

Approved in Open Board Meeting, July 23, 2013

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

June 11, 2013
Tuesday, 10:15 a.m.

MINUTES OF REGULAR MEETING

The School Board of Broward County, Florida, met in regular session at 10:19 a.m., Tuesday, June 11, 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; Superintendent Robert W. Runcie; and (J. Paul Carland, II., Esq. was absent); Marylin Batista-McNamara, Esq.

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

Minutes for Approval Motion was made by Mrs. Good, seconded by Mrs. Korn and carried, to approve the official minutes for the following Board Meetings, as amended: Mrs. Rupert had not yet assumed her seat on the dais. (8-0 vote)

April 29, 2013 – Special Meeting
May 7, 2013 – Special – Student Expulsions
May 7, 2013 – Regular School Board Meeting

Mrs. Bartleman requested an amendment to the May 7, 2013 Regular School Board meeting, page 23 of 63, fourth paragraph. (The correction was noted and finalized in the official minutes and e-Agenda).

Close Agenda Upon motion by Dr. Osgood, seconded by Mrs. Leach and carried, the Agenda was approved and declared closed. Mrs. Rupert had not yet assumed her seat on the dais. (8-0 vote)

SPECIAL PRESENTATIONS

Recognition of Autism in Flight Project

Mrs. Good introduced individuals involved in the Autism in Flight Project: Samora Emmanuel, Manager JetBlue Airlines; Sean Billings, Operations Manager, JetBlue Airlines; Doug Webster, Deputy Director for Aviation, Broward County Aviation; Linda Merrill, ADA Coordinator, Aviation Department; Tim Lewis, Federal Security Director, Transportation Security Administration (TSA); Myriam Berio, Assistant Federal Security Director, Transportation Security Administration (TSA); Richard Pryor, Customer Service Manager, Transportation Security Administration (TSA); Chief Roy Liddicott, Broward Sheriff's Office; and Charles Russell, Superior Hospitality.

District school personnel were recognized for their involvement in this project: Katherine Francis, Executive Director, ESE & Support Services; Tammy Gilbert, Principal, Silver Lakes Elementary; Atalia Moron, Teacher, Silver Lakes Elementary School; Gary Lavina, Autism Coach, Silver Lakes; and Tim Arnwine, parent, Silver Lakes, and his son Shane.

Mrs. Good noted that Broward County Vice Mayor Barbara Sharief was unable to attend today's meeting.

Mrs. Good extended gratitude to parents Carmen Zaldivar and Tim Arnwine, parents of children with autism who approached her about the possibility of providing students with autism and their families an introduction to the airport and travel experience. Gratitude was extended to Mr. Runcie for his support of the idea and for allowing the district to proceed with this effort, and thanked district staff, the Silver Lakes Elementary ESE team, and Linda Torlone, her personal assistant, for all her efforts. Gratitude was also extended to the Broward County Commission and the Sheriff's department for their assistance.

Mrs. Good highlighted the Autism in Flight Project, a first-ever event in Florida, where children with autism experienced a day of travel, a simulated flight sponsored and assisted by JetBlue, Fort Lauderdale Airport and the Transportation Security Administration (TSA). 4th and 5th graders, experienced checking in at the ticket counter, going through metal detectors, and buckling up aboard the plane.

Mrs. Good was hopeful that this partnership and this special event will be a life-skill experience that will better enable them to travel with ease, and hopefully this project can be expanded district-wide.

Following a video presentation of the event, Mrs. Rich Levinson thanked everyone for sharing this wonderful experience with students, and educating individuals about children with disabilities.

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Mrs. Bartleman thanked Mrs. Good for her leadership in developing this program with Commissioner Sharief, that is now a model for other schools. She recognized parents Tim and Carmen who work behind the scenes and create programs for all students.

Kids and the Power of Work (KAPOW)

Ms. Murray introduced John Casbarro, President, Learning For Success, a non-profit organization in partnership with the district to operate the KAPOW program in the Broward County School District.

Mr. Casbarro informed the School Board that KAPOW is a national network of business and community volunteers into elementary and middle schools to teach kids about work. This is accomplished through a series of lessons by trained volunteers and teachers to help kids discover different types of jobs and the skills necessary to be a success in any job. In addition, the KAPOW students would take a field trip to the partner's worksite or one that is arranged. 14 elementary and middle schools participated this year, serving 1,500 students, including community and business partners.

A video presentation was shown to the assembly of a KAPOW class.

Tammy Gilbert, Principal, Silver Lakes Elementary School, spoke about her school's experience with the program and visits throughout the county at various businesses.

Ms. Murray praised the KAPOW program for exposing children at an early age to the work force and thinking about career opportunities.

Recognition of Savannah Maddison

Mrs. Bartleman introduced State Representative Richard Stark, Florida House District 104, who called her about this presentation to recognize Savannah Maddison Ogden, Mrs. Bartleman introduced Savannah, her mother Monique Ogden, family members Linda Epling, Sierra Ogden and Private First Class Victor Arroliga.

Representative Stark informed that when 11-year old Savannah Madison Ogden, resident of Weston, learned that her best friend's dad would be deployed to Afghanistan for an entire year she was heartbroken. But she was also inspired to find a way to support him and the rest of the troops stationed there. Maddison recruited young volunteers to write letters of encouragement to all 700 members of his unit, and realized that they could comfort the servicemen and servicewomen living so far away from home by sending them heartfelt letters, expressing their appreciation for their sacrifice.

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That's when Savannah's Soldiers began, a campaign featured at Miami Marlins baseball games and local schools to encourage her peers to recognize the bravery and service and sacrifice of military personnel and their families. Representative Stark stated that in less than a year later volunteers from 40 students have sent nearly 30,000 letters, including more than 10,000 letters during the 2010 holiday season to soldiers serving in Afghanistan.

Mrs. Bartleman expressed gratitude to Representative Stark for visiting all the schools in his district and recognizing a student from each school for outstanding community service.

Mrs. Bartleman stated that Savannah's campaign is on the road and continues to write these letters year round, and to date 45,000 letters have been sent. Savannah had just returned from a project in Fulton, Missouri where she partnered with Dr. Jill Biden and Simon & Schuster, donating 400 copies of Dr. Biden's book Don't Forget, God Bless Our Troops to the students at McIntyre Elementary School where she read and sang to the students, and also conducted a question and answer session with each grade. Savannah travels throughout the country motivating students to participate in her letter-writing campaign to the troops and encourages them to believe in themselves and follow their dreams.

Mrs. Bartleman presented a Certificate of Appreciation to Savannah, honoring her total commitment to this cause, the unending time she graciously donates and the inspiration she is to the world.

Private First Class Arroliga shared his experience in working with Savannah, stating she is a young lady with a big heart and big ambition, and thanked her for everything she does.

Savannah thanked the School Board for this "amazing honor." She said she never dreamed that her organization would get to be this big, 45,000 letters, and she would not be here without the amazing students in all the schools in Broward County and across the country. Savannah thanked her awesome family, her mom and sister Sierra.

Mrs. Bartleman thanked Savannah for the positive message she sends and for the difference she is making in the lives of many.

Savannah met with the School Board on the dais.

Recognition of Shawn Aycock, Principal of Apollo Middle School

Mrs. Bartleman introduced and recognized Principal Shawn Aycock, Apollo Middle School, and Health Department staff –Anthony Meek, Renee Podolsky, Latonya Brown, Kiesha Edge, Ellen Feely and Ed Smith.

Mrs. Bartleman stated that she is bringing forward this idea from the district's Health Department, a comprehensive Tobacco-Free policy which the University of Florida, Broward General Hospital, and other counties and universities have adopted.

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Mrs. Bartleman recognized Principal Aycock for her endorsement of the 24/7 comprehensive Tobacco-Free school's model, the first 24/7 tobacco-free K-12 campus in Broward County.

Principal Aycock paid tribute to the students at Apollo Middle School because the students were adamant that this is something they wanted the school to partake in.

Mr. Smith stated that a lot of the efforts of the Tobacco-Free consortium partnership is to inform individuals, especially children, to help minimize the exposure of tobacco. On behalf of the Health Department, Mr. Smith thanked the School Board for their support and recognized Principal Aycock with a Certificate of Appreciation.

Ms. Murray, remarking on the lure and dangers of tobacco use by children, praised Principal Aycock and staff for their effort to protect and make students aware so that there will be a healthier society in the future.

Mrs. Bartleman thanked Ms. Murray for her leadership on this effort. She informed that Jeffrey Moquin, Chief of Staff (Task Assigned), has a written policy from Palm Beach and Orange counties, and the policy that Miami-Dade County is going to implement. The comprehensive tobacco-free policy will be discussed at a future workshop.

Ms. Podolsky stated that as part of the Florida Department of Health in Broward County, the partnership has worked over the years to encourage schools to become 24/7 tobacco-free schools. She urged the school district to implement a comprehensive policy that is 24/7 on all grounds at all times.

Best in Class Award

Mrs. Rich Levinson introduced Laurel Thompson, Ph.D., Director, Student Services, who presented the Best in Class Award for attendance.

Dr. Thompson thanked Mrs. Rich Levinson and the School Board for their support of children. Recognizing that academic achievement is linked to attendance, Dr. Thompson stated that studies have shown that children who attend school on a regular basis have higher academic achievement than those who do not attend on a regular basis.

Dr. Thompson spoke of the District Attendance Committee process that identifies students who have the Best in Class Attendance for the school year. One of the criteria is that a student must have continuously enrolled from kindergarten through 12th grade. Dr. Thompson stated that Eugene Cho, Cooper City High School, has missed two days of school in 13 years.

Mrs. Rich Levinson introduced and congratulated Eugene Cho as the Best in Class Award recipient. She stated that Eugene was surprised when she informed him at a ceremony that he would be receiving this award.

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Dr. Thompson recognized Principal Wendy Doll and her staff, and introduced Gregory Plum, Assistant Principal, for doing a great job.

Abraham Fischler and Shea Ciriago, on behalf of Ray Monteleone, Broward Education Foundation members, recognized Eugene and presented him a \$1,000 scholarship check.

Mrs. Rich Levinson read a congratulatory letter to Eugene from Florida Senator Eleanor Sobel.

Principal Doll informed that Eugene has a 5.5 Grade Point Average and he was the Salutatorian for Cooper City High School. Principal Doll thanked the School Board and congratulated Eugene on his accomplishments.

Commissioner James Curran, Commissioner Jeff Green, and City Manager Bruce Loucks, City of Cooper City thanked Eugene for making Cooper City proud.

Robert Mayersohn, District Attendance Committee, presented an autographed football from Oliver Vernon, Defensive Lineman, Miami Dolphins.

Joann Messing presented Eugene with a personalized jersey (number 2) from the Miami Marlins, and invited him to be recognized at a future Marlins game.

Other gifts and recognition were presented to Eugene: From Humana (\$250 Apple Gift certificate); After School Programs (\$100 Walmart gift certificate); BrightStar Credit Union (\$25 Visa gift card); and Barnes & Noble (\$20 gift certificate).

Dr. Thompson informed that 219 students were recognized this year for perfect attendance in their grade: 29 Perfect Attendance certificates in elementary schools; 160 certificates for students in middle school; and 40 certificates for high school students.

Dr. Thompson recognized Eugene's parents, Mr. and Mrs. Cho (who were not in attendance), and presented them a Certificate of Appreciation.

Dr. Thompson recognized members of the District Attendance Committee.

Mrs. Good stated that she was honored and privileged to meet with Eugene and his friends during the Cooper City graduation ceremony. She extended best wishes and success in his future endeavors. Mrs. Good stated it is exciting to know there are students that are succeeding in school.

Mrs. Bartleman congratulated Eugene and commended Cooper City Commissioners for being present to recognize one of their community school students, and thanked them for their partnership with the school district.

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East Coast Technical Assistance Center Exceeding Expectations School Award – Millennium Middle and Pines Middle Schools

Luwando Wright-Hines recognized Millennium and Pines middle schools, Title I schools, for being awarded the East Coast Technical Assistance Center Exceeding Expectations School Award. Title I schools across the state are recognized for showing progress in closing the achievement gap and improving student achievement. The award included a check for \$300, a plaque and a school trophy.

Principal Dr. Cheryl H. Cendan, Millennium Middle School, introduced her staff: Sabrina Eisinger, Assistant Principal; Charlene Nelson, Teacher, Language Arts Chair; Louis Kushner, Teacher; Krystal Coke, Teacher; Alicia Salas, Science Teacher; and Paulette Embanks, Language Arts Teacher.

Dr. Cendan stated her staff worked very hard and it was nice to be recognized for the progress that was made with the students.

Carlton Campbell, Pines Middle School, introduced and thanked his staff: Helen Chisholm, Math Coach; Christina Monroe, Assistant Principal; Cathy Spotts, Literacy Coach; and Patrina Suydam, School Advisory Chairperson; and recognized Cheryl Dudash, last year's Literacy Coach; and Janet Bravo, School Advisory Chairperson (not in attendance).

Mrs. Good congratulated both schools on their achievements. She expressed gratitude to Principal Campbell, a dynamic leader that empowers his staff each and every day. She congratulated the principals and their staff for their efforts at their schools. Mrs. Good informed that Ms. Bravo, who was unable to attend this recognition, wanted to extend her gratitude to Principal Campbell and their staff for everything they do.

Mrs. Freedman relayed her recent "magical" visit at Millennium, and praised Dr. Cendan and her school for all they do.

REPORTS

The following reports were presented:

Technology Advisory Committee – Dr. Joel Levine

District Advisory Council – Jeanne Jusevic

Facilities Task Force – Andrew Ladanowski

Broward Education Foundation – Mari-Lee Baxter and Shea Ciriago

BOARD MEMBERS

Board Reports were not presented.

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Speakers

Nancy Linley-Harris
Juliet Hibbs
Scott Nichols
Lynda Olds
Rhonda Ward
Christema Smart

Mrs. Leach offered to meet with Ms. Linley-Harris to discuss her issues.

The Chair asked staff to converse with speaker Scott Nichols and Christema Smart regarding their concerns.

CONSENT AGENDA Following identification of those items Board Members and members of the public indicated they would like considered separately, motion was made by Ms. Murray, seconded by Dr. Osgood and carried, to approve the Consent Agenda for the remaining items (**identified by ***). (9-0 vote)

CONSENT ITEMS

A. RESOLUTIONS

- A-1. Resolution No. 13-86 – Amendment to Reimbursement Resolution
(Adopted)

Motion was made by Mrs. Korn, seconded by Mrs. Rupert and carried, to adopt Resolution 13-86, which amends Resolution No. 10-02, adopted by The School Board of Broward County, Florida on July 21, 2009. Mrs. Bartleman voted “no.” **Dr. Osgood appeared telephonically.** (8-1 vote)

On March 5, 2002, The School Board approved Resolution No. 02-47, which authorized staff to enter into lease-purchase agreements with two lending institutions for the purpose of lease-purchasing school buses and other education related equipment. The original authorization was not to exceed \$30 million.

On April 20, 2004, The School Board approved Resolution 04-53, which authorized an additional \$30 million for the lease-purchase program bringing the total authorization to \$60 million.

Since that time, The School Board has approved two additional resolutions (07-94 for \$15M and 10-02 for \$15M) that increased the limit to not to exceed \$90 million. The District has used \$88.8 million of this not to exceed amount. Of the \$88.8 million used, approximately \$16.5 million of principal remains to be repaid as of May 10, 2013.

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In order to continue the leasing program to address technology and school bus needs, an additional authorization is necessary. This resolution authorizes an additional \$25 million of leasing authority to not to exceed \$115 million in aggregate.

This type of financing frees up capital millage dollars that can be used for other capital needs.

Interest expense will be determined upon entering into additional capital leases.

Mrs. Korn requested clarification of the item; how this item compares to how it was done in the past, what has been approved already, and what is anticipated for approval in the future for the Transportation department.

Henry Robinson, Treasurer, responded when there is an indication that a major purchase is going to occur, rather than pay a certain amount in full for buses, those buses would be placed on a lease and paid off over a certain prior of time. This in turn frees up the dollars over that term and after the last payment is made the buses are owned by the district.

Mrs. Korn was of the understanding that the resolution speaks to a threshold and there is \$16.5 million left of principal to pay down. She inquired why the authority needs to be increased to \$115 million. Mrs. Korn stated that money has never been spent through a resolution, the Board has always approved the spending of money.

Benjamin Leong, Chief Financial Officer, responded that under the U.S. Treasury regulations, in order to put any equipment or buses on a lease program there is a requirement to place the dollar amount that the Board authorizes to reimburse itself, including the total issuing cost. Mr. Leong informed that in the past 12 years there has been three resolutions totaling \$90 million. The total issuance that must be tracked is a little over \$88 million and if more is to be added to the program, a resolution is needed to increase it to \$115 million by adding \$25 million.

Mr. Leong stated if there is a major district purchase and the Board decides to finance it, the treasurer will call the bank asking for refinancing, for example, a \$5 million computer. The bank may commit to have \$5 million for a lease program and they will probably request Board approval and seek the resolution. Mr. Leong further stated this is one of the steps the district has to take in order to have a lease purchase program.

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Mrs. Korn inquired whether the resolution is brought forward in order for the Board to actually spend those dollars, or is it necessary for the District Educational Facilities Plan and the additional dollars the Board hopes to spend toward buses.

Mr. Leong responded that this resolution does not authorize any expenditure. In response to inquiry by Mrs. Rich Levinson, he stated that buses are not included under this amount.

Mr. Runcie inquired what has triggered and drives the amount that is being requested.

Mr. Leong responded that currently there is \$16 million in outstanding debt that has to be paid back and staff chose \$25 million because it is the dollar maximum amount that can be borrowed.

Mrs. Korn inquired why another amount is not being requested, such as \$40 million.

Mr. Leong responded that there is no particular reason this amount was chosen but if the district has more needs, he would need to request another resolution.

Mrs. Korn inquired how long the debt ceiling will carry the district and whether this will provide room for what is projected forward.

Mr. Leong responded this will provide roughly \$16 million for technology and \$10 million in buses. This will get the district through the District Educational Facilities Plan as it currently exists, and there is no room above this.

Mrs. Rich Levinson wanted assurance that no more money, above the ceiling amount, will be spent.

Mrs. Freedman stated that staff explained at a Board Workshop that they were only looking at reaching a comfortable maximum debt and this resolution is addressing that amount.

Responding affirmatively, Mr. Leong stated that he is comfortable with maybe another \$5 million or \$10 million but not more than spending the amount in the resolution.

Mrs. Good requested that staff provide the Board with another exhibit, besides the Resolution, summarizing the need of this Amendment Resolution and what is included in this threshold increase, in the future.

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B. BOARD MEMBERS

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

Motion was made by Mrs. Rupert, seconded by Mrs. Korn and carried, to receive the annual evaluation ratings for the Superintendent. (9-0 vote)

In accordance with Article 9 of the Superintendent's Employment Agreement, an annual evaluation of the Superintendent was conducted by the School Board Members utilizing a mutually agreed upon evaluation instrument and process. The results of the annual evaluation were discussed at the May 28, 2013 School Board Workshop. The 2012-13 Annual Evaluation of the Superintendent is being submitted to the School Board pursuant to the Superintendent's Employment Agreement.

There is no financial impact to the district.

Mrs. Freedman thanked Mr. Runcie for his dedication, hard work and commitment to Broward County and the countless hours spent on behalf of everyone in the district.

Mrs. Bartleman stated that some things occurred after the Superintendent's evaluation, which she will address under Agenda Item I-2. Superintendent's Employment Agreement Extension.

Mrs. Bartleman said that she has not received an up-to-date communication on staffing changes, and the cuts that have been made have not been presented to the Board and there has been public backlash from it. Mrs. Bartleman requested that the timing of the evaluation be improved in order to keep the lines of communication open.

The following individual addressed this item:

Rhonda Ward

B-2. Establishment of a Human Relations Committee (Not Approved)

Motion was made by Mrs. Rupert, seconded by Mrs. Leach, to approve the establishment of a Human Relations Committee. **Mrs. Korn and Dr. Osgood appeared telephonically.** Ms. Murray and Mrs. Rich Levinson voted "yes." Mrs. Bartleman, Mrs. Freedman, Mrs. Good, Mrs. Korn, Mrs. Leach, Dr. Osgood and Mrs. Rupert voted "no." (2-7 vote)

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It is requested that The School Board of Broward County, Florida, establish a Human Relations Committee to: promote “community building” and the facilitation of dialogue on those issues that tend to divide communities and create intergroup tension; lead proactive community initiatives that promote mutual respect and alternative dispute resolution; support District prevention initiatives (anti-bullying, anti-violence, etc.)

Once approved this item will be placed on the June 18, 2013 School Board Workshop agenda to collaboratively determine the composition of the committee.

There is no financial impact to the district at this time.

Mrs. Rich Levinson informed that she and Michaelle Valbrun-Pope, Executive Director, Student Support Initiatives (Task Assigned), Ed.D., have had discussions on this issue, as well as the Board, about the possibility of creating a Human Relations Committee that would promote mutual respect among groups through training, education and outreach.

Mrs. Pope informed that in September 2011, following a Diversity Committee Board Workshop, the Board requested that staff bring a recommendation for a Human Relations Committee and what it would look like in function and makeup. Mrs. Pope referred to the exhibit Sample Human Relations Committee (HRC), outlining the Function, Process and Composition of what the committee should look like.

Mrs. Rich Levinson stated that the item speaks to establishing a committee for this function, process and having a workshop on June 18, 2013 to discuss the actual composition of the committee. Mrs. Rich Levinson said she was interested in having the involvement of students in the Human Relations Committee in the schools because they are aware of the issues that are occurring in the schools, along with the advisors of those councils.

Mrs. Rupert stated she was pleased that the committee is coming to fruition, that the conversation is transparent, and she looks forward to the workshop discussion for community input and Board Members' input at to what the composition of the committee should be.

Dr. Osgood stated that she has not made all her appointments to committees and she does not know the goals and objectives of the committees. She said it would behoove the Board to ensure that all committees are aligned in order to move the district forward.

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Dr. Osgood further stated that she has not made all her appointments to committees and requested that staff be prepared at the workshop to go through each committee and present the deliverables from those committees.

Mr. Moquin informed that on June 26, 2013 he will be presenting Policy 1.7 Appointment Of A School Board Member Representative(s) To A Committee(s) to discuss School Board appointed committees and the corresponding policies that either establish or set the parameters for some of the committees. Mr. Moquin stated that his intent is to deal with the policy around larger issues, such as training, ascertain what the committee's focus is on and making sure that it is in alignment with the Strategic Plan, communication and social media, and the process for establishing committees.

Mrs. Leach, who noted that she wants to review the composition issues of the item, inquired about the purpose of the item.

Mrs. Rich Levinson responded that the recommended action is to approve the establishment of a Human Relations Committee.

Mrs. Leach inquired why this process is being followed rather than having the Board Workshop.

Mrs. Rich Levinson stated that the committee would be approved at the Board meeting and the Board would discuss the details of the committee at the Board Workshop.

Mrs. Leach stated that having the discussion at a Board Workshop prior to today would have been preferred, rather than piecemealing the discussion.

Mrs. Korn stated that without having a more lengthy discussion at a Board Workshop, in terms of goals and objectives, she is not comfortable making a blanket approval of the item without giving time and discussion to the overall goal of the committee.

Mrs. Good remarked that the Board has been requesting the presentation of this item for quite some time and there has been frustration in not being able to establish the committee. Mrs. Good opined that establishing a committee through a "B" agenda item is not the right approach without the opportunity for ample discussion of all stakeholders. Remarking that this is a wonderful concept, Mrs. Good stated that she wants to hear from the Diversity Committee, parents and community activists.

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With regard to process, Mrs. Rich Levinson noted that the Board approved a Parent Community Involvement Task Force through a "B" agenda item. She said she was interested in getting the committee moving so that it can be in effect for the start of the school year.

Remarking that she supports the concept of this committee, Mrs. Bartleman stated she was not comfortable voting on an idea, unlike the Parent task force item that included details. Mrs. Bartleman concurred that the Sample needs to be vetted through the Board and the community. She stated that next week the Board will workshop the item and it must follow the process; approving an idea today does not speed up the process.

Mrs. Rich Levinson informed that the item she and Mrs. Valbrun-Pope were working on did include more concrete details but she decided not to bring it forward in that manner so that Board Members could have input into how this committee would be established. The workshop was originally in July and not June 18, and it was moved up to move the item forward.

Mrs. Rupert suggested a motion to table the item to June 26, 2013, until after the workshop, or to postpone the item.

Mrs. Korn stated when tabling an item it must be presented in the same manner and after having a workshop discussion the item will include more content and structure, which is more appropriate for approval.

Concurring, Mrs. Freedman stated that the item should be brought back "clean" so that there is a level of comfort for the Board Members.

Mrs. Bartleman stated that the starting points have been prepared and will assist in making the discussion very "rich" at the Board Workshop. She thanked the Chair for moving the item to June 18, 2013.

Ms. Murray stated that she supported the Human Relations Committee as presented.

Dr. Osgood offered a motion for a workshop to work through the details. (Tape unintelligible)

Mrs. Batista-McNamara stated that the issue is that there is not a process that is codified in School Board policy as to how the Board would form a committee. Counsel advised the Board to take the item to a workshop, bring it back as another "B" item or a resolution (according to Robert's Rules of Order).

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Mrs. Batista-McNamara advised that the Board item has to be resolved by a vote up or down, or postponed. The item would come back as currently presented and then a different item would be needed, or amended at the time, with information that the Board agrees to.

The following individuals addressed this item:

Rhonda Ward
Michael Rajner

Ms. Murray suggested a motion to remove the Sample exhibit and leave the establishment of the Human Relations Committee and having the details discussed at a workshop.

A vote was taken on the item as presented.

E. OFFICE OF STRATEGY & OPERATIONS

- *E-1. Second Amendment to Charter School Agreement with Silva of South Florida, Inc., on behalf of Pathways Charter School (Approved)

Approved the Second Amendment to the Charter School Agreement with Silva of South Florida, Inc., on behalf of Pathways Charter School.

Silva of South Florida, Inc., a Florida non-profit corporation, on behalf of Pathways Charter School, desires to amend its Charter School Agreement to change the location of the charter school for the 2013-2014, school year and subsequent years.

A copy of all supporting documents is available at the Charter Schools Support office on the 12th floor of the K. C. Wright Administration Center.

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. Charter School Renewal Agreement – Imagine – Broward County, LLC., (Imagine Charter School at Broward – 5415) (Approved)

Approved the Charter School Renewal Agreement for Imagine – Broward County, LLC., (Imagine Charter School at Broward – 5415).

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The terms and conditions for the operation of a charter school are set forth by the governing board of the charter school, and The School Board of Broward County, Florida, in a written contractual agreement that constitutes a school's charter. Pursuant to Section 1002.33(8)(b), Florida Statutes, a school's Charter School Agreement may be renewed subject to a review and provided that none of the statutory grounds for non-renewal have been documented.

The Superintendent's Charter School Review Committee reviewed and analyzed the renewal application from Imagine – Broward County, LLC., (Imagine Charter School at Broward – 5415).

It is requested that The School Board of Broward County, Florida, approve the renewal of the Charter School Agreement for Imagine – Broward County, LLC., (Imagine Charter School at Broward – 5415), for a five-year period. An Executive Summary specifies the grounds for the five-year renewal.

A copy of all supporting documents is available at the Charter Schools Support office on the 12th floor of the K. C. Wright Administration Center.

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

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

There is no financial impact to the district.

- *E-3. New Charter School Agreement – iSuccess Academies of Southwest Florida, Inc., d/b/a iGeneration Empowerment Academy of Davie
(Approved)

Approved a new Charter School Agreement for iSuccess Academies of Southwest Florida, Inc., d/b/a iGeneration Empowerment Academy of Davie.

On November 7, 2012, The School Board of Broward County, Florida, approved a charter application to start a new charter school during the 2013-2014, academic year. iGeneration Empowerment Academy of Davie, Inc., was the original applicant. iSuccess Academies of Southwest Florida, Inc., will be the non-profit entity contracting with The School Board of Broward County, Florida. iGeneration Empowerment Academy of Davie will serve students in grades 6-12 and will open in August 2013.

Approved in Open Board Meeting, July 23, 2013

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

In accordance with Florida Statutes, The School Board of Broward County, Florida, shall monitor and review the charter's revenues, expenditures, and progress toward the goals established in the charter. This is for an opening of a new charter school.

A copy of all supporting documents is available at the Charter Schools Support office on the 12th floor of the K. C. Wright Administration Center.

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-4. 2013-2014 Opening and Closing School Times (Regular Term)
(Approved)

Motion was made by Mrs. Rupert, seconded by and carried, to approve the opening and closing school times for 2013-2014 (Regular Term). This motion was superseded by Motions to Separate (pages 22 & 23).
Vote on Bright Horizons & Tedder Elementary: (0-9 vote).
Vote on remaining schools under this agenda item: Mrs. Bartleman voted "no." **Mrs. Korn and Dr. Osgood appeared telephonically.**
(8-1 vote)

Annually, Transportation reviews opening and closing of school bell times. Historically, the review involved evaluating bell times to ensure effectiveness and efficiency.

For the 2013-2014 bell times, Transportation staff thoroughly evaluated the historical approach to identify additional opportunities to minimize and reduce operational costs. Transportation was able to identify bell time rationales for additional consideration. Ultimately, staff will ensure the appropriate resources are in existence to provide required student transportation and compensate for student and program growth.

School times are scheduled to minimize operational costs to the district.

Approved in Open Board Meeting, July 23, 2013

Mrs. Rupert noted that a parent (Mr. Wargin), whose child Michael attends Bright Horizons, was present for most of this meeting before he left. Mrs. Rupert read a letter written by the parent, inquiring about the opening and closing times of Bright Horizons. She stated she received many e-mails from the Bright Horizons community and how this change would detrimentally affect the students and their educational choices.

Mrs. Rupert stated that Bright Horizons is part of this community, businesses that allow students vocational skills so they can have a life. She said she will not support the change to Bright Horizons. She informed that the morning routine, beginning school at 9:30 a.m. would be difficult, such as: many jobs allow the students to do them before the restaurants would be open for lunch and this time would be cut, the after-school program at ARC would have to be a drop-off place at Sunrise because there would not be enough time for them to acclimate, and transporting them home at 6:00 p.m., any quality time would be changed to transportation times.

Mrs. Freedman concurred and said she will not support the change to Bright Horizons. She stated that she has also been contacted by members of the community and concurred with separating the item.

Mrs. Bartleman inquired whether the change was made because the students were divided amongst the two schools who were originally in three schools.

Maurice Woods, Chief Strategy & Operations Officer, informed that the decisions are not solely financially driven. Staff felt that the majority of these changes allows for the improvement of the district's service levels. In some instances there are benefits to a lot of the students and in some instances there are deficits to some of the students, which is to be expected when these types of changes are made. Mr. Woods stated that changes have been vetted with school based administration and conversations have been held internally on this issue, prior to making these recommendations.

Mr. Runcie stated that some students will be negatively affected by time changes today, but in terms of trying to improve transportation times and services for the majority of students, those changes have been accomplished. Mr. Runcie further stated that the district is leaving millions of dollars on the table in the long run unless the consolidation of the bell times schedule is addressed.

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Mrs. Bartleman stated that the time is limited for Community Based Instruction (CBI) for independence and they must return by 12:30 p.m. If they are not getting to school at 9:30 a.m. and they cannot leave until 10:30, drive from 10:30 to 11:00 a.m., their instructional time has been cut. Mrs. Bartleman further stated that she wants data that indicates how much time are the children going to have in the field for their CBI by changing the bell schedule.

Mr. Woods informed there has been conversation with school administration to make sure that they were comfortable with the changes, addressing the CBI concerns, and there is an increased level of comfort around that. Mr. Woods said he did not have the details around the specific times.

Mrs. Bartleman stated she would not vote for the Center schools until she gets data on how many hours of actual CBI contact is provided. She was of the opinion that the earlier time is better for the duties these students perform. Mrs. Bartleman said that staff may need to determine how much longer the students can remain in the field, which impacts the remaining transportation.

Mrs. Leach informed that she used to teach middle school children with autism and CBI was provided multiple times a week. Mrs. Leach discussed the logistics of students with feeding tubes, ventilators, students with significant disabilities and the need for turnaround time to get them out by 10:30 a.m.

Addressing Wingate Oaks, Mrs. Leach stated that many parents had previous concerns about having to get up early and they may be fine with the time change. Mrs. Leach further stated, if the CBI time has not been significantly reduced, if they cannot leave until 10:30 and the bus has to be back at 12:30, it is not okay. It is difficult for parents who have to get to work at 9:00 a.m. and their disabled child has to be at the bus stop at 8:30. Mrs. Leach said her concerns are the impact to the parents and students and taking away their livelihoods.

Responding to Mrs. Leach's inquiry, Mr. Woods informed that staff reviewed all the schools on the original list, making the routes most efficient, reviewing the routes associated with Beachside and Collins elementary schools, and conversations have been held with principals at all the schools and their feedback was taken into consideration. Mr. Woods stated that subsequently, staff felt it did not make the most sense to modify Beachside and Collins.

Approved in Open Board Meeting, July 23, 2013

Remarking that he would not be opposed to modifying the list again, Mr. Woods reiterated that staff is trying to identify efficiencies in Transportation and routing is a significant way to do that. He said he wants to be extremely sensitive to Center schools and if changes need to be made, or pulled off the list, he is not opposed to that. Mr. Woods stated that the amount of efficiencies realized in Transportation will be a direct correlation with the decisions that are made around routing changes. Mr. Woods further stated that the proposed bell time changes for this year is conservative and each year there will be more proposed changes. The district has to get better at improving routing, efficiencies and services; in many instances services are improving – shorter ride times, more accurate pick-up times and scheduling.

Mrs. Leach said she is comforted somewhat with the 9:30 a.m. start time in the sense that 9:00 a.m. is the target to have all students on campus.

Dr. Osgood informed that during her community outreach with schools and parents they indicated that this would work better for them as long as they were able to drop off their children at the schools so they could get to work on time. It actually gave them additional time at the close time.

Remarking that there may be some flexibility, Mrs. Korn stated if the students are going to start their CBI later there is the potential to push back the CBI. There is also the potential to work with different partners who were unable to be used today because of the early start times. Mrs. Korn said at many of the schools there have been opportunities where maybe something different could be done. She stated there may be fear factor because there are changes. Mrs. Korn further stated that staff has already started reaching out to other partners who might be able to engage in different CBIs for those with challenges. Mrs. Korn recognized that there are some issues but staff is being proactive in addressing these issues, including principals.

Ms. Murray stated that buses are usually expected 30 minutes before the bell time to allow for students to get breakfast and get to class on time. Ms. Murray voiced concern over the impact to Bright Horizons of 1.5 hours and Wingate Oaks at 2.5 hours, which is quite an adjustment for a family to meet. She said that many of these homes are single-parent run and it will put an additional burden on them.

Mr. Runcie requested staff to provide the rationale in terms of the adjustment times for those Center schools.

Approved in Open Board Meeting, July 23, 2013

Eric Chisem, Transportation Support (Task Assignment), Student Transportation & Fleet Services, informed that he has been in contact with many Bright Horizons families to discuss concerns about the CBIs and working with Valerie Wanza, Director, Office of School Performance & Accountability, and the principal, to think outside the box.

Mr. Chisem stated that one of the responsibilities is working with Risk Management and identifying ways to issue certificates of insurance to those outside entities. Mr. Chisem stated that this program is very similar to the extension of the classroom. When approaching businesses and letting them know you are behind that program and here is a certificate of evidence of coverage showing a willingness to partner with you, they find it a relief that there is a transfer of risk.

Mr. Chisem informed that the families at Wingate Oaks are content, because in working with ESE staff has identified ways to provide Before and After Care at Wingate Oaks. Mr. Chisem stated that the Center has asked for time changes in the past and this is a perfect opportunity to incorporate for this year. He noted that staff did not only isolate Centers; elementary, middle and high schools were reviewed.

Mrs. Bartleman stated it is so difficult to get true CBI partners for children who are in the most restrictive environment in the county, and that staff is choosing to save money over transportation without providing the Board any hard data on how long CBI can be for these children.

Patricia Snell, Director, Student Transportation & Fleet Services, informed if she is able to spread out the three major tiers and make room to turn the bus around, there will be more efficiencies and money saved, and also look at this as shortening ride times for students. Ms. Snell stated there will be more buses to be able to be utilized in different places instead of them all being placed at the elementary or at the high school level. Ms. Snell further stated that will be reviewed in a more broader scale for next year.

Ms. Snell informed that changing the bell times across the board, reviewing it from a global aspect, is where money is saved. When money is saved routes can be taken off the road; there is no need for buses, drivers, or mechanics to work on the buses. Ms. Snell stated this is a very small group to start with and staff is very dedicated and have reviewed where there could be an economy to scale and have some positive impact on students.

Approved in Open Board Meeting, July 23, 2013

Ms. Snell stated that the newer students of Wingate Oaks will go into Bright Horizons and Quest and they will come in further distances, which would make them get up earlier if the earlier bell time remains. Ms. Snell explained, by switching the time to later the students will not have to get up as earlier and, hopefully, at the third tier extra buses that have openings on those routes can be used to accommodate the students. Ms. Snell did not believe there will be a problem with staff working at looking at getting some different places for students to go for CBI and finding buses. She said there are buses at Tedder that can be shored up to actually use for the CBIs, to extend the time slot.

Motion to Separate (Carried)

Motion was made by Mrs. Rupert, seconded by Mrs. Bartleman and carried, to separate Bright Horizons Center from the 2013-2014 Change Summary. (9-0 vote)

Mrs. Leach stated that a comprehensive review should be made to the entire list.

Ms. Snell stated that staff is in the middle of routing for the fall school opening and if delayed further it could cause chaos for the opening of school.

A vote was taken on the Motion to Separate.

Mr. Woods stated there will be a significant impact on the efficiencies because of the cascading effect; the change Bright Horizon will have on some of the other recommended changes and a large cost impact.

Mrs. Rich Levinson inquired whether the separation of Bright Horizons will have an effect on the remaining school times.

Mr. Chisem responded that there will be an impact to Tedder Elementary School because these students are coordinated together.

Mr. Woods stated this may or may not have an effect on other schools.

Mrs. Good suggested tabling the item to next week, prior to the Board Workshop.

Mr. Chisem stated that a week of routing would be affected, which is substantial.

Mr. Woods suggested moving forward with the remaining schools, except for Tedder Elementary and Bright Horizons that are impacted by the change.

Approved in Open Board Meeting, July 23, 2013

Following discussion, the following motion was made:

Second Motion to Separate (Carried)

Motion was made by Mrs. Leach, seconded by Dr. Osgood and carried, to add Tedder Elementary School and Bright Horizons to the separation (2013-2014 Change Summary). (9-0 vote)

A vote was taken on the Second Motion to Separate.

A re-vote was taken on "the item that separates Bright Horizons and Tedder Elementary School." (9-0 vote)

Discussing the remaining schools under Agenda Item E-4, Mrs. Bartleman inquired about the cost savings by adding the three schools – Beachside, Collins and South Plantation, and whether it equals Bright Horizons.

Responding that there are multiple variables to be reviewed, Mr. Woods stated that conversations were held with principals, the tiers were reviewed, and staff decided to pull schools and add schools to give the best bell time changes that could be recommended for this year.

The following individual addressed this item:

Rhonda Ward

A vote was taken on the remaining schools on the list. Mrs. Bartleman voted "no." (8-1 vote)

Following discussion on the previous action taken, Mrs. Rich Levinson clarified that a re-vote will be taken on the two separated schools, Bright Horizons and Tedder.

Mrs. Bartleman inquired whether these schools will be brought to a workshop.

Mr. Runcie clarified that the items will be presented at a workshop only if their bell times change. The item will be brought back to a Board meeting.

Mr. Chisem stated that additional supporting information will be presented.

Mrs. Rich Levinson stated that the Board is asking staff to review the starting times of Bright Horizons and Tedder.

Approved in Open Board Meeting, July 23, 2013

Mrs. Batista-McNamara advised that the Board will be approving or voting down the separated items, Bright Horizons and Tedder.

A re-vote was taken on the separated schools, Bright Horizons and Tedder Elementary School. (0-9 vote)

- *E-5. Charter School Renewal Agreement – Learning Excellence Foundation of East Broward, Inc., (Imagine Elementary at North Lauderdale Charter School – 5171) (Approved)

Approved the Charter School Renewal Agreement for Learning Excellence Foundation of East Broward, Inc., (Imagine Elementary at North Lauderdale Charter School – 5171).

The terms and conditions for the operation of a charter school are set forth by the governing board of the charter school, and The School Board of Broward County, Florida, in a written contractual agreement that constitutes a school's charter. Pursuant to Section 1002.33(8)(b), Florida Statutes, a school's Charter School Agreement may be renewed subject to a program review and provided that none of the statutory grounds for non-renewal have been documented. The Superintendent's Charter School Review Committee reviewed and analyzed the renewal application from Learning Excellence Foundation of East Broward, Inc., (Imagine Elementary at North Lauderdale Charter School – 5171).

It is requested that The School Board of Broward County, Florida, approve the renewal of the Charter School Agreement for Learning Excellence Foundation of East Broward, Inc., (Imagine Elementary at North Lauderdale Charter School – 5171), for a five-year period. An Executive Summary specifies the grounds for the five-year renewal.

A copy of all supporting documents is available at the Charter Schools Support office on the 12th floor of the K. C. Wright Administration Center.

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

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

There is no financial impact to the district.

Approved in Open Board Meeting, July 23, 2013

- *E-6. First Amendment to Charter School Agreement with Ivy Schools II, Inc., on behalf of Ivy Academy High (Approved)

Approved the First Amendment to the Charter School Agreement with Ivy Schools II, Inc., on behalf of Ivy Academy High.

Ivy Schools II, Inc., a Florida non-profit corporation, on behalf of Ivy Academy High, desires to amend its Charter School Agreement to change the location of the charter school for the 2013-2014, school year and subsequent years. The School will co-locate its charter school location with Ivy Academy Middle, for the 2013-2014, school year and subsequent years.

A copy of all supporting documents is available at the Charter Schools Support office on the 12th floor of the K. C. Wright Administration 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-7. First Amendment to Charter School Agreement with Ivy Schools II, Inc., on behalf of Ivy Academy Middle (Approved)

Approved the First Amendment to the Charter School Agreement with Ivy Schools II, Inc., on behalf of Ivy Academy Middle.

Ivy Schools II, Inc., a Florida non-profit corporation, on behalf of Ivy Academy Middle, desires to amend its Charter School Agreement to change the location of the charter school for the 2013-2014, school year and subsequent years. The School will co-locate its charter school location with Ivy Academy High, for the 2013-2014, school year and subsequent years.

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

Approved in Open Board Meeting, July 23, 2013

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-8. Charter School Renewal Agreement – RISE Education Schools, Inc., (RISE Academy School of Science & Technology – 5420) (Approved)

Approved the Charter School Renewal Agreement for RISE Education Schools, Inc., (RISE Academy School of Science & Technology – 5420).

The terms and conditions for the operation of a charter school are set forth by the governing board of the charter school, and The School Board of Broward County, Florida, in a written contractual agreement that constitutes a school's charter. Pursuant to Section 1002.33(8)(b), Florida Statutes, a school's Charter School Agreement may be renewed subject to a program review and provided that none of the statutory grounds for non-renewal have been documented. The Superintendent's Charter School Review Committee reviewed and analyzed the renewal application from by RISE Education Schools, Inc., (RISE Academy School of Science & Technology – 5420).

It is requested that The School Board of Broward County, Florida, approve the renewal of the Charter School Agreement for RISE Education Schools, Inc., (RISE Academy School of Science & Technology – 5420), for a one-year period. An Executive Summary specifies the grounds for the one-year renewal.

A copy of all supporting documents is available at the Charter Schools Support office on the 12th floor of the K. C. Wright Administration Center.

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

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

There is no financial impact to the district.

- *E-9. Second Amendment to Charter School Agreement with Alpha International Academy, Inc., on behalf of Alpha International Academy (Approved)

Approved the Second Amendment to the Charter School Agreement with Alpha International Academy, Inc., on behalf of Alpha International Academy.

Approved in Open Board Meeting, July 23, 2013

Alpha International Academy, Inc., a Florida non-profit corporation, on behalf of Alpha International Academy, desires to amend its Charter School Agreement to change the location of the charter school for the 2013-2014, school year and subsequent years.

A copy of all supporting documents is available at the Charter Schools Support office on the 12th floor of the K. C. Wright Administration Center.

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

Approved a new Charter School Agreement for Somerset Academy, Inc., (Somerset Academy Hollywood).

On November 15, 2011, The School Board of Broward County, Florida, approved a charter application for Somerset Academy, Inc. On June 19, 2012, Somerset Academy, Inc., was approved to defer the opening of the school until the 2013-2014, school year. Somerset Academy Hollywood will serve students grades K-5, and will open in August 2013.

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

In accordance with Florida Statutes, The School Board of Broward County, Florida, shall monitor and review the charter's revenues, expenditures and progress toward the goals established in the charter. This is for an opening of a new charter school.

A copy of all supporting documents is available at the Charter Schools Support Department on the 12th floor of the K. C. Wright Administration Center.

Approved in Open Board Meeting, July 23, 2013

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-11. New Charter School Agreement – Somerset Academy, Inc.,
(Somerset Academy Hollywood Middle School) (Approved)

Approved a new Charter School Agreement for Somerset Academy, Inc., (Somerset Academy Hollywood Middle School).

On November 15, 2011, The School Board of Broward County, Florida, approved a charter application for Somerset Academy, Inc. On June 19, 2012, Somerset Academy, Inc., was approved to defer the opening of the school until the 2013-2014, school year. Somerset Academy Hollywood Middle School will serve students grades 6-8, and will open in August 2013.

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

In accordance with Florida Statutes, The School Board of Broward County, Florida, shall monitor and review the charter's revenues, expenditures and progress toward the goals established in the charter. This is for an opening of a new charter school.

A copy of all supporting documents is available at the Charter Schools Support Department on the 12th floor of the K. C. Wright Administration Center.

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.

Approved in Open Board Meeting, July 23, 2013

- *E-12. New Charter School Agreement – Somerset Academy, Inc.,
(Somerset Academy Pompano Middle School) (Approved)

Approved a new Charter School Agreement for Somerset Academy, Inc.,
(Somerset Academy Pompano Middle School).

On November 15, 2011, The School Board of Broward County, Florida, approved a charter application for Somerset Academy, Inc. On June 19, 2012, Somerset Academy, Inc., was approved to defer the opening of the school until the 2013-2014, school year. Somerset Academy Pompano Middle School will serve students grades 6-8, and will open in August 2013.

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

In accordance with Florida Statutes, The School Board of Broward County, Florida, shall monitor and review the charter's revenues, expenditures and progress toward the goals established in the charter. This is for an opening of a new charter school.

A copy of all supporting documents is available at the Charter Schools Support Department on the 12th floor of the K. C. Wright Administration Center.

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.

F. OFFICE OF ACADEMICS

- F-1. Head Start/Early Head Start 2012/2013 Self-Assessment,
2013/2014 Improvement Plan, School Readiness Goals, and Wage and
Benefit Comparability Report (Approved)

Motion was made by Mrs. Rupert, seconded by Mrs. Bartleman and carried, to approve the Head Start/Early Head Start Self-Assessment, Improvement Plan, School Readiness Goals, and Wage and Benefit Comparability Report. Mrs. Freedman was absent for the vote. Mrs. Korn voted "no." **Mrs. Korn and Dr. Osgood appeared telephonically.** (7-1 vote)

Approved in Open Board Meeting, July 23, 2013

The School Board of Broward County, Florida is the selected Head Start grantee and the program's governing body. As such, it is required to make decisions about the program's administration and operations. The responsibilities include the approval of reports, policies, and practices to ensure compliance with the Head Start Program Performing Standards. As per the 2007 Head Start Act, the governing body is required to review and approve the annual Self-Assessment, Improvement Plan, School Readiness Goals, and Wage and Benefit Comparability Report.

There is no financial impact to the district.

Referring to page 15, 2012-2013 Early Head Start School Readiness Goals, Mrs. Rupert inquired about the decrease in 2-to-3-year-olds' tasks for persisting and showing curiosity and motivation.

Claudia Dean, Coordinator, Head Start, responded that the Teaching Strategies Gold is going to measure exactly where children should be based on their age.

Mrs. Korn voiced concern that in some areas it appears that we are pushing for the percentages to up significantly and in other areas the desired levels exceeded without seeing how we are going to achieve these gains.

Mrs. Dean responded that with the Teaching Strategies Gold it depends on the age of the child and the specific activity. Remarking that the School Readiness Goals is new to Head Start, Mrs. Dean stated there are different ranges. When staff met with parents and teachers a comparison was made with last year's end-of-the-year results, which indicated in some numbers, in some areas those gains were reached much easier than some other areas that are a lot more difficult. Those goals were set for this year based on last year's end-of-the-year results.

Noting that this is a mid-year report and not the final report, Mrs. Dean stated that last year three goals were not able to be obtained and staff realized that certain areas are a lot more difficult to reach than others. It cannot be said that overall everybody is going to be 75% higher in all those areas; some areas are easier to reach and some areas are more difficult to reach, which is indicated in the data. Mrs. Dean further stated that with literacy it is going to be a little bit more difficult. The low numbers are easier to bring in the social skills, hopefully, than in the literacy or the vocabulary area to reach the gain.

Mrs. Korn reiterated that there is not a lot of consistency in the goals; she does not see where the goal is less than something that has already been achieved, which is a red flag and it is not realistic.

Approved in Open Board Meeting, July 23, 2013

Mrs. Dean informed that staff can provide an explanation on how Teaching Strategies GOLD works and the different ranges and levels. This document was created following the Head Start standards. Mrs. Dean stated that staff is going to Atlanta to continue to revise and improve on what is being done currently. Every Head Start in the nation is required to have the School Readiness Goals and continue to measure progress in their programs.

Remarking that she was uncomfortable with these numbers, Mrs. Bartleman inquired about the percentage breakdown for the 3-year-olds, F/W, Attends and engages. She stated that there are thousands of children on waiting lists to attend these programs.

Mrs. Dean responded that this deals with the children being able to follow a lesson. The tool measures all the domains necessary for child development and there is an entire range of where the children can fall within that range, which is considered developmentally appropriate. Mrs. Dean stated that the real gains will be illustrated in the report in July or August 2013.

Referring to the evidence for Letter Sounds knowledge and Concepts of Print, Mrs. Bartleman inquired whether the 3-year-olds and 4-year-olds are being given the same test.

Mrs. Dean responded that the same test is given and it is expected to be extremely low with the 3-year-olds compared to the 4-year-olds.

Mrs. Bartleman stated if there are 3-year-olds on letter knowledge there should be progress when they are 4-years-old, and studies should be done to see their ending results.

Mrs. Dean responded that this is being done with the children that transition from the 3-year-old program to the 4-year-old program. She stated that there are only 500 3-year-old children that transition annually out of 2,120 children.

Mrs. Bartleman stated this is important data to collect and share with the Board, illustrating whether progress is being made. If a child is in the system at 3-years-old and they are still going to kindergarten unprepared, then the district has failed them.

Mrs. Dean informed that staff compares children within one-year-olds. If a child is in a 3-year-old program, that is the data being shown.

Approved in Open Board Meeting, July 23, 2013

Concurring, Leontine Butler, Ed.D., Executive Director, Early Childhood Education, stated this is something that has not been done but staff is going to start tracking from ages 3, 4 and 5, which is a part of the recommendations. Dr. Butler stated if data from February to May was available, the Board would not have some of the concerns being discussed. When the report is presented in July, it will show significant gains based on the range and the age group.

Mrs. Bartleman requested data of the 500 children in the kindergarten age group.

Mrs. Dean stated that staff is gathering this data with the Research Department and working with the schools because there are a lot of discrepancies, even with the kindergarten piece where some of the assessments are not yet completed due to an absence one day and the numbers are not counted. Mrs. Dean stated that staff is gathering to provide clear, valid data with fidelity.

Mrs. Bartleman stated she was not comfortable that data is not clear because every child has to take that screening. She requested that staff provide the Readiness data for the 500 children that began at 3-years-old.

G. OFFICE OF HUMAN RESOURCES

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

Motion was made by Mrs. Rupert, seconded by Mrs. Leach and carried, to approve the personnel recommendations for the 2012-2013 appointments and leaves as listed in the Executive Summary and respective lists for Instructional staff. Mrs. Rupert abstained from the vote. **Mrs. Korn and Dr. Osgood appeared telephonically.** (8-0 vote)

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

The Personnel Recommendations for Instructional Employees include the following items:

1. Instructional Leaves

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

Approved in Open Board Meeting, July 23, 2013

Mrs. Rupert informed that she needs to separate herself from the item.

Mrs. Batista-McNamara advised that Mrs. Rupert can separate from the item or abstain from the entire item.

Mrs. Rupert stated she will abstain.

Mrs. Bartleman recognized the following individuals from Lauderhill Middle School for their years of service and wished them well in their retirement: Martina Parker-Sobers (30 years of service), Harold Dukes (34 years of service), and Hubert Lockhart (33 years of service).

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

Motion was made by Mrs. Rupert, seconded by Dr. Osgood and carried, to approve the personnel recommendations for separation of employment or discipline as listed in the respective lists for instructional staff. All recommendations are made with the understanding that these individuals will comply with regulations/policies as set forth by the Florida Department of Education and The School Board of Broward County, Florida. **Mrs. Korn and Dr. Osgood appeared telephonically.** (9-0 vote)

The Personnel Recommendations for Instructional Employees include the following items:

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

There will be no financial impact to the school district.

Mrs. Rupert congratulated Ann Ayers, Lyons Creek Middle School, and wished her well in her retirement. She noted that Ann began the Pinwheels for Peace program.

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

Motion was made by Ms. Murray, seconded by Mrs. Rupert and carried, to approve the personnel recommendations for appointments and reassignments as listed on the Executive Summary, respective lists and individual appointments for Non-Instructional Employees.

Approved in Open Board Meeting, July 23, 2013

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. **This item was amended to reflect changes on pages 20 and 22.** (9-0 vote)

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

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

Mrs. Rupert discussed the process in selecting the Principal at Norcrest Elementary School, and welcomed the new principal and moving forward in a positive direction. Mrs. Rupert stated that the process was a stellar experience at McNab and Pompano elementary schools and their communities but the process did not hold true for the Norcrest community. Mrs. Rupert stated that her community voiced concern that there was a breakdown in the process and they are requesting that this experience does not occur to another community in going forward. She requested that the process utilized at McNab and Pompano be duplicated in the future.

Dr. Osgood stated that she was pleased with the process and assumed that the same process was used across the county. She inquired why the process was different at Norcrest.

Mrs. Rupert stated that she spoke with Desmond Blackburn, Ph.D., and the Superintendent about this issue and the community-driven questions (generic) that were very relevant for the school were not asked.

Approved in Open Board Meeting, July 23, 2013

Dr. Osgood requested that all the processes and procedures are fair for everyone. She was hopeful that once the new school year begins that everyone is focused on Children Have a Need to Grow Every day (CHANGE).

Mrs. Freedman thanked Dr. Blackburn and the Superintendent for the process that she experienced in District 4; the incredible fidelity of implementation and transparency. Mrs. Freedman stated it is important for the community to realize how hard staff works to ensure that the finest leaders are in the appropriate locations.

Mrs. Rich Levinson thanked Dr. Blackburn and his staff of directors for the process they undertook; the exceptional meetings they held, receiving community input and making everyone's ideas feel welcomed.

Mrs. Bartleman, who informed that she received e-mails from the Norcrest community as a county-wide Board Member, stated that the decision is made between Dr. Blackburn and Mr. Runcie. She stated that she has spoken with Dr. Blackburn and the Superintendent and they are going to look at revising the process for next year.

The following individuals addressed this item:

Salvatore Coniglio
Christine Aron

Mrs. Good informed that she attended the first forum to hear the characteristics and she did not attend any other forums. She inquired how much of the community's input was considered in the process.

Dr. Blackburn responded that staff went to each community and solicited input from community leaders what characteristics they felt were needed in the next principal. This information was used in order to screen resumes of applicants, design questions that were asked in the internal district interview, and finalists were selected that staff felt matched what the communities were saying but also living with a Strategic Plan and initiative to move the school system forward. The communities were given an opportunity to write feedback on form and these were reviewed. All this input helped to determine the final recommended candidate that was submitted to the Superintendent.

Dr. Blackburn explained the interview process which included himself, cadre directors, and other senior district leaders, among multiple interviews.

Approved in Open Board Meeting, July 23, 2013

Dr. Blackburn stated that the interview portion consisted of a thorough 30-minute interview process; 15-minute PowerPoint presentation that was aligned to the district's Strategic Plan, follow-up questions on the strengths and weaknesses as articulated by the candidate, and anything else relative to the particular school.

Mrs. Good requested that in moving forward, that the input obtained by the community and the faculty shared during the forums be shared with the new principals moving forward so they understand clearly what those communities are looking for and what is important to them.

Concurring, Dr. Blackburn stated that he and staff will create opportunities for the communities, prior to the commencement of school and during the summer, for the new principals to meet their new staff in their communities. Also, Meet and Greet events will be held, as in the past.

Mrs. Korn informed that she reviewed the process with staff and as concerns came forward she spoke to staff about them. Mrs. Korn spoke about the challenges and said it is incumbent upon staff and the Superintendent to ensure that the decision made is in the best interest of the community, teachers and students and not of the employee.

Remarking that she hopes the selection is the right fit for the community, Mrs. Korn stated that her job is to approve what staff has brought forward knowing it is incumbent upon staff to make sure that success is found at all schools. Mrs. Korn further stated that the feedback she has received has been 99% positive.

Mrs. Rupert stated that District 7 will stand behind the principal at Norcrest.

Mr. Runcie explained that a process was put in place to ensure that everyone had to apply for these opportunities and interview them in order to get the best at the top. Mr. Runcie stated that the district has engaged the community more than in the past, and even though it is not perfect, significant steps have been taken in that direction.

Mr. Runcie further stated that all district leaders will be held accountable and if results needed are not met, staff will work with them and provide support. Remarking that the cadre model has been introduced this year, Mr. Runcie stated that an attempt is being made to have principals help each other to improve. Principals by themselves cannot ensure that the school is successful and it takes a partnership among the parents, community and the principal to make it work. Every successful school in the country and in Broward County has those components working together, to work and make decisions on what is in best interest of children.

Approved in Open Board Meeting, July 23, 2013

The Superintendent asked the community to give these principals the opportunity to work with “you” and staff will continue to monitor and provide support as necessary, in moving forward.

Following the vote on the item, newly-appointed district personnel were recognized and congratulated by all School Board Members.

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

Motion was made by Mrs. Rupert, seconded by Mrs. Leach and carried, to approve the personnel recommendations for separation of employment or discipline as listed on the respective lists for Non-Instructional staff. All recommendations are made with the understanding that these individuals will comply with regulations/policies as set forth by the Florida Department of Education and The School Board of Broward County, Florida. Mrs. Korn was absent for the vote. **Mrs. Korn and Dr. Osgood appeared telephonically.** (8-0 vote)

The Personnel Recommendations include the following items:

Non-Instructional Resignation(s)/Retirement(s)
Non-Instructional Suspension(s)/Termination(s)

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

Employees contesting the recommended discipline may avail themselves of due process rights pursuant to their respective Collective Bargaining Agreements or School Board Policy 4105.

There is no financial impact to the school district.

Mrs. Korn discussed the inconsistency in the discipline given to an employee for insubordination – 3-day suspension and to an employee for insubordination, 1st offense – 3-day suspension). Mrs. Korn stated that due to procedures in place staff had been asked to try to align these, especially since they are in the same bargaining unit.

Gracie Diaz, Chief Human Resources Officer, responded that the difference in the discipline is because the bus operators are governed under the rules and penalties that have been agreed to with the Federation of Public Employees (FOPE). The employee, while is still a FOPE employee, is not a bus operator, therefore, Policy 4.9 Employee Disciplinary Guidelines, is applied and progressive discipline must be followed.

Approved in Open Board Meeting, July 23, 2013

Ms. Diaz informed that Mr. Chisem and staff will continue to work with FOPE, looking at the rules and penalties to better align some of the discipline. At this point, in order to sustain the discipline, if challenged, staff is following progressive discipline appropriately for the offense.

Mrs. Rich Levinson indicated that telephone communication was lost with Mrs. Korn.

Ms. Murray recognized Thelma Owens, Supervisor II, Transportation Staffing, Student & Fleet Services, who is retiring after 42 years of service to the district. Ms. Murray stated that she and Thelma began working at the district at the same time.

Ms. Murray recognized Chyrie Mielke, Bus Operator, Pupil Transportation, South Area, who is retiring after serving the district for 43 years. Chyrie drove exceptional students most of her career, and she was loved and respected by the students and parents.

Mrs. Rich Levinson recognized Wanda Ross, Principal, Indian Trace Elementary, for her service to the district for many years, and wished her well in her retirement.

*G-5. Supplemental Pay Positions – List #20 (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.

H. OFFICE OF THE GENERAL COUNSEL

I. OFFICE OF THE SUPERINTENDENT

- I-1. Naming of the Performing Arts Center Lobby at Hollywood Central Elementary School (Approved)

Motion was made by Ms. Murray, seconded by Mrs. Korn and carried, to approve the naming of the Performing Arts Center Lobby at Hollywood Central to *The Carol MacKenzie Lobby: A Legacy of Music*. Dr. Osgood was absent for the vote. (8-0 vote)

Per Board Policy #1401, a committee of all stakeholders was appointed at Hollywood Central Elementary School to name their Performing Arts Center Lobby. The name chosen by the committee was The Carol MacKenzie Lobby: A Legacy of Music.

There is no financial impact to the district.

Ms. Murray introduced Ms. Delicia Decembert, Principal, Hollywood Central Elementary School, who honored Carol McKenzie for her legacy of music education at Central Elementary School for 50 consecutive years.

Ms. Murray stated that Carol McKenzie was a humble person and focused on the needs of every child, with a smile and a warm heart for anyone that she met. She thanked Principal Decembert for bringing this forward, which is a great way to remember someone who contributed so much to so many.

- I-2. Superintendent's Employment Agreement Extension (Approved)

Motion was made by Mrs. Rupert, seconded by Dr. Osgood and carried, to authorize the Board Chair and General Counsel to enter into contract negotiations with the Superintendent for an extension of the Superintendent's Employment Agreement. **Mrs. Korn and Dr. Osgood appeared telephonically.** (9-0 vote)

In accordance with Article 2, Section 2.2, of the Superintendent's Employment Agreement, dated October 4, 2011, the Board and Superintendent shall meet in a regular or special School Board meeting at least 12 months prior to the termination of the Employment Agreement. Pursuant to the Superintendent's Agreement, the contract expires on October 4, 2014. It is the Superintendent's responsibility to place an item on the agenda of a Board meeting at least 12 months prior to the termination of his contract to enter into a successor contract.

There is no financial impact to the district.

Approved in Open Board Meeting, July 23, 2013

Dr. Osgood inquired whether the item is authorizing the Chair and General Counsel to start negotiations with the Superintendent for the extension of his employment agreement.

Mrs. Rich Levinson responded affirmatively.

Remarking that she had the same question as Dr. Osgood, Mrs. Leach requested that in moving forward a time line be included for the evaluation.

Mrs. Korn inquired whether she can submit some considerations to the Chair or General Counsel regarding the negotiations.

Mrs. McNamara advised that the concerns can be submitted to General Counsel and not the Chair because she is the designee by the School Board during the negotiations.

Mrs. Bartleman requested enough time for the test scores to come in and be made a part of the evaluation. She stated teachers are being measured by test scores and also the Strategic Plan. Mrs. Bartleman stated that the Superintendent is hired to improve student achievement and this needs to be part of his evaluation. She requested that the timeline be amended until after the test scores come in.

Mrs. Rupert requested that negotiations begin after school starts, as she wants to see how the Transportation department transitions, and include the communication piece. Mrs. Rupert further requested that the annual evaluation become due after the test scores come out.

Mrs. Rich Levinson stated she was very comfortable with the Superintendent receiving eight "Highly Effectives" in which to commence negotiating with the Superintendent on a new contract.

Mrs. Good was of the opinion that Transportation is more of an evaluation issue and not necessarily pertaining to the Board negotiating a new contract with the Superintendent. Mrs. Good stated there were some issues shared with the Board through Mr. Carland regarding an amendment, which has been included. She concurred that the test scores could be an element that is linked to the Superintendent's evaluation.

Mrs. Good said she was comfortable with the Chair negotiating on the Board Members' behalf and would support this item and moving forward with the contract negotiations.

Referring to Article 9, Mrs. Rupert stated that the evaluation piece, how the Board evaluates and when the evaluation is done is part and parcel to the evaluation process.

Approved in Open Board Meeting, July 23, 2013

Mr. Moquin stated that when the evaluation went to the workshop there was some discussion over timing. Staff attempted to explain in the agenda item some of the areas of focus for the Chair and General Counsel, and the timing of the evaluation was stipulated within the provisions of the Superintendent's contract. Mr. Moquin further stated this issue will be reviewed through the negotiation process.

Mrs. Bartleman stated that the Board Attorney disagreed with the audit regarding the section of the contract.

Mr. Moquin informed that the disagreement was around the fact that the Superintendent's current contract was actually executed prior to the change in statute.

Mrs. Rich Levinson stated that the law changed after the contract had been in place.

Mr. Moquin stated this will make the whole issue moot.

The following individual addressed this item:

Rhonda Ward

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 May 22, 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:

Bergeron Land Development, Inc. – Issue Pre-qualification Re-certification

D. Stephenson Construction, Inc. – Issue Pre-qualification certification *

**

D.A.C. Air Conditioning Corp. – Issue Recommendation to Increase Limits **

Approved in Open Board Meeting, July 23, 2013

Facchina Construction of Florida, LLC – Issue Pre-qualification Re-certification

Jag Air Mechanical, Inc., dba Penn Air Mechanical – Issue Recommendation to Increase Limits **

JMW Construction Corporation – Issue Pre-qualification Re-certification **

JWR Construction Services, Inc. – Issue Pre-qualification Re-certification

OHL Building, Inc. – Issue Pre-qualification Re-certification

Pioneer Construction Management, Inc. – Issue Recommendation to Not Certify

Richard Flanders Enterprises, Inc. – Issue Pre-qualification Re-certification

Stiles Corporation d/b/a Stiles Construction – Issue Pre-qualification Re-certification

*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. Approve Contract Documents for Professional Services Agreement for Open End Consultant Services (Approved)

Approved revisions to the Contract Documents for Professional Services Agreement for Open End Consultant Services.

The revised Contract Documents have been amended to include the recommendations provided by McGladrey LLP, Best Practices, strengthened Right to Audit provisions, Risk Management and as recommended by Cadre counsel, Becker & Poliakoff, P.A.

A copy of the Professional Services Agreement for Open End Consultant Services contract revisions are available online via the Broward County Public Schools eAgenda at:

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

Approved in Open Board Meeting, July 23, 2013

The revised contract document has been reviewed and approved as to form and legal content by the Office of the General Counsel.

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-3. Approve Contract Documents and Authorization to Advertise for Bids for Construction Services Minor Projects (Approved)

Approved revisions to the Contract Documents and Authorization to Advertise for Bids for Construction Services Minor Projects for the Contractor Categories listed in Exhibit 2.

The revised Contract Documents have been amended to include the recommendations provided by McGladrey LLP, Best Practices, strengthened Right to Audit provisions, Risk Management and as recommended by Cadre counsel, Becker & Poliakoff, P.A.

A copy of the Authorization to Advertise for Bids for Construction Services Minor Projects (CSMP) contract revisions are available online via the Broward County Public Schools eAgenda at:
<http://eagenda3.broward.k12.fl.us/cgi-bin/WebObjects/eAgenda>.

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

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-4. Approve Contract Documents and Authorization to Advertise for Bids for Construction Services Emergency Projects (Approved)

Approved revisions to the Contract Documents and Authorization to Advertise for Bids for Construction Services Emergency Projects for the Contractor Categories listed in Exhibit 2.

The revised Contract Documents have been amended to include the recommendations provided by McGladrey LLP, Best Practices, strengthened Right to Audit provisions, Risk Management and as recommended by Cadre counsel, Becker & Poliakoff, P.A.

A copy of the Authorization to Advertise for Bids for Construction Services Emergency Projects (CSEP) contract revisions are available online via the Broward County Public Schools eAgenda at:
<http://eagenda3.broward.k12.fl.us/cgi-bin/WebObjects/eAgenda>.

Approved in Open Board Meeting, July 23, 2013

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

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-5. Approve Contract Documents for Hard Bid Construction – Division 0 and Division 1 (Approved)

Approved the revisions to the Hard Bid Construction Contract Documents consisting of selected Division 0 and Division 1 documents.

The revised Construction Contract Documents consist of selected Division 0 and Division 1 documents that have been amended to include the recommendations provided by McGladrey LLP, Best Practices, strengthened Right to Audit provisions, Risk Management and as recommended by Cadre counsel, Becker & Poliakoff, P.A.

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

The revised contract document has been reviewed and approved as to form and legal content by the Office of the General Counsel.

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-6. Approve Contract Documents for Invitation to Bid Projects (Approved)

Approved revisions to the Contract Documents for Invitation to Bid Projects.

The revised Contract Documents have been amended to include the recommendations provided by McGladrey LLP, Best Practices, strengthened Right to Audit provisions, Risk Management and as recommended by Cadre counsel, Becker & Poliakoff, P.A.

A copy of the contract revisions for Invitation to Bid Projects are available online via the Broward County Public Schools eAgenda at:
<http://eagenda3.broward.k12.fl.us/cgi-bin/WebObjects/eAgenda>.

The revised contract document has been reviewed and approved as to form and legal content by the Office of the General Counsel.

Approved in Open Board Meeting, July 23, 2013

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. Agreement with DeKalb County School District, Georgia for High School Football Game (Approved)

Motion was made by Mrs. Rupert, seconded by Mrs. Leach and carried, to approve Agreement with DeKalb County School District, Georgia and The School Board of Broward County, Florida, for an interscholastic high school football game between Martin Luther King Jr. High and Blanche Ely High. The game will be played at James R. Hallford Stadium. **Mrs. Korn and Dr. Osgood appeared telephonically.** (9-0 vote)

Martin Luther King Jr. High School is a public high school that provides education for ninth through twelfth grades, serving the community of Lithonia, Georgia. Martin Luther King Jr. High is a public high school in the state of Georgia with a student population of 2,300. Martin Luther King Jr. High has invited Blanche Ely High to play at James R. Hallford Stadium on Saturday, August 31, 2013.

Pursuant to the Agreement, there is no cost to The School Board of Broward County, Florida. Blanche Ely High will be provided at no cost to the school two nights of lodging in Stone Mountain, Georgia for the football game (August 31, 2013). Martin Luther King Jr. High will pay for Blanche Ely High's hotel lodging costs and coach bus transportation. Blanche Ely High shall be responsible for funding all meals. It is anticipated that the football game with Martin Luther King Jr. High will increase national and regional attention for the Broward County Public School system. The game is under consideration to be aired on national television by ESPN-U. The School Board of Broward County, Florida has approved similar agreements for out-of-state football games with Miramar High, Cypress Bay and Cooper City High Schools.

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

The Interim Superintendent of Schools for DeKalb County School District has signed and approved the agreement.

There is no financial impact to the district.

Approved in Open Board Meeting, July 23, 2013

Mrs. Rich Levinson stated that Damian Huttenhoff, Director, Athletics & Student Activities, was excused from the meeting. She stated that Mrs. Rupert wanted to commend him on the item.

Mrs. Rupert concurred.

OPEN ITEMS

AA. RESOLUTIONS

BB. BOARD MEMBERS

CC. BOARD POLICIES

CC-1. Wellness Policy 5314, Proposed Modifications (Approved as amended)

Motion was made by Mrs. Good, seconded by Dr. Osgood and carried, to approve modifications to the Wellness Policy 5314, at this first reading. This motion was superseded by a Motion to Amend (pages 47 & 49). Mrs. Bartleman and Ms. Murray voted "no." (7-2 vote)

Subject Area to be Addressed: School Board Policy 5314 is being considered for revisions to include: Formal expansion of the scope of the Wellness Policy Committee (Wellness and Learning Supports Committee) to include all 8 components of the Coordinated School Health Model – Health Education, Physical Education, Health Services, Nutrition Services, Counseling, Psychological and Social Services, Healthy School Environment, Health Promotion for Staff and Family and Community Involvement. The scope of the committee was expanded in 2008. Changes in physical education to reflect changes in the state statutes regarding who can teach physical education, recess when there is no physical education and requirements to combine Health Education and Physical Education.

These revisions were discussed at the February 12, 2013 School Board Workshop, the October 30, 2013 Public Rule Development Meeting, and the August 14, 2012 School Board Workshop.

There will be no financial impact to the district.

Mrs. Bartleman, referring to 2. Physical Activity and Other School Based Activities, c. and f., stated that schools have always been allowed to determine their special courses, and depending on how the policy reads it could be requiring principals to spend all their special money to have enough Physical Education teachers. Mrs. Bartleman stated that a lot of very successful elementary schools have PE as part of their rotation and specials with a PE instructor, the students get 30 minutes of physical activity every day but the teacher is giving a lesson. She inquired whether this language will change that practice.

Approved in Open Board Meeting, July 23, 2013

Angelique Lynch, Curriculum Supervisor, College & Career Readiness - Physical Education K-12, responded that the policy as currently written states that 30 minutes a day is through any activity certified, according to what the state statute list. In elementary school, this could be any regular education elementary certified teachers, and this would not change any of that language.

Mrs. Bartleman stated that the revised language can be read either way, "to the extent possible." When language comes from the district it could be perceived either way, which should be clarified.

Darlene Moppert, Program Manager, Nutrition Education & Training, stated that previous policy did mandate that all PE be taught by certified physical education teachers. Mrs. Moppert stated that because of changes in state statute, it was necessary that staff make some adjustments in terms of PE because the district is not in a position to comply with the previous mandate of the wellness policy. It was the request of the community, as well as the Wellness Policy Committee, to explain that this is the preference, that PE be taught by certified PE teachers, and that is why the language was included as indicated.

Mrs. Leach explained that as a member of the Wellness Committee, clarification was needed. Even though the statute had changed to relax the restrictions on who can teach PE, if a certified PE teacher is available that would be the preference as a best practice but it is not mandated.

Motion to Amend (Withdrawn)

Motion was made by Mrs. Bartleman, seconded by Mrs. Korn, to amend c., to remove the language "to the extent possible."

Mrs. Leach stated that she wants to have a certified PE teacher for students to the greatest extent possible. It is not just a preference and it sends a strong statement to principals.

Mrs. Bartleman noted that in f. the language indicates that elementary students will have 30 minutes per day of physical education. The statement that students will have 30 minutes a day of PE by a certified instructor, there are schools that would not have music and art.

Mrs. Rich Levinson stated that there is a difference because 2.c. states physical education classes, to the greatest extent possible to be taught by certified teachers; f. states physical education, when an individual elementary school teacher takes the students outside. Mrs. Rich Levinson was of the opinion that principals would interpret those as specials.

Approved in Open Board Meeting, July 23, 2013

Mrs. Bartleman withdrew her Motion to Amend and Mrs. Korn withdrew her second to the motion.

Mrs. Korn suggested that f. indicate physical activity rather than physical education, which is clear.

Mrs. Rich Levinson stated that the statute says physical education and the policy must say physical education.

Ms. Lynch stated that the 30 minutes per day could be by the regular classroom teacher or a PE teacher.

Mrs. Korn referred to 3. Guidelines For All Food Served on Campus, 3.b, and inquired whether there are vending machines where the revenues go to the schools. She stated that children bring food onto campuses and she does not understand why Food and Nutrition has to review everything, collecting data and monitoring.

Mrs. Rich Levinson stated that she voiced concerns regarding e., high schools selling candy, and having no objections to that and the verbiage stating that they should not do that.

Mrs. Moppert responded that the intent is not to tell the schools or the PTAs what they cannot do. She stated when surveys are provided to principals each year on evaluation of the Wellness policy, they are asked to identify the types of fundraising that they do. This is a convenient and economical way to assess what is being done in the district; encouraging principals to look at fundraising that does not involve the sale of unhealthy food. In addition, the district would not be able to seek the Healthy Schools Award (Gold) achievement, and these are recommendations by the state, if there is not some form of monitoring of vending and fundraising.

Mrs. Korn stated she was not driven by getting a different level of an award from the state. She reiterated it is over-reaching when collecting data, and there is no purpose in monitoring if there is not an intent to have some kind of impact or influence over it.

Mrs. Good was of the opinion that 3.b. is totally acceptable because students today are making healthier choices and if there is going to be a variety of items available to students through some of the a la carte machines or vending machines, they should have the ability to make nutritious choices.

Approved in Open Board Meeting, July 23, 2013

Mrs. Rich Levinson stated that the issue is the bold statements at the end of b. and e. Principals are being encouraged to do it this way because of the monitoring aspect and students should have the freedom of choice what type of fundraiser they want and what they want in their vending machines.

Mrs. Moppert informed that it is part of Policy 3.2 that all vending machines have available foods of nutritional value. She noted that staff is not doing things to get awards, but if something is already being done, having it listed in the policy is worthwhile for the benefit of the district.

Mrs. Good stated that e. indicates that schools shall encourage fundraisers that promote positive health habits. She suggested that "shall" be changed to should encourage fundraisers, which allows more flexibility.

Dr. Osgood stated she was in favor of encouraging healthy eating but she was not sure why data is needed to be collected.

Mrs. Moppert responded that up to this point the data is collected because the district is required to evaluate the effectiveness of the Wellness Policy. The intent is not to "police."

Mrs. Korn clarified that she does not want to change the original language and her only concern is the new added language. She suggested the following motion:

Motion to Amend (Carried)

Motion was made by Mrs. Korn, seconded by Mrs. Bartleman and carried, to amend Policy 5314, 3. Guidelines For All Food Served on Campus, remove the added language at the end of 3.b, page 3 and remove the added sentence on page 4, at the end of 3.e.

Mrs. Good and Mrs. Leach voted "no." (7-2 vote)

Mrs. Freedman offered a friendly amendment to keep the language and inserting the district may monitor, comply or the district may continue to collect data.

Mrs. Korn declined the friendly amendment.

Mrs. Rich Levinson stated she did not want a situation where teachers are telling students that they must have healthy snacks.

Mrs. Leach stated that an adult is making a decision on what the child is being provided, which is different than the government intervening on what a child should eat.

Approved in Open Board Meeting, July 23, 2013

Motion to Call Question (Failed)

Motion was made by Ms. Murray, second by Dr. Osgood, to call the question. Mrs. Freedman, Mrs. Rich Levinson, Ms. Murray, Dr. Osgood voted "yes." Mrs. Bartleman, Mrs. Korn, Mrs. Good, Mrs. Leach and Mrs. Rupert voted "no." (4-5 vote)

A vote was taken on the Motion to Call Question. A vote was taken on the Motion to Amend.

The following individuals addressed this item:

Robert Mayersohn
Michael Rajner

Ms. Murray stated that there should not be a stringent policy on what should or should not be done, if the nutritional education is followed, because children are educated in what they should and should not eat.

Mrs. Bartleman stated she would not support the item because she was uncomfortable with some of the language in the policy. She did not believe that the true intent of the Board's discussion is included in the language of the policy but she does support the work of the Wellness Committee.

Mrs. Rich Levinson clarified that the definition of Physical Education is from the state and not her definition.

CC-2. Policy 4413 – Anti-Fraud (Approved)

Motion was made by Mrs. Rupert, seconded by Mrs. Good and carried, to approve new Policy 4413, Anti-Fraud, at this first reading. Dr. Osgood was absent for the vote. (8-0 vote)

As the result of an audit conducted by the Auditor General's Office, a recommendation was made for the School District to adopt an anti-fraud policy to promote consistent organizational behavior by defining actions that constitute fraud. This Anti-Fraud Policy also establishes certain principles and expectations for the School District in order to prevent fraud, to investigate claims and provide consequences for engaging in any manner of fraud.

This new Policy has been discussed at the April 16, 2013 School Board Workshop, the May 9, 2013 Public Rule Development Meeting, and the May 14, 2013 School Board Workshop.

There is no financial impact to the district.

Approved in Open Board Meeting, July 23, 2013

No discussion was held on this item.

- CC-3. Proposed New Job Description and Minimum Qualifications for the Specialist Eligibility, Recruitment, Selection, Enrollment and Attendance (ERSEA) – Early Childhood Position (Approved)

Motion was made by Mrs. Rupert, seconded by Mrs. Korn and carried, to approve the proposed, new job description and minimum qualifications for the Specialist Eligibility, Recruitment, Selection, Enrollment and Attendance (ERSEA) – Early Childhood position. Approval is requested to advertise for the position after the first reading. This is the first reading. Mrs. Leach and Dr. Osgood were absent for the vote. (7-0 vote)

The job description for the Specialist Eligibility, Recruitment, Selection, Enrollment and Attendance (ERSEA) – Early Childhood has been created to support the new vision for Early Childhood Education and to meet federal requirements.

This position will follow standard advertising and selection process. See Executive Summary.

There is no financial impact to the district.

Referring to the Job Description, Mrs. Korn inquired who this individual will be reporting to, Director or designee. She said she understood that this would be a different department.

Amanda Bailey, Director, Employee Relations, responded that designee was included to ensure that if any transition occurs in management the Director would be the director of the department.

Dr. Butler informed that the individual will be reporting to Mrs. Dean.

Mrs. Korn inquired what position does this person report to.

Mrs. Bailey responded that at this time it will be the Coordinator, understanding that this position is under review based on the responsibilities of the Coordinator. It is an anticipated change but it cannot be confirmed until the job study is completed. Mrs. Bailey stated there is an anticipated change that the position will go to Director of Head Start. It is a Director level and Director or designee was indicated subject to the restructure of the reporting position.

Dr. Butler concurred that if a job study was done and the change was not made, then this person would actually be reporting to a Coordinator and not a Director.

Approved in Open Board Meeting, July 23, 2013

Mrs. Bailey added, and it would be qualified under a designee.

Mrs. Korn stated she was not comfortable with the job description, stating that this position should rightfully be reporting to a specific position and not a job study.

Dr. Butler stated that the job study has not been concluded.

Mrs. Bailey recommended a change in the language of the Job Description so that it is an appropriate position title and it is not as vague. The change can be made before it is finally adopted, and it would not require another reading.

Mrs. Rupert wanted assurance that the required positions are being kept and are needed in order to be in compliance with Head Start funding and requirements.

- CC-4. Proposed New and Revised Job Descriptions, Minimum Qualifications and Job Titles for Ten (10) Positions; Five (5) Positions Identified through the 2013-2014 Superintendent's Organizational Chart, and Five (5) Non-chart Positions Identified through the Standard Process (Approved)

Motion was made by Mrs. Bartleman, seconded by Ms. Murray and carried, to approve the proposed new and revised job descriptions, minimum qualifications and job titles for ten (10) positions; five (5) positions identified through the 2013-2014 Superintendent's Organizational Chart, and five (5) non-chart positions identified through the standard process. Approval is requested to advertise for the new vacant positions after the first reading. This is the first reading. Dr. Osgood was absent for the vote. (8-0 vote). Student Success Coach (Not Approved) (0-8 vote)

These job descriptions are being created or revised to support the new 2013-2014 Superintendent's Organizational Chart or to support modification of non-chart positions' title, minimum qualifications and/or responsibilities. See Executive Summary.

There is no financial impact to the district.

Referring to the Peer Reviewer position, Mrs. Bartleman inquired about the expectations of this position and who are the other Peer Reviewers that the individual will be working with.

Approved in Open Board Meeting, July 23, 2013

Ms. Diaz responded that the instructional position is to assist in the implementation of the evaluation, to provide teachers feedback and especially struggling teachers to go in and conduct observations, and to assist the administration to help give back critical and positive feedback to teachers they need to improve. Ms. Diaz stated that staff worked with the Broward Teachers Union (BTU) and they are very supportive of the position. It is also encouraged in legislation for districts to work on a peer review model.

Responding to Mrs. Bartleman's inquiry, Ms. Diaz stated that in the Race to the Top grant six Peer Review positions were written and in the Teacher Incentive Fund (TIF) grant there are 10, for a total of 16. It is hopeful that in the future there will be more positions. Ms. Diaz further stated that staff will continue to seek grant opportunities, as well as Title II, a training and development grant which is a federal grant that the district receives every year, and staff can review leveraging those dollars in the future.

Referring to the Student Success Coach, Mrs. Bartleman inquired how many positions will be filled.

Marie Wright, Ph.D., Executive Director, Instruction & Interventions, responded that the vision was to create a job description for a Student Success Coach but staff has not identified funding to proceed with advertising the position. Dr. Wright stated there is no one dedicated to squarely focus on 9th and 10th graders to ensure that they are academically on track and successfully graduated.

Mrs. Bartleman noted that the job descriptions seems to focus on issues that a guidance counselor is trained in doing and if an additional guidance counselor is added to every school so the ratio is not as high, they would be able to fulfill their duties. Mrs. Bartleman stated that the Student Success Coach does not require an education degree.

Dr. Wright responded that staff wanted to leave the education more open than necessarily having a master's in guidance and counseling. Individuals that have had experience in mentorship programs in many community organizations, such as YMCA and Urban League, there could be a very well-qualified individual in one of those organizations that has spent half a lifetime working with students that the district would want to attract to do this type of work.

Approved in Open Board Meeting, July 23, 2013

Mrs. Bartleman further stated that a person without a degree in education will organize necessary data for child study / RTI teams for target students with mentoring experience, incorporate Professional Learning Communities, Lesson Studies, or peer review models into projects. Mrs. Bartleman said that with a position this important, working with the most fragile group of children, the individual has to have some sort of minimal qualifications.

Dr. Wright responded that the purpose of a job description is to outline the expectations you have for that person's performance, and that job description is posted when that advertisement for vacancy is made. The person would know what the expectations were of their responsibilities in this position. Dr. Wright relayed that personally she did not have an education background when she came to work in this field and said she was better at collecting data than most of her education peers.

Mr. Runcie stated that regarding types of services, it is the expectation that this resource would help students connect to whatever support they needed.

Following the references made by Mrs. Bartleman under Essential Performance Responsibilities, the responsibilities of the Student Success Coach, Mr. Runcie suggested that the position of Student Success Coach be pulled for review since there is not an immediate need and there is no funding for these positions right now.

Mrs. Korn, referring to page 3, Director, Employee & Labor Relations, Education, stated that the only option is for a master's degree and the other Director positions typically have a master's or a bachelor's degree option.

Mrs. Bailey informed that most bachelor's degree programs are not offered in Labor Relations, they are offered in Human Resources Management. The position is being updated to have specialized knowledge of labor relations. Mrs. Bailey stated that the certificate is local and is offered based on state law.

Mrs. Korn stated that she did not want to limit the pool of candidates and preferred the "or" option. She requested that the job description include a bachelor's degree with a certificate required in Labor Relations.

Referring to Page 10, Manager, Finance - Food & Nutrition Services Experience, Mrs. Korn requested moving preferably in a governmental agency verbiage under the Additional Qualifications section.

Approved in Open Board Meeting, July 23, 2013

Referring to page 21, Manager II-Engineering and Page 27, Induction Coach, Mrs. Korn requested that the Experience section include the recent years of experience.

Mrs. Korn referred page 33, Student Success Coach, and requested that staff make the requested revisions as discussed during the discussion under this item.

Referring to page 37, Supervisor, Police Computer Forensics & Systems Operations and page 42, Community Resource Specialist, Mrs. Korn inquired about the education experience of a bachelor's degree or a high school diploma.

David Golt, Executive Director, Chief of Police, responded that it is challenging to find someone with an Associates in Arts (AA) and it is a matter of training. Having an AA degree or a high school diploma is the same difference for that particular position.

Tracy Clark, Public Information Officer, informed that the Community Resource Specialist Job Description is aligned with how the job description was originally, with either the high school diploma or the bachelor's degree.

Mrs. Korn said she was surprised that having an AA degree essentially is no different than a high school diploma in those specific jobs.

Mrs. Rupert noted that a huge part of the student population will be graduating with their AA and vocational certification and they should be encouraged to pursue these degrees.

Mrs. Bartleman offered the following motion:

Motion to Separate (Carried)

Motion was made by Mrs. Bartleman, seconded by Mrs. Leach and carried, to separate the Student Success Coach from the item and voted on separately. Dr. Osgood was absent for the vote. (8-0 vote)

A vote was taken on the motion.

Mrs. Rich Levinson said it is excellent that focus will be made on 9th and 10th graders and having extra resources for them. She stated in many high schools there are not resources to keep these students on track. Mrs. Rich Levinson commended staff for creating this position.

A vote was taken on the remaining CC-4 agenda item.

A vote was taken on the Student Success Coach position. (0-8 vote)

Approved in Open Board Meeting, July 23, 2013

- CC-5. Proposed Revised Job Descriptions, Minimum Qualifications and Job Titles for the Teacher, Early Childhood Education; Parent Educator; Certified Teacher Assistant, Early Childhood Education (Infants/Toddlers); Certified Teacher Assistant, Early Childhood Education (Pre-K) Positions (Adopted)

Motion was made by Mrs. Rupert, seconded by Mrs. Korn and carried, to adopt the proposed, revised job descriptions, minimum qualifications and job titles for the Teacher, Early Childhood Education; Parent Educator; Certified Teacher Assistant, Early Childhood Education (Infants/Toddlers); and Certified Teacher Assistant, Early Childhood Education (Pre-K) Positions. This is the final reading. Dr. Osgood was absent for the vote. (8-0 vote)

The job descriptions are being revised to support the new vision for Early Childhood Education and to meet federal requirements.

Revisions of the job descriptions do not impact the salary grade or level of the jobs. See Executive Summary.

There is no financial impact to the district.

No discussion was held on this item.

- CC-6. Proposed New and Revised Job Descriptions, Minimum Qualifications and Job Titles for Fifteen (15) Positions for the District's Self-Administered Workers' Compensation Unit within the Risk Management Department (Approved)

Motion was made by Mrs. Leach, seconded by Mrs. Rupert and carried, to approve the new and revised job descriptions, minimum qualifications and job titles for fifteen (15) positions for the District's Self-Administered Workers' Compensation Unit within the Risk Management Department. Approval is requested to advertise for the new vacant positions after the first reading. This is the first reading. **This item was revised to replace pages 15-20.** Dr. Osgood was absent for the vote. Mrs. Freedman and Mrs. Rupert voted "no." (6-2 vote)

On February 20, 2013, The School Board of Broward County, Florida, approved the agreement with Imagine Clinical to design and manage the implementation of the transition to self-administration of the core services of the District's Workers' Compensation Program. These job descriptions are being created or revised to appropriately staff and support the District's Self-Administered Workers' Compensation Unit within the Risk Management Department. See Executive Orientation and Summary.

There is no financial impact to the district.

Approved in Open Board Meeting, July 23, 2013

Agenda Items CC-6, GG-1, and II-1 were discussed concurrently.

Mr. Moquin informed the Board that a PowerPoint presentation will be made regarding the Self-Administered Workers' Compensation Program. Mr. Moquin introduced Jerry Fogel, President, Imagine Clinical and Cyndi Howard, Imagine Clinical, and Ms. Bailey.

Through a brief PowerPoint presentation, Mr. Moquin stated that the district is at another milestone in terms of progression into a self-administered model. The three primary components will establish the worker's compensation unit within the Risk Management department.

Mr. Moquin illustrated the progression of the district's Worker's Compensation program, as discussed during a Board Workshop. Remarking that the district has always been self-insured in all three models, Mr. Moquin stated that prior to 2006 there was a traditional model where all of the services were outsourced to a third-party administrator and the focus was on compliance to statutory requirements under the law.

Mr. Moquin stated that subsequently, when the transition was made the district remained self-insured and transitioned to the Criteria Based Model (CBM). Instead of focusing on the statutory compliance, it was converting to a medical model and the focus of all parties was medical outcomes, making sure that injured employees got the best care possible.

Mr. Moquin further stated that the district will migrate to self-administer the claim and continue to utilize third-party support; the district is taking over control of the decision-making aspects and the program administration. The transition date will be October 2013.

Mr. Moquin reminded the Board that there are two primary costs – administrative costs of 16% (fixed) and claim costs of 84% (variable) of the program. Mr. Moquin stated that the goal is to maintain administrative costs consistent with what they have been in the current model and, even if they escalated slightly, the real savings would be realized on the "back end" when there are better clinical and financial outcomes as those claims mature.

Speaking of the administrative costs, Mr. Fogel said that the loss of claims costs have varied tremendously, they have been as high as close to \$20 million in a year's worth of claims fully developed out. Once shifted into the model in 2006, those numbers were \$8 million to \$10 million a year, savings with better results all around.

Approved in Open Board Meeting, July 23, 2013

Mr. Fogel discussed the Worker's Compensation Services: (In-house) program management, claims management, medical management and consumerism, stay at work/ return to work facilitation program, and the strategic administration support services. OptaComp service contract (outsourced) will handle intake and triage (24/7/365); claims system/software; medical review, re-pricing & payment; and contract administration & vendor management.

Mr. Fogel discussed the Administrative Costs (\$4.4 million) versus establishing an in-house Worker's Compensation department (TPA - \$4.3 million). Those contracted services will continue to be provided by the existing all service contract (TPA) and provided in the Criteria Based Model framework. Everything that will be done going forward will be neutral costs.

Mr. Fogel spoke about moving forward with the transition (timeline) and the strategic decision for the three-year agreement which includes the advertisement of positions/ selection of staff and training, establish operations policies and procedures in order to go live in October 2013. Mr. Fogel recommended locking-in the administrative fees and the expanded level of complimentary services to provide the district stabilization, a three-year contract beginning now to lock-in all of those programs.

Mrs. Freedman inquired when the Florida Statutes (Florida Fee Schedule) changed regarding how doctors were suppose to cap their fees for worker's compensation.

Mr. Fogel responded that Florida does not have a cap; there is a standard fee schedule. In the absence of other mechanisms, this is what the worker's comp statute would empower payers to pay. There are other options: statutory managed care and individual negotiations for those who opted out of statutory managed care.

Mr. Fogel informed that the district is not changing models, the administration framework is being changed, staying with CBM. He stated there are rules of engagement that has been worked out with many members of the medical community. If these higher levels of service is provided the district will pay a premium but there is a responsible delivery of health care that is expected in return. Mr. Fogel stated that reimbursement levels went up but the medical claims costs and other costs went down dramatically. He stated there is no cap in what can be paid to a physician.

Approved in Open Board Meeting, July 23, 2013

Responding to Mrs. Freedman's inquiry, Mr. Moquin stated that the goal is to have everyone in place on September 1, 2013, to have the hires Board approved in ample time for anyone that would be coming from outside the district, provide notice to their current employer and begin on September 1 so that 30 days of training can be provided.

Mrs. Freedman disagreed with bringing the worker's compensation in-house structure. Having done her personal inquiries, Mrs. Freedman stated she questioned why this model is being brought in-house, bringing in so many levels of management on the Organizational Chart. Mrs. Freedman stated the district is not in the business of worker's compensation and she would have preferred going out for an RFP, as the costs have been on the rise.

Mr. Moquin explained the cost neutrality is around the administrative costs. The recommendation is due to staff having seen definitive slippage in financial and human outcomes. Mr. Moquin stated if there is self-administration there is a better opportunity to adhere to the fundamental aspects of the CBM which has been very successful for the district. In two years, the data suggests that it cannot be done better in-house, it would be very easy to convert back to a traditional model that the district has today.

Mrs. Rupert stated she was not comfortable with this concept because she has not been given a guarantee if less money is being spent. Referring to Executive Orientation Summary, page 5 of 6, Mrs. Rupert stated there is a commitment to make every effort to keep the overall program relatively cost neutral.

Concurring, Mr. Moquin stated that currently the district is paying approximately \$4.4 million and that will be the continued expense.

Referring to Agenda Item GG-1, Agreement, 2.03 COIC Compensation. Mrs. Rupert stated the total amount is approximately \$3 million.

Mr. Moquin responded the amount would be \$2.35 million. He explained that from July through September OptaComp needs to continue to service the account, as they currently do. Over a year's time, the new annual cost of the revised lessened level of service is \$1.8 million; the \$150,000 is the monthly prorated share of that. Mr. Moquin stated that in the first year, as the district transitions, the cost is \$2.35 million for contracted services but there is salary lapse of the Organizational Chart because these people will not be brought on until September 1, 2013. The salary lapse offsets the Phase 1 cost (\$333,333.34/month) because people are not starting until September 1. Mr. Moquin noted it is more accurate to look at the cost in years two and three, \$4 million, because of the transition and the overlap of a month to train employees.

Approved in Open Board Meeting, July 23, 2013

Mrs. Rupert stated she would like to see a “feastdom” for the Exceptional Student Education (ESE) and not Risk Management.

Mr. Moquin noted that the three agenda items were presented together because it was important that the Board not be provided the items piecemeal.

Mrs. Rupert questioned the salary of \$78,000 for a Worker’s Compensation Claims Adjuster with an earned bachelor’s degree and one-year experience.

Ms. Howard responded that during the course of looking at the positions and developing a staffing model, research was conducted of local municipalities who do manage their worker’s compensation cases in-house, some with industry standards. In terms of the salary level and the educational requirements and other qualifications, “we” are right in line. Ms. Howard stated that three ways were reviewed: Imagine Clinical’s expertise in the industry; visits were made with local district staff to Broward County government and Miami-Dade County government, who shared their organizational charts and salary ranges for these similar positions, particularly the adjuster-type positions. Finally, there was reliance upon Compensation and their database.

Mrs. Good stated she was supportive of the district internalizing its resources in-house rather than outsourcing. She said she is not in favor of outsourcing what the district has and she is supportive of attempting to transitionalize and provide some additional resources to employees. Mrs. Good further stated she must believe that having more control within the system is going to improve the overall services that employees are receiving. Remarking that the district is the largest employee in Broward County, Mrs. Good stated that the district is in the business to educate children but there are all sorts of things that are associated with educating children.

Mrs. Good informed that she is not entirely comfortable with this concept and she will be holding everyone accountable in this presentation. The concept will be a leap of faith to improve the district’s current model and an attempt must be made.

Responding to Mrs. Good’s inquiry, Mr. Moquin stated that the original RFP of year 2006 has a one-year extension remaining.

Mrs. Good stated that staff made it clear that the intent is to make the program as much cost neutral as possible and based on the presentation today, staff has worked in good faith to do that.

Approved in Open Board Meeting, July 23, 2013

Mrs. Good inquired about the ability for the district to utilize these services as a transitional phase; how is the district benefiting by using this model for the next few years.

Mr. Moquin responded that a lot of deliberation was held over this year, knowing there was a one-year extension remaining and a discussion was held regarding what would occur on June 30, 2014 regarding re-bidding. He informed that under School Board policy and State Board rule the district has the ability for a third-party administrative risk management program to direct negotiate.

Under the current contract with Imagine Clinical, Mr. Moquin stated that they are developing all the work flow, all the policies that correspond to the work that this unit is going to be doing. For the first year they will be doing it with OptaComp and Blue Cross systems, and a realization was made that if staff spends time building workflow around existing processes or existing resources that OptaComp has and then bid it out, all that work would have to be done over. Mr. Moquin stated that the other consideration to RFP in year two, the process would need to begin while in the process of transitioning to self-administration and OptaComp is making a transition as well to a new claims management system that has a lot more robust capability than the current one does.

Mr. Moquin further stated he felt it was in the district's best interest to go ahead and secure the pricing for three years at existing rates and avoid the other risks associated with disruption. From a cost perspective it was more cost effective to keep it integrated with OptaComp rather than piecemealing it out.

Mrs. Good asked about any cancellation provisions once the program begins.

Mr. Moquin responded that the district's typical 30-day notice cancellation provision is within the contract.

Mr. Fogel, who remarked that the cancellation mechanisms remain in place, stated that the contract was structured by all parties, between legal and OptaComp, with the advice of all parties involved. Because of the stability, when any organization changes a claims system the conversion cost is so expensive, which is all being borne by OptaComp and being passed on to the district, because that was negotiated after the fixed price.

Mrs. Good commended staff for their efforts in bringing this program forward, despite her uneasiness. She said if she supports these items today it is not in an effort to rubber-stamp anything that anyone has presented today. Mrs. Good said she believed that what staff is sharing today will be delivered.

Approved in Open Board Meeting, July 23, 2013

Mrs. Bartleman informed that worker's compensation used to be in-house many years ago and after the Audit department discovered issues with worker's comp and how high the costs were, steps were taken to reduce costs and work with this model. Mrs. Bartleman stated that Mr. Moquin has been monitoring worker's compensation since the last audit and, once again, costs are rising.

Mrs. Bartleman inquired where the money is derived when worker's compensation is over budget.

Mr. Moquin responded that ultimately it comes from the General Fund (classroom).

Mrs. Bartleman stated that the trend is that worker's compensation costs are rising and it is money taken from the classroom. She stated that the presentation today is illustrating a model for the district to reduce those costs. Mrs. Bartleman further stated that she spoke to Patrick Reilly, Chief Auditor, and his department to be the checks and balance, to monitor worker's compensation. She stated that every dollar that is saved is redirected back into the classroom.

Mrs. Leach stated that the district is too large of an organization to not in-house many insurance policies, and worker's compensation is insurance. Mrs. Leach further stated she has trust that staff is bringing forward the right information and staff has looked at this model as being fluid.

Mrs. Korn stated she is supporting the item because the district is looking for Fidelity of Implementation (FOI). If the method is to bring it in-house, monitoring needs to be done in two years. Voicing concern over the three-year time period, Mrs. Korn inquired why two years is not being used, as it would give enough time to transition and to create an RFP.

Mr. Fogel responded that the transition is a little over two years, the agreement is for three years but the transition is occurring in the middle of one of the agreements. This will enable locking in administrative costs, to have at least three years of financial administrative cost neutral, lock in stability, support, and have the program settle in and have everyone truly commit to it.

Mr. Moquin informed, to get to the third year staff will be starting on the review, procurement and go out to market again to either maintain what is in place or to modify it.

Approved in Open Board Meeting, July 23, 2013

Mr. Runcie stated that staff will go out earlier, at the two-year mark; knowing what the procurement mark cycle is, staff may need to start thinking about it a year in advance. Mr. Runcie further stated that the real costs are the claims and the payments that are made out. This strategy is to reduce costs and if this strategy is not reduced, another method will be reviewed. The key around the program is execution first and monitoring to see if results are being made. Mr. Runcie stated that this is an area that the district spends a lot of money and everything must be done to reduce costs so that resources can be generated for the classroom.

Referring to the job descriptions, Mrs. Korn inquired why an associates degree was not referred to in this field.

Mrs. Bailey responded that based on the research, looking at comparable jobs by market and industry, most of the experience is with candidates who possess a high school diploma, and most pursue a degree program, a bachelor's program. Mrs. Bailey stated that having seen a commonality across those positions that were being developed, a decision was made to modify the job descriptions accordingly, requiring high school so that the district could possess incumbents who have the experience and recognize those incumbents who want to pursue a degree program.

Ms. Murray stated that there is a cancellation clause and she trusts staff for forecasting that with the path the district is on, now that the costs are going to rise. Ms. Murray stated that the component she is concerned with is the care and welfare of employees, and she is supporting this move.

Mrs. Rich Levinson commended staff on being proactive, making decisions based on cost effectiveness and seeing the trends. She stated that the district is in the business of education but decisions must be made whether to keep services in-house or to outsource, and those decisions need to be made based on cost effectiveness and what is going to provide the best outcomes. Mrs. Rich Levinson stated that experts are hired to help the Board execute this program, and monitoring and evaluation is in place and auditors are in place to move ahead to have these anticipated outcomes.

Mr. Runcie informed that he will instruct Mr. Reilly to conduct a mid-year audit regarding the numbers on this issue.

Mrs. Freedman noted that on August 1, 2006 Imagine Clinical provided consulting services to the Office of the Chief Auditor for the internal audit of the worker's compensation program. Mrs. Freedman said she could not locate where Mr. Fogel owned Imagine Clinical prior to February 6, 2006.

Approved in Open Board Meeting, July 23, 2013

Mr. Fogel responded that Imagine Clinical was a sole proprietorship consulting firm and has been in existence under that name for 14 or 15 years. The firm has been working with the state on writing the statute in years 2001, 2002, 2003 and 2004, and the district hired Imagine Clinic to work with the audit in 2004 and 2005. Mr. Fogel stated that in February he was advised to move into an LLC designation, which is shown as a structure for he and his colleagues' situation.

The following individual addressed this item:

Rhonda Ward

DD. OFFICE OF THE CHIEF AUDITOR

EE. OFFICE OF STRATEGY & OPERATIONS

EE-1. Transportation Agreement for the City of Wilton Manors (Approved)

Motion was made by Mrs. Bartleman, seconded by Mrs. Leach and carried, to approve renewal of Transportation Agreement between The School Board of Broward County, Florida and the City of Wilton Manors, to provide school bus transportation for their recreational program for a period of one year. Dr. Osgood was absent for the vote. (8-0 vote)

The transportation agreements allow the cities and non-profit organizations to utilize District school buses for city/organizational sponsored recreation programs and events that are dependent on transportation. City/organization sponsored recreation programs provide a valuable service to their respective communities.

The transportation service will be provided during the times school buses are not being utilized for service to Broward County Public Schools. The City of Wilton Manors will reimburse the District for the full cost of this service at the approved reimbursement rate. This reimbursement rate fully covers the costs incurred by the District.

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

The cities and non-profit organization(s) will reimburse the District for the cost of this service at the current approved reimbursement rate.

No discussion was held on this item.

Approved in Open Board Meeting, July 23, 2013

- EE-2. Request for Proposals (RFP) Recommendation \$1,000,000 or Greater – 14-001V (Approved)

Motion was made by Mrs. Rupert, seconded by Mrs. Korn and carried, to approve RFP recommendations as stated on the award recommendation. Dr. Osgood was absent for the vote. (8-0 vote)

<u>RFP</u>	<u>TITLE</u>	<u>LOCATION</u>	<u>AMOUNT</u>
14-001V	Occupational and Physical Therapy Services	Various Locations	\$12,250,000

The School Board of Broward County, Florida, received proposals from individual persons and firms that provide Occupational and Physical Therapy Services (OT/PT). These services will be provided to students who qualify for services as Exceptional Student Education and Support Services under the Individuals with Disabilities Education Act (IDEA) and Individuals with Disabilities Improvement Act of 2004 (IDIA), and any other student identified by District staff, or as required by legislature. The OT/PT services include, but are not limited to, small group or individual therapy with students, evaluations, supervising assistants and aides, record keeping for student attendance, progress reports and therapy notes, individual education plan development, attending in-service meetings as required, and providing consultation with parents, school, and District staff.

Board approval of this RFP 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 placed in the Exceptional Student Education and Support Services Department's budget.

All expenditures for this contract will come from existing general fund dollars placed in the Exceptional Student Education and Support Services Department's budget. Staff will provide a report to the Board semi-annually detailing expenditures.

No discussion was held on this item.

- EE-3. Exceptional Student Education (ESE) Electronic Management System Agreement (Approved)

Motion was made by Mrs. Korn, seconded by Mrs. Rupert and carried, to approve the Agreement with Public Consulting Group (PCG), for the Exceptional Student Education (ESE) Electronic Management System. Dr. Osgood was absent for the vote. (8-0 vote)

Approved in Open Board Meeting, July 23, 2013

PCG agrees to continue providing The School Board of Broward County, Florida (SBBC), the internet-based Electronic Management System (EMS) currently implemented in the District, used for Medicaid billing, as well as assisting administrators and teachers with the reporting requirements of the Individuals with Disabilities Education Improvement Act of 2004, (P.L. 108-446) (IDEA). This agreement also includes the request to renew the license to access PCG's related proprietary systems and documentation including, but not limited to, EasyIEP, EasyFAX, the Gifted Module, Advanced Reporting, Due Process, and Behavior Plus modules.

The SBBC agrees to continue to provide EMS to its school and administrative employees, contractors, and authorized users, for their use in preparing Individual Education Plans (IEPs), for compliance with IDEA.

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

Contract costs of \$550,080 are paid with funding from Medicaid Reimbursements and Individuals with Disabilities Education Act (IDEA) Grant funds.

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

Mrs. Good, who noted that the agreement has been in place for quite sometime, inquired whether there are other entities that can provide the services.

Responding that the agreement was a five-year contract initially, Kathrine Francis, ESE & Support Services, stated that over the past six or eight months staff has interviewed several companies to ascertain what is "out" there, whether it is comparable to what the district currently has. Mrs. Francis further stated that the agreement was built over a nine or 10-year period and built for the district, so it is difficult to replace something that is in existence. All the existing specifications have been submitted to Information Technology (IT) to see what it would take to build it in-house and to model it. This information will be shared with the Board once it is compiled.

Mrs. Bartleman noted that there is a restriction on the licensing agreement with Intellectual Property Rights and building it in-house could be in direct conflict with what this contract says. Referring to Article 2 – Special Conditions, 2.10.2 Restriction on License Grant, 2.10.2, Mrs. Bartleman requested that the contract be reviewed and that those Individual Property Rights not be violated.

Approved in Open Board Meeting, July 23, 2013

Concurring, Mrs. Francis stated that the district could not utilize what they currently have or duplicate specifics but the specifications as to the district's needs are known in memory, maintenance and creating of records with all the number of users, duplicating that process.

Mrs. Bartleman inquired how this will interface with the school bus GPS system regarding Medicaid billing purposes.

Anthony Hunter, Chief Information Officer, informed that in moving forward a review will be made to build the application in-house and also look across the marketplace to see if there are systems to see if they fit the needs of the district. This will include making sure that those systems integrate with all the district's systems regardless of whether it is GPS, SIS, or ERP, wherever data is gathered. Mr. Hunter stated that the platform going forward is making sure that systems are being purchased that integrate and talk to each other.

Mrs. Bartleman inquired whether the district currently has a contract with another company to perform the Medicaid billing on transportation.

Mr. Moquin explained that the benefit of the GPS solution is that their system integrates with Accelify, one of the vendors with which the GPS system automatically integrates, and it will be seamless in terms of the student ridership information that is needed to bill, going straight to the Accelify system for billing and reimbursement.

Mr. Runcie informed that the primary functionality being provided to the district from PCG is the IEP and there is only a handful of solutions in the marketplace. Mr. Runcie stated these systems have large implementation price tags and change management, and it is not something that the district wants to embark on right now. The contract is to maintain what the district currently has.

Mrs. Bartleman noted that the Board is currently voting on the electronic management system and it is separated out from the other functions. PSG agrees to continue to provide the district the internet-based electronic management system currently implemented by the district for Medicaid billing. Mrs. Bartleman stated that the agreement also includes the request to renew the licensing.

Mrs. Francis clarified the agreement is Medicaid reimbursement for the administrative and for the school-based, not for the Transportation pilot project that went in last year.

Approved in Open Board Meeting, July 23, 2013

Mr. Runcie stated that components of the solution cannot be separated and when the integration begins, all the pieces are put together. The Superintendent gave the example of the SAP system; the district owns all the modules of the SAP but the district only has licenses to use portions of it.

Mrs. Francis reiterated that the process has begun in reviewing companies and to ascertain what is in the marketplace; what is new, updated and gives the district the biggest return on investment and processing with accuracy, because that is revenue generated.

Mr. Moquin clarified that the GPS is not doing the actual Medicaid billing; it is taking the student from the student tracking component and taking the information and having it integrate with Accelify.

The following individual addressed this item:

Rhonda Ward

- EE-4. Amendments to the Existing Declaration of Restrictive Covenants Related to Land Use Plan Amendment PC 06-30 (Approved)

Motion was made by Mrs. Korn, seconded by Mrs. Rupert and carried, to approve the amendments to the existing Declaration of Restrictive Covenants (DRC) related to Land Use Plan Amendment (LUPA) PC 06-30 as proposed by SPL Holdings, LLC and SPL South Holdings, LLC 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 Covenants. Dr. Osgood was absent for the vote. (8-0 vote)

Approval of amendments to the existing Declaration of Restrictive Covenant (DRC) for Land Use Plan Amendment (LUPA) PC 06-30 is being requested by SPL Holdings, LLC and SPL South Holdings, LLC to assure that the revised residential units (434 single family units) proposed in the development are consistent with the residential units approved by the Broward County Commission for the plat related to LUPA PC 06-30, and codified in the Plat Note.

In 2011, SPL Holdings, LLC and SPL South Holdings, LLC bought from Prestige Homes of Tamarac, Inc., approximately 110 acres of land located in the City of Tamarac, and known as Sabal Palm.

Approved in Open Board Meeting, July 23, 2013

At the time of purchase, the new owners inherited Prestige Homes of Tamarac, Inc.'s voluntary commitment to pay in one lump sum for four (4) modular classrooms, plus Student Station Cost Factors for an additional six (6) middle school students as mitigation for 64 elementary and 26 middle school students anticipated from its proposed development of 496 residential units, and consisting of 208 single-family units and 288 townhouse units.

This mitigation was a change from Prestige Homes of Tamarac Inc.'s initial voluntary commitment to pay in one lump sum, Student Station Cost Factors to mitigate the elementary and middle school students anticipated from its initial 518 (212 single-family and 306 townhouse) units proposed in the development. The proposed alternative mitigation was accepted by the School Board on July 24, 2007, and subsequently, a DRC was recorded to memorialize this obligation.

On December 5, 2011, SPL Holdings, LLC and SPL South Holdings, LLC modified the proposed development to 434 single-family (all four or more bedrooms) units. Staff subsequently determined that the revised units would now generate 219 (104 elementary, 54 middle, and 61 high school) students, which are an additional 105 (40 elementary, 28 middle, and 37 high school) students into Broward County Public Schools. SPL Holdings, LLC and SPL South Holdings, LLC are committed to paying the voluntary mitigation amount due for the project in the manner outlined in the Amended DRC (Exhibit No. 2). **Therefore, it should be noted that the payment structure due for the development remains unchanged.**

The Amended DRC has been reviewed and approved as to form and legal content by Alan Gabriel, District Cadre Attorney.

There is a positive financial impact to the District of \$1,336,014 in the total lump sum mitigation amount due.

Mrs. Good inquired whether the same applicant appeared before the Board in February 2013, and requested staff to address the reasons why the amendment is coming forward in the Declaration of Restrictive Covenant.

Responding affirmatively, Chris Akagbosu, Director, Portfolio Management & Services, stated that the applicant had to plat this property, subdivide per Broward County ordinance, and the plat note needs to be consistent with the Declaration of Restrictive Covenant. He concurred with Mrs. Good that the existing covenant that is in place and is recorded must define the development differently than is being defined in the proposed amendment. The payment schedule will remain the same.

Approved in Open Board Meeting, July 23, 2013

Mr. Akagbosu referred to paragraph 7 regarding Mrs. Good's inquiry about the number of bedrooms; 434 single family units. He stated that the owner intends to reduce the density and change the residential type to develop the property with no restriction of bedroom mix. The mitigation is for the 176 single family units; the obligation is that they will pay the \$1.2 million, plus \$136,000 will satisfy the mitigation and paid in full. Mr. Akagbosu further stated that the plat has already been approved for 434 single family units with no bedroom restriction, so the agreement has to be consistent with the plat note.

Mrs. Good requested that prior to any plat action, staff review the process and ensure that the Amendments to the Declaration of Restrictive Covenant come before the Board.

EE-5. Grant Awards (Approved)

Motion was made by Mrs. Korn, seconded by Mrs. Rupert and carried, to approve the acceptance of grant awards from: Dr. Osgood was absent for the vote. (8-0 vote)

- A. Dart Foundation, \$6,681
- B. The Walmart Foundation, \$2,000
- C. Wells Fargo Grant, \$1,000
- D. Whole Kids Foundation Garden Grant, \$2,000

Copies of the full grant applications are available at the Board members' Office on the 14th floor of the K. C. Wright Administration Center and available online via the Broward County Public Schools eAgenda at: <http://eagenda3.broward.k12.fl.us/cgi-bin/WebObjects/eAgenda>.

The positive financial impact is \$11,681 from various sources. There is no additional financial impact to the district.

No discussion was held on this item.

Following the vote of the item, Mrs. Korn recognized the individuals associated with the grants awarded, as indicated in the agenda item.

Approved in Open Board Meeting, July 23, 2013

EE-6. Grant Applications (Approved)

Motion was made by Mrs. Rupert, seconded by Mrs. Korn and carried, to acknowledge the submittal of the following grant applications:

Dr. Osgood appeared telephonically. (9-0 vote)

- A. ASAP Acceleration Grant, \$1,985
- B. Community Impact Grant, \$2,680
- C. Elmer's Teacher Tool Kit, \$1,500
- D. Farm to School Grant Program, \$44,003
- E. ING Unsung Heroes Award, \$2,000
- F. NEXT GENERATION Learning Challenges (Lauderhill 6-12), \$150,000
- G. NEXT GENERATION Learning Challenges (Dillard 6-12), \$150,000
- H. NFL Play 60 Grant, \$10,000
- I. Promoting Adolescent Health through School-based HIV/STD Prevention and School-Based Surveillance, \$4,492,682
- J. Safe Routes to Schools Non-Infrastructure Grants, \$631,936

Copies of the full grant applications are available at the Board members' Office on the 14th floor of the K. C. Wright Administration Center and available online via the Broward County Public Schools eAgenda at: <http://eagenda3.broward.k12.fl.us/cgi-bin/WebObjects/eAgenda>.

The positive financial impact, if funded, is \$5,486,786 from various sources. There is no additional financial impact to the district.

Mrs. Rich Levinson commended staff for applying for these grants that have a potential impact of \$5.5 million to the district.

Referring to the Safe Routes to Schools grants, Mrs. Korn stated that it appears this is another responsibility for teachers to take on while they are suppose to be focusing on the core of the delivery of education.

Mr. Woods responded that staff recognizes this dilemma and as processes are continuously improved, the grants departments are engaged to ensure that the grants are aligned with the initiative and that they are "driving" what the district is trying to do.

Nathan Balasubramanian, P.D., Executive Director, Office of Strategy & Continuous Improvement, stated that the item is acknowledging the submittal of the grant and some of the schools are not consulted. Should it be awarded, it will come back for staff to explain what process is being followed to ensure schools are being consulted.

Dr. Balasubramanian stated it should not preclude the district from applying for the grant and, if someone applies, it should be done right.

Approved in Open Board Meeting, July 23, 2013

Concurring, Mrs. Korn said she was pleased that the Grants department and multiple departments are seeking out these grants. She requested that staff stay focused on what is suppose to be accomplished in the classroom.

Dr. Wright stated that the district has had Safe Routes to Schools for a number of years and it is not a new initiative. The concerns by the Board are well taken.

Mrs. Korn inquired whether these are the same schools that have applied in the past.

Ms. Lynch responded that currently 15 are being implemented through the Physical Education (PE) department, and each year those teachers go to Professional Development and they would get the first go-ahead. The purpose is to expand the submittals to an additional 50% so that more teachers and students are able to participate in this program through PE. Ms. Lynch stated that PE teachers are choosing to participate.

Mrs. Good stated she has seen other districts where someone from the district oversees a large part of this initiative with a multitude of schools to get parents, community and students involved with regard to bicycle and pedestrian safety. Mrs. Good suggested using the Public Relations & Government Affairs department to provide support to those teachers that choose to promote these opportunities. This would involve a multitude of resources that the district has and look at other districts to see how they are doing it.

Mrs. Bartleman stated she was excited about the grants and agreed with the concept of promoting these grants for the benefit of all teachers.

EE-7. Continuation of the Lease or Maintenance of District Software and Hardware for Fiscal Year (FY) 2013-2014 (Approved)

Motion was made by Mrs. Korn, seconded by Dr. Osgood and carried, to approve the continuation of the lease or maintenance of District software and hardware for FY 2013-2014. **Dr. Osgood appeared telephonically.** (9-0 vote)

District schools and departments utilize many curriculum and business software and hardware technology systems provided by various publishers and vendors. As part of the annual contract renewal, these publishers and vendors agree to provide maintenance and new releases to the District for an annual fee. The agenda item requests spending authority approval for publishers and vendors to provide maintenance support for the next fiscal year (2013-2014) for each major curriculum and business software and hardware technology system.

Approved in Open Board Meeting, July 23, 2013

Contracts were negotiated with many of the vendors for better pricing, with some contracts being canceled. District staff will continue to negotiate additional savings where possible and monitor contracts throughout the year.

All contracts have been negotiated for the best pricing available, however, pricing and vendor/publisher may change if it is in the best interest of the District. Some items are listed at \$0, since they have a multiple-year contract in place. This aligns with the District Education Technology Plan (2013-2016) Goal 3: Information Technology (IT) Service Management and Support – Deliver customer-focused technical services and support to all schools and District departments.

The total projected expenditure for FY 2013-2014 is \$7,990,204.11. The funding sources for these items are: Information & Technology Department's Operating Budget – \$6,965,810.72; Food Services – \$275,650; Instruction – Grants – \$33,600; Instruction & Intervention – \$6,907.49; Literacy – \$514,149.70; Technical Education – Workforce Education Funds – \$148,686.20, and Transportation – \$45,400.

Mrs. Rich Levinson inquired whether staff has reviewed the contract for the software and hardware to determine that it is necessary.

Responding affirmatively, Mr. Hunter stated that not all of the items come due at the same time. As the year goes on staff will be reviewing each of the items prior to the due date, making sure that the district is getting the best price and cost. Mr. Hunter explained, in some cases it may mean that the vendor or the cost is being changed but the cost indicated will never exceed, as approved by the Board. Mr. Hunter concurred that this item was brought back to the Board with savings and it is anticipated that rebidding will be done throughout the year and having savings on some of the items.

Mrs. Korn voiced concerned about the bidding process and said it appears to be “hit and miss” at times. Mrs. Korn requested that negotiated numbers are reflected in the future.

Concurring, Mr. Hunter stated these are the actual numbers today and, in going forward, staff will do its best to negotiate the lease and reduce the costs on several items.

Mrs. Rich Levinson informed that the Purchasing Policy will be presented to a future Board Workshop to discuss the process.

Approved in Open Board Meeting, July 23, 2013

Mrs. Bartleman stated it was her understanding that Kronos was going to be expanded to other departments and not only for Transportation. She inquired whether bids have been initiated for the other Kronos items the district needs.

Mr. Hunter responded that staff is in the process of working with Food & Nutrition Services on implementing Kronos and beginning next week, the design and research will begin on the use of Kronos in the Physical Plant Operations (PPO) department. The implementation of Kronos is ongoing and the continuation of the lease ensures that at the time those departments are using this system that there is maintenance and support in place. The lease applies to everything, no additional cost for maintenance for those new systems. Responding to Mrs. Bartleman's inquiry, Mr. Hunter confirmed that any new Kronos systems will be covered under this contract. The maintenance on this contract covers the software in case of "bugs" and new releases of software patches.

Referring to page 13, Pinnacle Suite, Mrs. Bartleman stated she has voiced concerns as to how it relates to elementary schools and teachers have indicated their frustration because the transfer does not transfer to elementary schools. Mrs. Bartleman inquired why 3rd, 4th and 5th grades are required to use Pinnacle but the parents of these children do not have access to Pinnacle.

Mr. Hunter responded that there is not a parent portal currently for elementary school parents but conversations have been held about providing that access long term to parents. Mr. Hunter stated that staff is working on getting all the teachers trained on how to use the grade book, and without changing this process, finding a way to make that information and data available to parents.

Mr. Runcie stated when these grade book systems are being launched the teachers need a period of time to use it before parents have access because the parents will go on the system without being able to view data. This results in exacerbation of the change management requires for implementation.

Mrs. Bartleman requested that this issue be discussed with Broward Teachers Union because teachers have to go into the system multiple times. Remarking that grades 1 and 2 do not use grades, Mrs. Bartleman stated that elementary grade books need to be specialized, something that makes sense so that teachers are not dividing their percentages that they usually have in elementary school.

Mrs. Bartleman inquired whether the expenditure on the new software, such as Windows, is per computer.

Approved in Open Board Meeting, July 23, 2013

Mr. Hunter responded, for the Microsoft Office sweep the district pays for an enterprise license.

Mrs. Bartleman discussed a program regarding schools and the libraries linking up and students having access from the library system. She stated that staff has been working with Broward County staff to begin this program.

Mr. Hunter concurred that staff is working on this issue.

EE-8. Affidavit of Eligibility and Waiver for the KFC "Li'l Bucket Playground Makeover" Contest (Approved)

Motion was made by Mrs. Rupert, seconded by Mrs. Korn and carried, to execute the Affidavit of Eligibility and Waiver for the KFC "Li'l Bucket Playground Makeover" on behalf of Castle Hill Elementary. (9-0 vote)

The affidavit will allow Castle Hill Elementary to receive a \$1,000 playground makeover prize from KFC.

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

This Affidavit of Eligibility and Waiver will be executed after School Board approval.

The potential positive financial impact is \$1,000. The source of funds is the KFC Li'l Bucket Playground Makeover Contest. There is no additional financial impact to the district.

Board Members Mrs. Rich Levinson, Mrs. Korn, Dr. Osgood and Mrs. Bartleman suggested having a discussion with Superintendent Runcie and staff regarding approving items that are \$1,000 or less at each Board meeting. That staff create a policy in order to supersede what the corporation requires or review placing the Board items (\$1,000 or less) on the Consent Agenda.

The following individual addressed this item:

Rhonda Ward

Approved in Open Board Meeting, July 23, 2013

FF-1. Continuation of Dental Health Agreement for Preschool Programs (Approved)

Motion was made by Mrs. Korn, seconded by Mrs. Rupert and carried, to approve the continuation of the Dental Health Agreement for Preschool Programs. **Dr. Osgood appeared telephonically.** (9-0 vote)

The Head Start/Early Head Start grant requires the delivery of comprehensive dental services to all students enrolled in the program. These services support children to get the most out of their education by meeting some of their basic needs. The Broward County Health Department agrees to continue to provide comprehensive dental health services consisting of examination, treatment and care to preschool children in accordance with the Department of Health and Human Services/Office of Human Development Services regulations. This contract will provide dental services to all, non-Medicaid eligible, preschool children, participating in the Head Start/Early Head Start Program. These services will be provided throughout the 2013-2014 school year.

Program	Students Served	2013-2014 Funding
Head Start	2040	\$137,160
Early Head Start	80	\$ 4,590

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

The financial impact is \$141,750. The source of funds is the Head Start and Early Head Start Grants. There is no additional financial impact to the district.

No discussion was held on this item.

FF-2. Medicaid Administrative Claiming (MAC) Agreement (Approved)

Motion was made by Mrs. Korn, seconded by Mrs. Rupert and carried, to approve continuation of agreement between The School Board of Broward County, Florida, and Seminole County Public Schools for a data management partnership. **Dr. Osgood appeared telephonically.** (9-0 vote)

In order for The School Board of Broward County, Florida, to receive Medicaid reimbursement, the District must survey district and contracted Medicaid Providers quarterly. Seminole County is the data manager for 53 school districts which participate in the Medicaid Administrative Claiming consortium.

Approved in Open Board Meeting, July 23, 2013

Each quarter, Seminole County collects the random sampling data from member districts and generates necessary documents, reports, and statistical analysis necessary to receive Medicaid reimbursement. This agreement with Seminole County for a data management partnership formalizes this process.

The District's Administrative cost for implementing this process is \$21,919 annually. Participation in the consortium helps defray the administrative costs of the program by coordinating our resources with other Florida school districts. Revenues generated from the Administrative Medicaid billing program is approximately \$10,000,000 annually.

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

The positive financial impact to the District is approximately \$10,000,000 annually. There is Administrative cost to the District of \$21,919 annually. The source of these funds is Medicaid Reimbursement funds. There is no additional financial impact to the district.

No discussion was held on this item.

- FF-3. Provider Agreement between the Early Learning Coalition (ELC) of Broward County, Florida, and The School Board of Broward County, Florida (SBBC) (Approved)

Motion was made by Mrs. Rupert, seconded by Mrs. Leach and carried, to approve the Provider Agreement between ELC of Broward County, Florida, and SBBC to implement the 2013-2014 Voluntary Pre-Kindergarten (VPK) Education Program. **Dr. Osgood appeared telephonically.** (9-0 vote)

SBBC agrees to implement the VPK Program throughout the District for School Year 2013-2014 and Summer 2014. The term of this agreement will begin August 19, 2013 through August 18, 2014. Some schools will provide a VPK/Extended Day Option for Head Start (HS) eligible students and other eligible 4-year-olds. The Extended Day Option consists of an additional three hours of instruction beyond the regular school day. In addition, some schools will provide a fee-based VPK program. A summer program for any eligible 4-year-old will also be provided.

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

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

Approved in Open Board Meeting, July 23, 2013

The positive financial impact to the district is \$701,767. The source of funds is the ELC. There is no additional financial impact to the district.

Mrs. Rupert inquired whether school start times will be affected due to this reconfiguration.

Mrs. Dean responded that Head Start does not provide transportation regardless of whether the program is in the morning or afternoon. This is part of the extended day, to provide additional services to families until 6:00 p.m. Mrs. Dean stated these are in elementary school, the day is extended but no transportation is provided.

Mrs. Rupert informed that staff knew that some of the bell times were changing, and staff coordinated with some of the schools that were extended and there was no conflict.

Responding to Mrs. Bartleman's inquiry, Mrs. Dean stated that the extended day program is going to be what currently exist.

FF-4. Amendment to Contract with District 10, Department of Children and Families (DCF), Substance Abuse and Mental Program Office (SAMHPO) (Approved)

Motion was made by Mrs. Korn, seconded by Mrs. Leach and carried, to approve Amendment Three to Contract with District 10, Department of Children and Families (DCF), Substance Abuse and Mental Program Office. **Dr. Osgood appeared telephonically.** (9-0 vote)

This contract with the Department of Children and Families (DCF) is a three year contract and was approved on 10/4/2011 and provides funding for the support of:

- A Comprehensive School and Community Suicide Prevention and Intervention Program.

Amendment One approved on 5/1/2012 reduced the contract amount by \$100,000 dollars.

Amendment Two approved on 10/30/2012, reduced the contract amount for 2012-13 year by an additional \$40,818 dollars, effective 11/1/2012. Amendment Two also identified the new Managing Entity and changes of reporting from DCF to Broward Behavioral Health Coalition (BBHC).

BBHC has changed the terms of the contract as per Amendment three. This amendment with all revisions was received on June 4, 2012 at 4:00 pm. Effective May 1, 2013, the proposed amendment is as follows:

Approved in Open Board Meeting, July 23, 2013

- Changes to required documents, forms and timelines.
- Change to payment clauses and submission procedures for invoices and documents.
- Increase dollar amount for 2012-13 year by \$3,211. 2013-14 total contract amount will be \$125,665 dollars.
- Potential additional dollars should lapse dollars exist from other community providers contracts. Possible total dollar amount for the contract year should there be lapse dollars would be \$150,798 dollars.
- Indicate that a new contract will be developed for 2013-14 year with BBHC. This new contract will eliminate any contract with DCF for 2013-14 year.

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

District will receive an increase of \$3,211 dollars. Up to an additional \$25,133 dollars if there are lapse in other BBHC contracts.

There is no additional financial impact to the District.

No discussion was held on this item.

GG. OFFICE OF HUMAN RESOURCES

GG-1. Agreement between The School Board of Broward County, Florida and Comp Options Insurance Company, Inc. (Approved as Amended)

Motion was made by Mrs. Leach, seconded by Mrs. Rupert and carried, to approve the Agreement between The School Board of Broward County, Florida and Comp Options Insurance Company, Inc., for select Workers' Compensation Services. **This item was amended to reflect a change on page 2 of Agreement.** Dr. Osgood was absent for the vote. Mrs. Freedman and Mrs. Rupert voted "no." (6-2 vote)

The School Board of Broward County, Florida (SBBC) and Integrated Administrators entered into an Agreement for Workers' Compensation Claim Management Services (RFP 27-020V) dated May 2, 2006, which concluded on June 30, 2011.

On April 1, 2007, the First Amendment to the Agreement was made for the purpose of a name change from Integrated Administrators to Comp Options Insurance Company, Inc., (COIC), currently doing business as OptaComp. Upon mutual agreement of the parties, this Agreement was extended for two of the three possible one-year extensions ending as of June 30, 2013.

Approved in Open Board Meeting, July 23, 2013

On February 20, 2013, SBBC approved the Agreement with Imagine Clinical to design and manage the implementation of the transition to self-administration of the core services of the District's Workers' Compensation Program. Core Services are defined generally as overall program management, claims management, medical management and consumerism, management of the Stay-at-Work/Return-to-Work program, and the corresponding support and administrative services. COIC will continue to provide all current services (at current rates) from July 1, 2013 through September 30, 2013 (Phase I), and as of October 1, 2013 (transition date), the District will move to contract only select, complimentary workers' compensation services (Phase II) with COIC through the end of the contract. In general, these select services are primarily associated with intake & triage, comprehensive claims systems, medical bill review and payment, and clinician/provider contract administration.

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

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

The financial impact associated with the establishment of the self-administered workers' compensation unit is cost neutral. The service fee for fiscal year 2013-2014 is \$2.35 million. The service fees for fiscal years 2014-2015 and 2015-2016 is \$1.8 million per year. Source of funding is the Workers' Compensation Self-Insurance Fund.

Agenda Items CC-6, GG-1, and II-1 were discussed concurrently.

GG-2. Re-Opener for the Collective Bargaining Agreement between The School Board of Broward County, Florida and the Police Benevolent Association for the 2012-2013 School Year (Adopted)

Motion was made by Mrs. Korn, seconded by Mrs. Rupert and carried, to adopt the amendments to the Collective Bargaining Agreement between The School Board of Broward County, Florida and the Police Benevolent Association for the 2012-2013 school year. **Dr. Osgood appeared telephonically.** (9-0 vote)

This Agreement provides for a 2% salary increase for employees covered under the Police Benevolent Association unit effective May 1, 2013. The salary adjustment of 2% will generate an increased payroll cost of approximately \$4,729.51 including fringe benefits for the 2012-2013 school year.

Approved in Open Board Meeting, July 23, 2013

Following a vote on the item, the following individual addressed this item:

Gary Rowe

HH. OFFICE OF THE GENERAL COUNSEL

II. OFFICE OF THE SUPERINTENDENT

II-1. Amendment to the 2013-2014 Organizational Chart (Chief of Staff)
(Approved)

Motion was made by Mrs. Leach, seconded by Mrs. Rupert and carried, to amend Page 14 of the 2013-2014 Organizational Chart to include the twenty-one (21) new positions associated with the self-administered Workers' Compensation Program. Dr. Osgood was absent for the vote. Mrs. Freedman and Mrs. Rupert voted "no." (6-2 vote)

On February 20, 2013, the School Board approved Agenda Item EE-5 to engage Imagine Clinical to design and manage the implementation of the transition to self-administration of the core adjusting, medical case management, and program management services of the District's Workers' Compensation Program. Included within Imagine Clinical's scope of services was the development of a staffing structure, development of corresponding job descriptions, and facilitating the contracting of services that will continue to be provided by the District's third-party administrator (OptaComp). This Agenda Item, in conjunction with Agenda Items CC-6 and GG-1 establishes the self-administered Workers' Compensation Unit, the corresponding job descriptions, and the extension of OptaComp's contract to provide select services.

The Workers' Compensation Unit will consist of twenty-eight positions. Twenty-three of these positions are compensated at ESMAB pay band 'B' level or higher and are therefore represented in the amendment to Page 14 of the 2013-2014 Organizational Chart (Exhibit 2).

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

There is no anticipated financial impact associated with the establishment of the Self-Administered Workers' Compensation Unit. The estimated costs associated for the twenty-one (21) proposed new positions for FY 2013-2014 is \$1,688,062.

Approved in Open Board Meeting, July 23, 2013

These costs will be offset with commensurate reductions to the current program fees associated with third-party claims management services, thereby having the administrative expense associated with the Workers' Compensation Program remaining cost neutral. The source of funds is the Workers' Compensation Self-Insurance Fund.

Agenda Items CC-6, GG-1, and II-1 were discussed concurrently.

JJ. OFFICE OF FACILITIES & CONSTRUCTION

- JJ-1. Change Order #1 – MBR Construction, Inc. – Stoneman Douglas High – Press Box, ADA Lift, Scoreboard – Project No. P.001033 (Approved)

Motion was made by Mrs. Rupert, seconded by Ms. Murray and carried, to approve Change Order #1 for MBR Construction, Inc., Stoneman Douglas High, Press Box, ADA Lift, Scoreboard, Project No. P.001033, in the amount of \$22,809, 23 days. Approve an additional appropriation of \$14,809 from the ADA Reserve. Dr. Osgood was absent for the vote. (8-0 vote)

<u>Stoneman Douglas High</u>		Change Order 01	\$22,809
Consultant Error	\$23,390		
Consultant Omission	\$1,948		
Owner Request	\$2,529 (CREDIT)		

Refer to Exhibits 1 and 3 for detailed information.

An additional financial impact of \$14,809 will come from the ADA Reserve.

Mrs. Leach inquired whether the schools that need lifts for their press boxes can obtain a waiver from the state.

Shelley Meloni, (Task Assigned) Chief Facilities & Construction Officer, responded that some information was received from Jerry Graziose, Director, Safety & Chief Fire Official, that indicated there may be the possibility of a waiver. This information will be provided upon the return of Mr. Graziose from vacation.

- JJ-2. Change Order #1 – Burke Construction Group, Inc. – Sheridan Technical Center – Remodel Cosmetology Lab – Project No. P.000197 (Approved)

Motion was made by Mrs. Leach, seconded by Mrs. Rupert and carried, to approve Change Order #1, for Burke Construction Group, Inc., Sheridan Technical Center, Remodel Cosmetology Lab, Project No. P.000197 for \$11,009, -0- days. Dr. Osgood was absent for the vote. (8-0 vote)

Approved in Open Board Meeting, July 23, 2013

<u>Sheridan Technical Center</u>	Change Order 01	\$11,009
Consultant Error	\$5,056	
Consultant Omission	\$4,275	
Unforeseen Condition	\$1,678	

Refer to Exhibits 1 and 3 for detailed information.

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

Mrs. Leach inquired whether these change orders were going to be coming from WorkForce One or Capital.

Mrs. Meloni responded that the majority of the funding is from Workforce One and a breakdown can be provided from Capital Planning upon request. Mrs. Meloni informed that she could not find the allocation of what funds came from Workforce One, but Capital is looking into this issue.

Mrs. Rich Levinson said she believed these are for Consultant Error and Omissions, and staff should be pursuing those from the consultant.

Mrs. Meloni concurred.

JJ-3. Change Order #3 – Advanced Roofing, Inc. – South Plantation High – Replace Roof – Buildings 1 and 2 – Project No. P.000841 (Approved)

Motion was made by Mrs. Korn, seconded by Mrs. Rupert and carried, to approve Change Order #3, for Advanced Roofing, Inc., South Plantation High, Replace Roof – Buildings 1 and 2, Project No. P.000841, for \$1,013,450 CREDIT, -0- days. Approve an increase of \$54,400 to the Capital Projects Reserve. Dr. Osgood was absent for the vote. (8-0 vote)

<u>South Plantation High</u>	Change Order 03	\$1,013,450 (CREDIT)
Owner Request	\$1,013,450 (CREDIT)	

Refer to Exhibits 1 and 3 for detailed information.

A positive financial impact of \$54,400 will be added to the Capital Projects Reserve.

No discussion was held on this item.

Approved in Open Board Meeting, July 23, 2013

JJ-4. Change Order #5 – Cooper City High – Skanska USA Building, Inc. – Concurrent Phased Replacement – Project No. P.000877
(Approved as amended)

Motion was made by Mrs. Korn, seconded by Mrs. Rupert and carried, to approve Change Order #5, Cooper City High, Skanska USA Building, Inc., Concurrent Phased Replacement, Project No. P.000877, in the amount of \$98,950, -0- days. This motion was superseded by a Motion to Amend (page 87). Dr. Osgood was absent for the vote. (8-0 vote)

<u>Cooper City High</u>	Change Order 05	\$98,950
Owner Request	\$98,950	

The \$98,950 is for design of the re-roofing and HVAC project that was approved on March 18, 2013 (JJ-6).

Refer to Exhibits 1 and 3 for detailed information.

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

Mrs. Good requested additional information regarding the waiver of the competitive bid of this project.

Mrs. Meloni informed that a memorandum was issued by the Superintendent to the Board to waive the procurement, the competitive bidding procurement for Design Services, in part due to the urgency of replacing this roof and the time frame in which it could be done if this route was taken. If the district were to proceed with the procurement, to select an architect, that process is approximately seven months. The overall process can take upwards of 19 months.

Mrs. Meloni stated that the memorandum was issued pursuant to Policy 3320 - Purchasing Policies, Part II, Section J.

Mrs. Good stated that she understood the need for the roof and the issue of timing but was concerned about the ability to waive anything. She inquired about all the benefits and whether that outweighs the ability to wait as well.

Mrs. Meloni responded that the benefits, apart from the time frame that is significantly reduced, is going through a change order and issuing a directive to Skanska, using their design, which saves the district considerably on the architectural fee of 3%, approximately \$200,000. If the district were to procure architectural services through the conventional manner, the fee could be around three times the amount that will be paid in this case, (8% / over \$300,000).

Approved in Open Board Meeting, July 23, 2013

Mrs. Good stated she understood the condition of the many roofs in the county, and is very familiar with the roof at Cooper City, but voiced concern over the ability to have to waive a competitive bid. She further stated that the issue of waiving that process needed to be better explained in the rationale section of the agenda item. Mrs. Good stated that she could not support the item as written.

Concurring, Mrs. Bartleman inquired whether the auditor reviewed the item. She noted that the request is not to go out to bid and the conditions are in immediate danger. Mrs. Bartleman stated if the children were in immediate danger they should have been removed from the building.

Mrs. Meloni responded that an attempt is being made to expedite the overall process, in addition to saving time and fees.

Mr. Reilly informed that as part of participation in the Agenda Preparation Group and the project management counsel, originally the item was reviewed in February 2013 to consider bidding the project as a separate project. At this point in time, considering the condition and the time frame, the committee recommended going forward. Mr. Reilly stated that in going forward there were questions that he sent to the Superintendent and Thomas Cooney, Assistant General Counsel, and action was taken.

Mr. Reilly was of the opinion that it would have been a better situation to treat it as a separate project back in February but at this time, understanding the concerns about the emergency of the project and the costs.

Mr. Runcie informed that staff was in no position in February to move forward and take any action on this issue; information was being gathered and trying to advise the Board on exactly what the status was on this issue. Remarking that the stage of the project is not ideal, the Superintendent stated that initially the project was competitively bid to do an entire replacement. Subsequently it was modified into a three-phase process because of funding issues and that complicated the actual execution of the project. Mr. Runcie further stated this item is to get the actual piece done at a very competitive price and on a timely basis.

Remarking that there is a health and safety issue in terms of the actual condition of the school, Mr. Runcie informed that the roof is leaking on a regular basis. If there is a delay the district will pay more money in the long-run. Mr. Runcie stated that the project will take longer than what is desired but this is cost-effective, it cuts some time off and it allows us to get to a bidding process with the design documents as soon as possible.

Approved in Open Board Meeting, July 23, 2013

Mrs. Bartleman stated that she wants the roof done but was uncomfortable to be placed in this situation. She was fearful that this issue will present itself to the Board in the future due to the process not being followed.

The Superintendent said it does not serve the school's interest or taxpayers' interest to extend the time period; it is an obligation to do this and exercise the best judgment and common sense in terms of doing this, while staying within the confines of the law.

Mrs. Leach stated that the Board had previously been asked to approve a roof at Hallandale without going out to bid, which has not yet been completed.

Responding affirmatively, Mrs. Meloni stated that National Roofing is out of business and the surety will be taking over the project.

Mrs. Leach was concerned about not going through the process and having last-minute changes on the item.

Mr. Runcie stated that a lot of things went through the process that did not work right.

Mrs. Meloni stated that was an available delivery method to the district. The fact that the contractor went out of business could happen to any contractor, even the ones that the district goes out to bid and procures. She stated in this particular case staff is seeking to get the design started, permitted, and then go out to a competitive bid for the actual replacement of the roof.

Mrs. Korn inquired whether the \$98,950 amount captured is the potential for an extended time frame for the design services, whether additional insurance is needed, or if there is going to be a possible claim of delay.

Mrs. Meloni responded that the amount is to be an all-inclusive fee; 100% documents and permits with the amount, and no additional fee.

Ms. Murray informed that the school's roof has leaked since it was built in the '70s and the school is in a deplorable condition and is a health and safety issue.

Mrs. Rich Levinson noted that a Castaldi report was done on this project and that is the condition of the buildings.

Approved in Open Board Meeting, July 23, 2013

Mrs. Rupert, who remarked that she would support the item, stated that a comprehensive plan is needed so it is known exactly what condition the facilities are in. Mrs. Rupert stated that a portfolio is needed, with a list of most-needed projects in the entire district.

Mrs. Good reiterated that she could not support the item as written and the item should be amended to include information as to why the district is waiving the bid process on this issue, and outline those issues as mentioned previously by staff.

Mrs. Batista-McNamara advised that the item can be amended today or it can be postponed, bring the item "as is" and bring a new item.

Mrs. Good suggested that the item be tabled until the June 18, 2013 Special Meeting in an effort to bring a new item and to ensure that the information incorporated in the June 11, 2013 Memorandum is also part of the item that is being presented.

Mrs. Batista-McNamara stated that the action of the Board is not being amended, only the rationale of why this item is being presented in this manner.

Mrs. Rich Levinson stated that the rationale can be added to the item at this time.

Following discussion with staff, Mrs. Good offered the following motion:

Motion to Amend (Carried)

Motion was made by Mrs. Good, seconded by Mrs. Leach and carried, to amend to include in the agenda item Memorandum from the Superintendent issued to the Board on June 11, 2013. Dr. Osgood was absent for the vote. (8-0 vote)

A vote was taken on the Motion to Amend.

The following individuals addressed this item:

Commissioner James Curran
Commissioner Jeff Green

Mrs. Rich Levinson stated the Executive Summary, page 2/3, addresses the savings on the construction costs to proceed in this manner, plus saving an additional 12 months on the project.

Approved in Open Board Meeting, July 23, 2013

Mrs. Meloni explained the next phase of the project, after permitting, includes issuing a competitive bid, opening bids, and looking for the lowest responsive bidder and brought back to the Board for approval.

A vote was taken on the item as amended.

KK. OFFICE OF FINANCIAL MANAGEMENT

LL. OFFICE OF PORTFOLIO SERVICES

LL-1. Agreement with Broward Health for Athletic Trainer Services
(Approved)

Motion was made by Mrs. Rupert, seconded by Mrs. Korn and carried, to approve agreement with Broward Health to provide athletic trainer and physician services to student athletes attending twenty Broward County Public High Schools. The Agreement runs from August 8, 2013 through August 7, 2014. **Dr. Osgood appeared telephonically.**
(9-0 vote)

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

There is an increase in financial costs to the school system for athletic trainer services for 2013-2014 in the amount of \$37,044. The financial impact has remained unchanged since the 2009-2010 fiscal year. This is the first increase in the contract since the 2009-2010 fiscal year.

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

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

The total financial impact for the 2013-2014 school year is \$566,244. The source of funding is \$529,200 from the general fund restricted budget allocation for Broward Health trainers and \$37,044 from the Department of Athletics & Student Activities budget.

Approved in Open Board Meeting, July 23, 2013

Responding to Mrs. Korn's inquiry, Mr. Huttenhoff stated this item regards athletic trainers and the audit was on athletic directors.

Mrs. Korn stated that the district directors would have some familiarity with the role of athletic trainers.

Mr. Huttenhoff responded affirmatively.

Mrs. Rupert referred to the Sickle Cell trait and requested that in the future, staff make a concentrated effort to promote knowledge with the trainers so they recognize that trait with our male and female athletes; ensure the trainers are fully versed on the symptoms and the disabilities associated with Sickle Cell.

Mrs. Rich Levinson expressed gratitude to trainers for their involvement with the Concussion Management system and all they do for the baseline testing for athletes. She stated they have played an integral part in the success of the system throughout the high schools.

Following the Special Presentation (Shawn Aycock), the following Attorney-Client Session commenced at 12:20 p.m.

Announcement by Chair

First Session

"The School Board of Broward County, Florida, will meet in an Attorney-Client Private Session in accordance with Florida Statutes, Section 286.011(8), today May 21, 2013, 12:00 Noon. The Attorney-Client Session will be held in the Board Room of the first floor of the Kathleen C. Wright Administration Center, 600 Southeast Third Avenue, Fort Lauderdale, Florida 33301.

"The purpose of this Attorney-Client Session is for the School Board and Counsel to discuss pending litigation relative to the following case: The School Board of Broward County vs. Mateu, Rizo, Carreno & Partners, Case No.: 07-24141 (04), before the Circuit Court of the 17th Judicial Circuit in and for Broward County, Florida. A Certified Court Reporter will record the entire session.

"The following persons will attend the Attorney-Client Session:
Chair Laurie Rich Levinson; Vice Chair Patricia Good; Members Robin Bartleman, Abby Freedman, Donna P. Korn, Katherine M. Leach, Ann Murray, Dr. Rosalind Osgood, Nora Rupert; Superintendent Robert W. Runcie; Oscar Soto, Esq., Thomas C. Cooney, Esq., and Marilyn Batista-McNamara, Esq.

"Telephone Conferencing or other telecommunications technology may be used in the conduct of this Attorney-Client Session to permit absent Board Members to participate and to be heard by other School Board Members and Counsel."

Approved in Open Board Meeting, July 23, 2013

Second Session

“The School Board of Broward County, Florida, will meet in an Attorney-Client Private Session (Second Session) in accordance with Florida Statutes, Section 286.011(8), today May 21, 2013, at the conclusion of the First Session which is scheduled to commence at 12:00 noon. The Attorney-Client Session will be held in the Board Room of the first floor of the Kathleen C. Wright Administration Center, 600 Southeast Third Avenue, Fort Lauderdale, Florida 33301.

"The purpose of this Attorney-Client Session is for the School Board and Counsel to discuss pending litigation relative to the following case: West Construction, Inc. vs. The School Board of Broward County, Case No.: 12-013256 (14), before the Circuit Court of the 17th Judicial Circuit in and for Broward County, Florida. A Certified Court Reporter will record the entire session.

"The following persons will attend the Attorney-Client Session: Chair Laurie Rich Levinson; Vice Chair Patricia Good; Members Robin Bartleman, Abby Freedman, Donna P. Korn, Katherine M. Leach, Ann Murray, Dr. Rosalind Osgood, Nora Rupert; Superintendent Robert W. Runcie; Thomas C. Cooney, Esq.; and Marylin Batista-McNamara, Esq.

“Telephone Conferencing or other telecommunications technology may be used in the conduct of this Attorney-Client Session to permit absent Board Members to participate and to be heard by other School Board Members and Counsel.”

The Attorney-Client Session recessed at 12:40 p.m. The Regular School Board meeting reconvened at 1:30 p.m.

Adjournment This meeting was adjourned at 9:40 p.m.

RT