly, Inc., was paid \$61,140.

Funds released by this Termination, totaling \$42,110, will be placed in the Capital Projects Reserve.

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No discussion was held on this item.

- JJ-3. Terminate Professional Services Agreement – Harvard Jolly, Inc. – New Media Center – Lloyd Estates Elementary School, Oakland Park – Project No. P. 001232 (f.k.a. 1091-99-06) (Approved)

Motion was made by Ms. Murray, seconded by Mrs. Good and carried, to approve the Termination of the Professional Services Agreement with Harvard Jolly, Inc., Lloyd Estates Elementary School, New Media Center, Project No. P. 001232, approved by the Board on November 12, 2002. Mrs. Rupert was absent. (8-0 vote)

The Professional Services Agreement is terminated for convenience in accordance with Article 10.2.1, of the Agreement dated November 12, 2002. Refer to Exhibit 1, for detailed explanation.

Harvard Jolly, Inc., was paid \$75,517.

Funds released by this Termination, totaling \$52,117, will be placed in the Capital Projects Reserve.

No discussion was held on this item.

- JJ-4. Change Order #2 – Skanska USA Building, Inc. – Cooper City High – Concurrent Phased Replacement – Project No. P.000877 (Approved)

Motion was made by Ms. Murray, seconded by Mrs. Leach and carried, to approve e Change Order #2 for Skanska USA Building, Inc., Cooper City High, Concurrent Phased Replacement, Project No. P.000877, in the amount of \$1,447, -0- days. Mrs. Rupert was absent. (8-0 vote)

<u>Cooper City High</u>	Change Order 02	\$1,447
Owner Request	\$1,447	

The sources of funds are identified in the Adopted District Educational Facilities Plan, Fiscal Years 2012-2013 to 2016-2017.

Mrs. Leach stated that \$1,447 is a low amount but it is to provide a screen so that the school is not visible to neighbors. Mrs. Leach informed that within her district there are two schools that have large capital needs, and she could not support the item. She inquired whether the work has been completed.

Responding affirmatively, Mrs. Meloni stated the screen is in place. She stated that the homeowners had complained about being able to see into their backyards.

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Mrs. Leach relayed an issue about softballs coming into the backyards of neighbors because there are holes in the net. If the money is not being spent to replace the netting, she cannot support the item just because they can see into the yard.

Mrs. Good shared that she attended the meeting when the Facilities department presented the proposed site plan to the community. She stated that the residents in question are on the other side of a canal, the view is of the baseball fields and baseballs do come into their yard. Mrs. Good stated that the drainage district required certain vegetation to be removed from the back side of the school, something that was not contemplated. She informed that Cooper City has an active baseball team and active band and the screening always provided assistance to the community. They felt a buffer should have been created, and like any developer, the district is always sensitive to residents that are adjacent to schools.

Mrs. Good further stated this was an attempt to address the issue and be neighborly, and this is done with other projects in the district. Remarking that she is not pleased with the screen, Mrs. Good said that she spoke to several of the residents at the meeting and they understand the district's position, the need to have this construction. Due to the lack of vegetation an attempt was made to address some of the residents' concerns. Concurring that the district needs to be careful with every dollar, Mrs. Good stated that in any project that is done of this magnitude the district tries to be sensitive of the residents, and this was a way to address those concerns.

Ms. Murray informed that there were two projects in her district, and the district had to pay the homeowners to paint their house, clean windows, fix screens, and the construction area was unsightly due to dust and debris.

Responding to Ms. Murray's inquiry, Mrs. Meloni informed that construction areas are screened but in this particular area the drainage district asked the district to remove overgrown trees, which provided a visual barrier to the neighbors across the canal. Once that was removed it was exposed. Mrs. Meloni stated that eventually trees will grow in and there is additional plantings that are appropriate for that area. There is nothing at this time that can provide that visual barrier and that is why they requested the screen.

Ms. Murray stated she would support anything that would make the community comfortable when doing projects of this nature.

Mrs. Bartleman stated that the work has been done and the district has to legally pay for the work, which speaks to the process.

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Mrs. Good inquired whether there is a mechanism for these types of issues to come before the Board in a more timely fashion.

Ms. Meloni responded that the Construction Change Directive (CCD) process allows the district to continue to work on site. When issues arise that may bring discussion, staff can provide information to update the Board that this may occur.

Mrs. Good requested when these situations arise in the future that the Superintendent discuss with staff whether there are opportunities to have these items come to the Board prior to issuance of the work order. She stated these issues should not cause the construction project from moving forward.

**KK. OFFICE OF FINANCIAL MANAGEMENT**

**LL. OFFICE OF PORTFOLIO SERVICES**

**Adjournment** This meeting was adjourned at 5:15 p.m.

RT