

**APPROVED IN OPEN BOARD MEETING, AUGUST 5, 2003**

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

**June 3, 2003**

**Tuesday, 10:00 a.m.**

**MINUTES OF REGULAR MEETING**

The School Board of Broward County, Florida, met in regular session at 10:00 a.m., Tuesday, June 3, 2003, in the Board Room of the Kathleen C. Wright Administrative Center, 600 Southeast Third Avenue, Fort Lauderdale, Florida Present were Chair Lois Wexler, Vice Chair Carole L. Andrews; Members Judie S. Budnick, Darla L. Carter, Beverly A. Gallagher, Stephanie Arma Kraft, Esq., Dr. Robert D. Parks, Marty Rubinstein, Benjamin J. Williams; Superintendent Franklin L. Till, Jr.; and Robert P. Vignola, Esq.

**Call to Order** The call to order was followed by the Pledge of Allegiance to the Flag of the United States of America.

**Minutes for Approval** Motion was made by Dr. Parks, seconded by Mr. Rubinstein and carried, to approve the official minutes for the following Board Meetings: Mrs. Andrews and Mrs. Kraft had not yet assumed their seats on the dais. (7-0 vote)

April 29, 2003 – Special Meeting – Student Expulsions & Reassignments

April 29, 2003 – Regular School Board Meeting

May 6, 2003 – Special Meeting – Student Expulsions & Reassignments

May 6, 2003 – Special Meeting – Issuance of Refunding Certificates of Participation, Series 2003B in the Amount Not to Exceed \$40 million.

**Close Agenda** Upon motion by Ms. Carter, seconded by Mr. Rubinstein and carried, the Agenda was approved and declared closed. Mrs. Andrews and Mrs. Kraft had not yet assumed their seats on the dais. (7-0 vote)

**REPORTS**

**District Advisory Council** – Anne Efros

Ms. Efros, who informed the Board that DAC has not held a formal meeting since the last Board report, stated that the Nominating Committee has developed a slate for next year's DAC officers. Officers are: Ann Efros, Chair; Cathey Thomas, Vice Chair; Clair Perdomo, Communications Secretary; Helen Kennedy, Recording Secretary; Sue Sharples, Corresponding Secretary.

Elections will be held at the June 11, 2003 DAC meeting.

**ESE Advisory Council** – Laura Prado

Ms. Prado reported that ESE Advisory held its last general meeting of the school year. Gratitude was extended to Mrs. Wexler and Mrs. Budnick for their attendance at the installation of next year's elected Executive Committee members.

Ms. Prado stated that ESE has been successful to increase the diversity of the membership; increase focus on secondary and transition issues; and, increase the number of schools with active ESE parent groups. In conjunction with the Interagency Council, ESE has been working to open up more job opportunities for ESE students who graduate high school with a special diploma. In addition, ESE has met with Mayor Diana Wasserman-Rubin to have the county make a commitment to hiring more persons with disabilities.

Ms. Prado stated that ESE membership is eager to continue to work collaboratively to realize the common mission, that all students receive a quality education.

A comprehensive written report was submitted to the Board.

Broward County Association of Student Councils and Student Advisor – Jason Wetherington and Tamika Gouldbourne

Mr. Wetherington, who informed the Board that his term as Student Advisor has concluded, expressed gratitude to the Board for the learning experience and for the privilege of serving the Board.

Ms. Gouldbourne expressed gratitude to the Board for serving the students of Broward County and School Board Members. Ms. Gouldbourne stated that she learned from each of the School Board Members which will help her better herself in the future.

Mr. Wetherington introduced Ms. Vernicca Beard, Blanche Ely High School, Student Advisor to the School Board for 2003-2004, and Ms. Andrea Dinamarco, Miramar High School, Alternate Student Advisor for 2003-2004.

Mrs. Wexler, on behalf of the Board, thanked Mr. Wetherington and Ms. Gouldbourne for their productive service to the School Board.

Diversity Committee – Minerva Casanas-Simon

Ms. Casanas-Simon reported that the Diversity Committee met in May.

Four motions were made. Motion one, which passed unanimously, recommended that students review the Code of Student Conduct video; Motion two, which was not entertained by the Chair, recommended that the committee review any video that is produced by the Diversity department before it is shown to the public.

Motion three, which was not entertained by the Chair, recommended that the Diversity department provide for review of the Diversity Committee any videos or materials produced by the School Board's departments, and any videos or materials that are used, that are produced by others in the Diversity Department out in the schools.

Motion four, which was tabled, recommended that the School Board prohibit any employees, officers or spokesperson of the Council on American-Islamic Relations

(CAIR) from participating in the production of programs, videos, and other materials intended to be shown to students and teachers. An update will be provided to the Board at the next meeting regarding the appropriateness of the video.

Ms. Casanas-Simon further reported that a request has been made from the Citizens Concerned About Our Children (CCC) to form a sub-committee and conduct an evaluation of the administrative hiring procedures and practices of the Personnel department.

The next Diversity Committee meeting will be held on Thursday, June 5, 2003, beginning at 6:30 p.m., at the KC Wright building.

A comprehensive written report was provided to the Board.

Ms. Gallagher requested a copy of the Diversity Committee bylaws provided to the Board. Ms. Gallagher stated that the School Board Attorney will be invited to attend the July Diversity Committee meeting to be held on July 10, 2003, as that is when the topic of bylaws will be discussed.

Mrs. Wexler suggested that the Board workshop the bylaws and consider reviewing the policy. Mrs. Wexler stated that the Board would re-examine the purpose, intent, as they look at the motions and they see the dynamics that occur at the committee meeting itself. Mrs. Wexler further stated that at some point in time during the next two to three months, that as a Board, workshop this and reaffirm what they would like to see in their policy.

## **BOARD MEMBERS**

Mrs. Budnick requested that staff research why the letter that she sent to Ms. Tamika Gouldbourne, a student at Piper High School, by pony mail, had been opened by the administration at the school. Mrs. Budnick stated that the individual responsible should be reprimanded for doing so.

Mrs. Budnick further requested that staff consider implicating the whole Sterling process at large in "our" children. Mrs. Budnick informed her colleagues that she will bring an agenda item to this effect.

Mrs. Budnick requested that staff consider having this as part of the curriculum for Distributive Education Clubs of America (DECA) and for the Academy of Finance, not only in Broward County, but in the United States. Mrs. Budnick said she would like Broward County to be the first district to do this.

Ms. Gallagher requested that staff consider contacting Mr. Bob Gang, Esq., Greenberg Traurig, relative to suggestions on mold and mildew problems regarding Country Isles Elementary School. Ms. Gallagher further requested that staff keep the Board Members in the loop.

Ms. Carter informed her colleagues that the Florida School Boards Association meeting will be held next week, and she will be resigning her position. She requested that Ms. Gallagher assume the position at this time.

Ms. Carter requested a moment of silence for Carrie Lynch, Coral Springs High School student and daughter of Ms. Anne Lynch, Principal, Coral Springs High School and Mr. Dennis Lynch, Assistant Principal, Cooper City High School, who recently passed away.

Mr. Williams informed his colleagues that he and Mrs. Budnick attended Leadership Day at the Sterling Conference. Mr. Williams requested that staff continue to put forth the extra challenge with the Sterling concept. He said that it is the responsibility of the school district to include all of the customers.

Mr. Rubinstein welcomed Manatee Bay Elementary to the district and commended Ms. Caren Honigfield and staff for their presentation. Mr. Rubinstein stated that he has facilitated the independent experts by Greenberg Traurig regarding the mold and mildew concerns at Country Isles Elementary School, and the findings have been presented to the Superintendent.

Mrs. Wexler requested that staff consider adopting or developing our own protocol as it involves mold and mildew. Mrs. Wexler stated that Board Members need to be familiar with the EPA guidelines so that they are all on the same page giving out the same information about the process. Mrs. Wexler further requested that the Board be provided with a full accounting as to what occurred at Country Isles and why a School Board Member would move something forward that this district has not embraced.

## **SUPERINTENDENT**

Dr. Till reported on the PTA gala, Experience Broward which resulted in the hiring of 750 teachers, and the Kappie Awards which is the high school equivalent of the Tony Awards.

Dr. Till informed the Board that there were issues at Monarch High School regarding the potential issue of the firewall, which has now been resolved.

**CONSENT AGENDA** Following identification of those items Board Members and members of the public indicated they would like considered separately, motion was made by Mrs. Budnick, seconded by Dr. Parks and carried, to approve the Consent Agenda for the remaining items (identified by asterisks).

### **A. RESOLUTIONS**

### **B. BOARD MEMBERS**

### **C. BOARD POLICIES**

#### **C-1. Policy 5.8: Proposed Code of Student Conduct (2003-2004) (Approved as amended)**

Motion was made by Ms. Carter, seconded by Mrs. Kraft and carried, to adopt proposed Policy 5.8: Code of Student Conduct for the 2003-2004 school year at this final reading. This motion was superseded by Motions to Amend (pages 7 and 8). A roll-call vote was taken.

Mrs. Andrews, Ms. Carter, Dr. Parks, Mrs. Wexler and Mr. Williams voted "yes." Mrs. Budnick, Ms. Gallagher, Mrs. Kraft and

Mr. Rubinstein voted “no.” (5-4 vote)

Mrs. Andrews discussed the disruption of the school day by allowing the possession of cell phones, and the peer pressure surrounding students who cannot afford the cell phones. Mrs. Andrews stated that the Board needs to address whether the School Board is responsible, if cell phones are allowed in school, if they are lost or stolen.

Reminding her colleagues about the existence of cell phone guns, Mrs. Andrews requested that a video be shown to the Board to illustrate the use of this item.

The video was shown to the Board and members of the audience.

Mrs. Kraft stated that the cell phone request came from high school principals because cell phones were being brought onto campus illegally. Mrs. Kraft said that the policy would be more explicit, and there would be a consequences if the cell phones are used during the day.

Mrs. Andrews noted that principals are not present in the classroom to view students who will abuse the use of cell phones, including text-messaging to cheat on tests and conversations between classrooms.

Mrs. Wexler voiced concern about the massive cheating that will occur during tests and the equity issue. Mrs. Wexler informed her colleagues that pictures are being taken with cell phones and are passed on to someone else.

Dr. Parks discussed the disruptive environment that occurs with the use of cell phones by adults and how much of a disruption it would be to teachers if students were allowed to possess cell phones.

Remarking that she was not in favor of having cell phones in schools, Ms. Gallagher stated that the policy is not being enforced and students bring the phones to school. Ms. Gallagher said that implementing progressive discipline as a consequence would be appropriate.

Mr. Williams stated that the majority of the principals do not support the possession of cell phones, and all students will abuse the use of the phones which will not be controlled by administration.

Ms. Carter indicated that the proposal is to allow students only to possess cell phones during the school day as long as they are turned off, and not visible. Ms. Carter stated that it is important that students be able to communicate with their parents or their jobs. She said that principals need to confiscate the cell phones if they are shown on campus.

Mrs. Kraft stated that principals have not enforced the policy because it has been abused, and the code indicates that the phones would be confiscated. Mrs. Kraft stated that with a change in the policy, the phones would not be confiscated but if a student uses the phone, a disciplinary offense would be imposed.

Dr. Till stated that during Senior Management discussions, principals were supportive of not going forward with the use of cell phones in schools. Remarking that the Code of Student Conduct needs to be enforced, Dr. Till reiterated that cell phones are disruptive and once allowed into the school the policy will be difficult to reverse. The Superintendent stated that it will be harder on principals to enforce discipline, as the possession of phones is an imposition and a disciplinary problem.

Motion to Amend (Carried)

Motion was made by Dr. Parks, seconded by Mrs. Andrews and carried, to amend to revert back to the current school year language (students are not allowed to possess or use cell phones during the school day), and adding progressive discipline as a consequence. A roll-call vote was taken. Mrs. Andrews, Ms. Gallagher, Dr. Parks, Mrs. Wexler and Mr. Williams voted "yes." Mrs. Budnick, Ms. Carter, Mrs. Kraft and Mr. Rubinstein voted "no." (5-4 vote)

The following individuals addressed this item:

Pat Santeramo  
Tom Jenkins  
Lt. John Nesteruk  
Sgt. Tom Sanchez  
Bernie Schultz  
Rhonda Ward  
Jason Wetherington  
Marty Fertig

A roll call vote was taken on the Motion to Amend.

Mrs. Kraft remarked that she personally does not oppose the use of bandanas in elementary school but this is not the appropriate time or forum to make a significant change. Mrs. Kraft stated that a change needs to be made regarding the use of bandanas, to remove bandanas from paragraph 7, placed into paragraph 8, and added as a separate sentence, that bandanas are not allowed to be worn.

Second Motion to Amend (Carried)

Motion was made by Mrs. Kraft, seconded by Mrs. Andrews and carried, to amend page 17, to remove “bandanas” from paragraph 7 and placed under paragraph 8, and added as a separate sentence, “bandanas are not allowed to be worn.”

A unanimous vote was taken on the Second Motion to Amend.

Third Motion to Amend (Carried)

Motion was made by Mrs. Kraft, seconded by Mrs. Andrews and carried, to amend page 18, paragraph 8, change “violate #6 above” to “violate #7 above.”

A unanimous vote was taken on the Third Motion to Amend.

Fourth Motion to Amend (Carried)

Motion was made by Mrs. Kraft, seconded by Mrs. Andrews and carried, to amend page 17, paragraph 1, to delete from the sentence “clogs” and “or any other type of backless/strapless shoes.” (The policy will allow clogs and other type of backless shoes.) A roll-call vote was taken. Mrs. Budnick, Ms. Gallagher, Mrs. Kraft, Dr. Parks, and Mr. Rubinstein voted “yes.” Mrs. Andrews, Ms. Carter, Mrs. Wexler and Mr. Williams voted “no.” (5-4 vote)

The following individual addressed this item:

Tom Jenkins

A roll-call vote was taken on the Fourth Motion to Amend.

Referring to page 26, Mrs. Kraft requested that staff define what a mood altering substance is. Mrs. Kraft further requested that staff discuss a parent sending his/her child to school with non-prescription medication, such as aspirin or Midol, in greater detail, in Policy 6305 – Health, under the Dispensation of Medicine.

Mrs. Wexler stated that there should be a policy that states that the child cannot give medication to another student.

A roll-call vote was taken on the item as amended.

C-2. Proposed Revised Job Description and Minimum Qualifications for the Position of Educational Interpreter for Hearing Impaired for The School Board of Broward County, Florida (Deferred)

Motion was made by Ms. Carter, seconded by Mrs. Budnick, to adopt the proposed revised job description and minimum qualifications, which were approved at its first reading on March 4, 2003, for the Educational

Interpreter for Hearing Impaired position, Pay Grade 15 of the Federation of Public Employees Secretarial/Clerical Bargaining Unit. Authorization has been requested to advertise this position immediately following the first reading. This is the final reading.

This motion was superseded by a Motion to Defer (page 9).

Mrs. Wexler stated that a request had been made to defer the item to the August 5, 2003 Regular School Board meeting.

The following individual addressed this item:

Lina Gioello

Moton to Defer (Carried)

Motion was made by Ms. Carter, seconded by Mrs. Kraft and carried, to defer the agenda item to the August 5, 2003 Regular School Board meeting.

C-3. Revision to Policy 1100A, Rules for the Scheduling of Meetings and Establishment and Disposition of Agendas (Approved as amended)

Motion was made by Ms. Carter, seconded by Mr. Williams and carried, to approve the revision to Policy 1100A, Rules for the Scheduling of Meetings and Establishment and Disposition of Agendas, to provide for the use of communications media technology during meetings at this first reading. This motion was superseded by Motions to Amend (pages 9 and 10). Mrs. Budnick voted "no." (8-1 vote)

Ms. Gallagher voiced concern over a Board Member participating electronically to vote on a particular agenda item.

Mr. Vignola advised that when a Board Member leaves the dais they are not allowed to vote on an item, and it is permissible for a Board Member to participate electronically in instances where the Board Member is confined to a home or hospital, due to illness or accident.

Mrs. Budnick suggested excluding from the policy public hearings, boundaries and budget hearings.

Motion to Amend (Failed)

Motion was made by Mrs. Budnick, seconded by Ms. Gallagher, to amend Use of Communications Media Technology, 18., to exclude boundary hearings, budget public hearings, Facilities Five-Year Plan and the Superintendent's contract hearing. Mrs. Budnick and Ms. Gallagher voted "yes." (2-7 vote)

A vote was taken on the Motion to Amend.



Mrs. Wexler stated if the policy passes two readings, the request for a vote would become a part of the standard language of the district's advertisement, in the event there was something unforeseen by a Board Member.

Mr. Vignola stated that the statute and case law requires that notice be in place, and the exceptional circumstances would be a special consideration by the Board.

Mr. James Notter, Chief of Staff, Office of the Superintendent, informed the Board that an announcement could be made at the beginning of the meeting as to whether or not the Board Member could participate.

Ms. Gallagher stated that if a communication system is to be in place, the Board Members should be allowed to call in if they cannot attend a meeting.

#### Second Motion to Amend (Failed)

Motion was made by Ms. Gallagher, seconded by Mrs. Budnick, to amend Use of Communications Media Technology, to remove "will require a vote by the majority of the Board to allow the member to participate by this technology." A roll-call vote was taken. Mrs. Budnick and Ms. Gallagher voted "yes." Mrs. Andrews, Ms. Carter, Mrs. Kraft, Dr. Parks, Mr. Rubinstein, Mrs. Wexler and Mr. Williams voted "no." (2-7 vote)

Remarking that she would not support the motion, Mrs. Kraft stated that the amendment would lead to abuse of the policy.

A vote was taken on the Second Motion to Amend.

#### Third Motion to Amend (Carried)

Motion was made by Ms. Carter, seconded by Mrs. Kraft and carried, to amend Agendas, 5., to substitute the word "prepared" for "released," to read: Board Meeting agenda shall be ~~prepared~~ released at least (7) days in advance of each Regular Board meeting. The agenda for a special meeting of the Board under authority F.S. 230.16 shall be ~~prepared~~ released upon the calling of the meeting but not less than 48 hours prior to such meeting.

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

**D. MANAGEMENT/FACILITY AUDITS**

**\*D-1. Audit of the Internal Funds at 15 Schools in North Central Area  
(Received)**

Received report on audit of the internal funds at 15 Schools in North Central Area.

Audited the internal funds of the schools listed below for the fiscal years ended June 30, 2001 and 2002 as authorized by the State Board of Education Rule 6A-1.087(2), Florida Administrative Code and School Board Policy 1002.1. Two of the schools had minor audit exceptions, which were not considered to be material weaknesses.

<u>Schools</u>	<u>Fiscal Year(s)</u>
Anderson, Boyd High School	2001 and 2002
*Banyan Elementary School	2001 and 2002
*Blanche Forman Elementary School	2001 and 2002
*Castle Hill Elementary School	2001 and 2002
*Challenger Elementary School	2002
*Dwight D. Eisenhower Elementary School	2002
*Horizon Elementary School	2002
*Nob Hill Elementary School	2002
*Northeast Adult and Community School	2002
Northeast High School	2002
*Nova High and Community School	2001 and 2002
*South Area Alternative Center	2001 and 2002
*Welleby Elementary School	2001 and 2002
*Westpine Middle School	2001 and 2002
*Whiddon-Rogers Education Center	2001 and 2002

The Audit Committee reviewed and approved this report for transmittal to the School Board during the Committee's May 16, 2003 meeting.

\*Denotes Schools with No Audit Exceptions

There is no financial impact to the School District.

**D-2. Audit of the Internal Funds at 14 Schools in South Area (Received)**

Motion was made by Ms. Carter, seconded by Mrs. Andrews and carried, to receive report on audit of the internal funds at 14 Schools in South Area.

Audited the internal funds of the schools listed below for the fiscal years ended June 30, 2001 and 2002 as authorized by the State Board of Education Rule 6A-1.087(2), Florida Administrative Code and School

**Board Policy 1002.1. Three of the schools had minor audit exceptions, which were not considered to be material weaknesses.**

<u>Schools</u>	<u>Fiscal Year(s)</u>
*Apollo Middle School	2002
Attucks Middle School	2001
*Collins Elementary School	2001 and 2002
Cooper City High School	2001 and 2002
Flanagan High School	2001 and 2002
*Hollywood Central Elementary School	2001 and 2002
*Hollywood Hills Elementary School	2001 and 2002
*Hollywood Park Elementary School	2001 and 2002
*Pembroke Pines Elementary School	2001 and 2002
*Sea Castle Elementary School	2001 and 2002
*South Broward High School	2001 and 2002
*The Quest Center	2002
*Walter C. Young Middle School	2001 and 2002
*Whispering Pines School	2002

**The Audit Committee reviewed and approved this report for transmittal to the School Board during the Committee's May 16, 2003 meeting.**

**\*Denotes Schools with No Audit Exceptions**

**There is no financial impact to the School District.**

**No discussion was held on this item.**

**\*D-3. Audit of the Internal Funds at 9 Schools in South Central Area  
(Received)**

**Received report on audit of the internal funds at 9 Schools in South Central Area.**

**Audited the internal funds of the schools listed below for the fiscal years ended June 30, 2001 and 2002 as authorized by the State Board of Education Rule 6A-1.087(2), Florida Administrative Code and School Board Policy 1002.1. One school's report contained minor audit exceptions, which were not considered to be material weaknesses.**

<u>Schools</u>	<u>Fiscal Year(s)</u>
Broward Estates Elementary School	2001 and 2002
*Central Park Elementary School	2002
*Falcon Cove Middle School	2002
*Meadowbrook Elementary School	2002
*New River Middle School	2002
*Riverland Elementary School	2001 and 2002
*Rock Island Elementary School	2002
*Sunrise Middle School	2002
*William Dandy Middle School	2001 and 2002

**The Audit Committee reviewed and approved this report for transmittal to the School Board during the Committee's May 16, 2003 meeting.**

\*Denotes Schools with No Audit Exceptions

There is no financial impact to the School District.

D-4. Review of Change Orders and Contingency Use Directives for Construction Management @ Risk Contracts (Received)

Motion was made by Ms. Carter, seconded by Mr. Williams and carried, to receive Review of Change Orders and Contingency Use Directives for Construction Management @ Risk Contracts.

In accordance with the 2002-2003 Audit Plan and at the request of the Audit Committee, the Office of Management/Facility Audits is performing a review of the Change Orders (COs) and Contingency Use Directives (CUDs) for all CM @ Risk contracts. This audit report of the CM @ Risk contracts for James A. Cummings Construction Company is part of an on-going series of reviews intended to determine whether the District's assets are being properly safeguarded. The review focused on the CUDs, COs and CCDs for Dillard High School and McArthur High School Phased Replacement projects for the periods through 02/25/03.

Our review indicated that the Facilities and Construction Management Division should ensure that CUDs are not divided to circumvent the \$50,000 cost threshold set forth in the CM @ Risk agreement. Also, we recommend the Facilities and Construction Management Division strengthen the Contingency Use Directive approval process and CM agreement contract language to ensure that CUDs and COs are properly categorized.

Finally, the Facilities and Construction Management Division should ensure that the F&CM Division is receiving adequate supporting documentation for the approval of CUDs. This report is intended to be used as a resource for management and staff.

The Audit Committee reviewed and approved this report for transmittal to the School Board during the Committee's May 16, 2003 meeting.

There is no financial impact to the School District.

Mrs. Wexler requested that staff put in writing for the Board the status of the South Broward firewall issue, equally as well as the status for Recommendation No. 2, seeking reimbursement from the Architect's Professional Liability Insurance Policy.

Dr. Till stated that audits are performed by staff to improve practices throughout the district.

\*D-5. Auditor General State of Florida – State Fixed Capital Outlay Appropriations, Uncommitted Appropriations at February 1, 2003 (Received)

Received Auditor General State of Florida – State Fixed Capital Outlay Appropriations, Uncommitted Appropriations at February 1, 2003.

Pursuant to the provision of Section 11.45, Florida Statutes, the Auditor General performed an operation audit, which focused on an analysis of the undisbursed balances of State Fixed Capital Outlay (FOC) appropriations to identify uncommitted accounts.

For purposes of analysis, consideration of FCO Appropriations to be committed, if the amounts were actually under the terms of a binding contract or general construction contractor at February 1, 2003. A review of the statutory FCO certification and reversion provisions as well as the policies and practices of the Executive Office of the Governor (EOG) and the various agencies, universities, district school boards and community colleges.

The report identified \$598.2 million in uncommitted FCO appropriation at February 1, 2003. The District's uncommitted FCO appropriations were \$3.3 million. The Auditor General recommended that State agencies and Educational entities should, in consultation with the Executive Office of the Governor, take prompt action to comply with Section 216.301 (3), Florida Statutes, so that uncommitted appropriation balances may be timely reverted to the fund from which appropriated and be available for reappropriation.

The Audit Committee reviewed and approved this report for transmittal to the School Board during the Committee's May 16, 2003 meeting.

**E. SUPPORT SERVICES**

**E-1. Bid/RFP and Other Financial Recommendations \$500,000 or Greater  
(Approved)**

Motion was made by Mrs. Andrews, seconded by Mr. Rubinstein and carried, to approve the following Bid/RFP and other financial recommendations \$500,000 or greater: Dr. Parks was absent for the vote. (8-0 vote)

<u>BID/RFP</u>	<u>Title – Location – Amount</u>
24-026T	Hazardous Chemical Removal – Risk Management – Amount: \$500,000
24-062B	Custodial Floor Care Equipment and Related Accessories – Various – Amount: \$700,000

No discussion was held on this item.

**E-2. Bid/RFP and Other Financial Recommendations Less Than \$500,000  
(Approved)**

Motion was made by Ms. Carter, seconded by Mr. Williams and carried, to approve the following Bid/RFP and other financial recommendations less than \$500,000: Bid/RFP 24-046T was pulled for separate consideration.

<u>BID/RFP</u>	<u>Title – Location – Amount</u>
24-007V	Catastrophic Injury Insurance (Disability and Excess Medical) – Risk Management – No Acceptable Bids Received
24-010R	Building Supplies – Stockroom – Amount: \$450,000
24-027T	Biomedical Waste Removal – Risk Management – Amount: \$300,000
24-046T	<u>Disposal of Surplus Obsolete, Used Computer Equipment – Various – Amount: \$250,000</u>

Ms. Gallagher requested that staff consider going out into the community to ascertain if there are any nonprofit agencies that want surplus equipment; and whether there are any schools that can use the surplus equipment. Informing her colleagues that Flanagan High School is getting new uniforms, Ms. Gallagher further requested that staff provide information to the schools regarding having schools donate their old band uniforms to other schools.

Mrs. Kraft requested a review as to why the schools are not getting surplus equipment picked up from their schools on a timely basis. She stated that she received a concern from a high school in Coral Springs that they have been trying to get rid of their equipment for a long time and

they cannot get anyone to remove the surplus equipment from their school.

E-3. Additional Recommendations on Existing Contracts \$500,000 or Greater  
(Approved)

Motion was made by Mrs. Budnick, seconded by Mr. Rubinstein and carried, to approve additional expenditures on previously approved term contracts as shown below. The recommendations are requests for additional expenditures only and do not require any changes to the district budget. Bid/RFP 22-041B was pulled for separate consideration. Ms. Carter was absent for the vote. (8-0 vote)

A. APPROVAL FOR RENEWAL AND AN ADDITIONAL EXPENDITURE ON THE FOLLOWING CONTRACTS:

1. 20-101X – Formula Pricing for Milk and Other Dairy Products for Cafeterias (additional expenditure of \$8,000,000 requested; \$28,000,000 previously approved on 6/18/02)

It is recommended that the contract with McArthur Dairy, Inc. be renewed for an additional year from August 15, 2003 through August 14, 2004 in accordance with Special Condition 4 of the bid; and that the School Board authorize an additional expenditure of \$8,000,000. This recommendation does not require any changes to the district budget. This recommendation will allow Food and Nutrition Services to continue purchasing milk and other dairy products for cafeterias as required through August 14, 2004, and will provide for an approximate total expenditure of \$36,000,000 for the award period.

2. 22-041B – Fresh Delivered Pizzas for Cafeterias (additional expenditure of \$1,700,000 requested; \$3,000,000 previously approved on 6/19/01)

It is recommended that the contracts with Domino's Pizza, LLC, Fat Boy's Pizza, Koning Restaurants Int'l (Pizza Hut), Little Caesars Int., Inc. and Papa John's Pizza be renewed for an additional year from September 1, 2003 through August 31, 2004 in accordance with Special Condition 5 of the bid; and that the School Board authorize an additional expenditure of \$1,700,000.

The contracts with Big Louie's Pizza, Intercoastal Pizza d/b/a Domino's Pizza, Pizza World-Blimpie, and Tomasso Enterprises, Inc. will not be renewed due to these vendors are not being utilized by the Food and Nutrition Services Department. This recommendation does not require any changes to the district budget.

This recommendation will allow Food and Nutrition Services to continue purchasing fresh delivered pizzas for cafeterias as required through August 31, 2004, and will provide for an approximate total expenditure of \$4,700,000 for the award period.

Ms. Gallagher inquired about the process that was utilized on this bid.

By motion of Mrs. Budnick and seconded by Mrs. Kraft, this item was tabled pending information being provided to the Board. Following the action of Agenda Item H-1, a motion to remove the agenda item off the table was made by Mrs. Budnick and seconded by Mr. Rubinstein. The following further discussion was held.

Mr. Donnie Carter, Director, Purchasing, stated that at the end of the initial contract period, prior to renewal of the contract, the products are taste-tested by the students for acceptance, and the vendors that are not being renewed did not pass the students' taste test.

Following the vote on the item, the luncheon recess was held.

3. 22-042B – Fresh Delivered Submarine Sandwiches for Cafeterias (additional expenditure of \$500,000 requested; \$800,000 previously approved on 6/19/01)

It is recommended that the contracts with B-Way, Inc. d/b/a/ Subway, Blimpie Subs and Salads, Hamara d/b/a Subway #5283, Subway #1216, Subway #1673, American Dream, LLC d/b/a Subway #10799 be renewed for an additional year from September 1, 2003 through August 31, 2004 in accordance with Special Condition 5 of the bid; and that the School Board authorize an additional expenditure of \$500,000.

The contracts with ASA Holdings d/b/a Special Events Food Group, A-Way, Inc. d/b/a/ Subway, JM-Way, Inc d/b/a Subway, KSJ Pizza Corporation, Margom Corp. d/b/a Subway, Subway #753, Subway #1970 and Tomasso Enterprises will not be renewed due to these vendors are not being utilized by the Food and Nutrition Services Department. This recommendation does not require any changes to the district budget. This recommendation will allow Food and Nutrition Services to continue purchasing fresh delivered submarine sandwiches for cafeterias as required through August 31, 2004, and will provide for an approximate total expenditure of \$1,300,000 for the award period.

4. 23-015B – Frozen Desserts for Cafeterias (additional expenditure of \$1,500,000 requested; \$1,500,000 previously approved on 7/16/02)

It is recommended that the contract with Food Fantasies, Inc. d/b/a Frozen Treats be renewed for an additional year from August 15, 2003 through August 14, 2004 in accordance with Special Condition 5 of the bid; and that the School Board authorize an additional expenditure of \$1,500,000. This recommendation does not require any changes to the district budget. This recommendation will allow Food and Nutrition Services to continue purchasing frozen desserts for cafeterias as required through August 14, 2004, and will provide for an approximate total expenditure of \$3,000,000 for the award period.

E-4. Additional Recommendations on Existing Contracts Less Than \$500,000  
(Approved)

Motion was made by Ms. Carter, seconded by Mrs. Kraft and carried, to approve additional expenditures on previously approved term contracts as shown below. The recommendations are requests for additional



expenditures only and do not require any changes to the district budget. Bid/RFP 22-059V was pulled for separate consideration (page 20).

A. APPROVAL FOR RENEWAL ON THE FOLLOWING CONTRACTS:

1. 21-002H – Off-Site Storage of Computer Media and Microfilm Files (additional expenditure of \$0 requested; \$50,000 previously approved on 5/2/00)

It is recommended that the contract with Secure Data Storage, Inc. be renewed for an additional year from July 1, 2003 through June 30, 2004 in accordance with Special Condition 4 of the bid. This recommendation is not a request for an additional expenditure. This recommendation will allow Education Technology Services to continue off-site storage of computer media and microfilm files as required through June 30, 2004.

2. 21-004H – Maintenance Agreement for Microfilm Equipment (additional expenditure of \$0 requested; \$50,000 previously approved on 5/6/00)

It is recommended that the contract with Eastman Kodak be renewed for an additional year from July 1, 2003 through June 30, 2004 in accordance with Special Condition 4 of the bid. This recommendation is not a request for an additional expenditure. This recommendation will allow Personnel Records and Records Retention to continue repair of microfilm equipment as required through June 30, 2004.

3. 21-049T Fire Extinguishing Systems and Fire Extinguisher Inspection, Repair, Replacement and Recharge (additional expenditure of \$0 requested; \$300,000 previously approved on 11/14/00)

It is recommended that the contract with AAA Fire Protection Systems and Triangle Fire, Inc. be renewed for an additional year from July 1, 2003 through June 30, 2004 in accordance with Special Condition 4 of the bid. This recommendation is not a request for an additional expenditure. This recommendation will allow the District Maintenance Department to continue purchasing fire extinguishing systems and fire extinguisher inspection, repair, replacement parts and recharging services as required through June 30, 2004.

4. 22-035R – Ceramic and Quarry Tile and Accessories (additional expenditure of \$0 requested; \$150,000 previously approved on 06/05/01)

It is recommended that the contract with Sikes Tile Distributors, Inc. be renewed for an additional year from July 1, 2003 through June 30, 2004 in accordance with Special Condition 5 of the bid. This recommendation is not a request for an additional expenditure. This

recommendation will allow the Stockroom to continue purchasing ceramic and quarry tile and accessories as required through June 30, 2004.

**B. APPROVAL FOR RENEWAL AND AN ADDITIONAL EXPENDITURE ON THE FOLLOWING CONTRACTS:**

1. 21-019B – Doughnuts and Pastries for Cafeterias (additional expenditure of \$50,000 requested; \$125,000 previously approved on 6/18/02)

It is recommended that the contract with Interstate Brands Corporation – Holsum be renewed for an additional year from September 1, 2003 through August 31, 2004 in accordance with Special Condition 4 of the bid and that the School Board authorize an additional expenditure of \$50,000. This recommendation does not require any changes to the district budget. This recommendation will allow Food and Nutrition Services to continue purchasing doughnuts and pastries for cafeterias as required through August 31, 2004, and will provide for an approximate total expenditure of \$175,000 for the award period.

2. 23-021H - Maintenance of Decollators and Forms Bursters (additional expenditure of \$15,000 requested; \$15,000 previously approved on 6/18/02)

It is recommended that the contract with Peak Technologies/Moore be renewed for an additional year from July 1, 2003 through June 30, 2004 in accordance with Special Condition 5 of the bid; and that the School Board authorize an additional expenditure of \$15,000. This recommendation does not require any changes to the district budget. This recommendation will allow Education Technology Services to continue purchasing maintenance of decollators and forms bursters as required through June 30, 2004, and will provide for an approximate total expenditure of \$30,000 for the award period.

C. APPROVAL TO RESCIND THE AWARD RECOMMENDATION ON THE FOLLOWING CONTRACT:

1. 23-044B – Custodial Maintenance and Basic Cleaning Supplies (additional expenditure of \$0 requested; \$750,000 previously approved on 12/17/02)

It is recommended that the award on Bid 23-044B, Bid Items 33B, 34, 35, 41 and 49, that was approved by the School Board on October 2, 2001 with respect to the award of these items to AFP Industries (Items 33B and 34), Davida (Item 35), Ideal Supply (Items 34, 41 and 49), Reliable Custodial Maintenance and Supplies (Item 35), Pyramid School Products (Item 35 and 41) and Rider Distributors (Items 41 and 49) be rescinded without penalty due to Impact Products, LLC has purchased selected assets of White Mop Wringer products. Under this purchase agreement with Impact Products and White Mop Wringer, Impact did not assume any bid pricing that White may have extended to their distributors. Impact has found that White's pricing structure was not acceptable and is unable to accept existing bid pricing to their distributors. Therefore, the above awarded vendors are asking to be released from their contract for the above stated bid items.

It is recommended that Bid Items 35 and 41 be purchased from the catalog section of this bid, which is Item 5. The bidder offering the lowest net pricing, for Bid Item 5, is Ideal Supply, Inc. This recommendation does not require any changes to the district's budget and will allow schools, departments and centers to continue purchasing custodial maintenance and basic cleaning supplies as required through October 31, 2004.

D. APPROVAL OF DEFAULT RECOMMENDATION ON THE FOLLOWING CONTRACT:

1. 22-059V – Technical Equipment Repair Service (additional expenditure of \$0 requested; \$500,000 previously approved on 2/5/02)

It is recommended that the School Board of Broward County, Florida, declare Komputer Kingdom, Inc. in default on the performance of the bid conditions of the subject bid due to the vendor's notice that it will not continue to perform contractual obligations for the full term of award (vendor's notice attached). It is further recommended that their contract be canceled, that their company name be removed from the bid list for two years, and no bids received from this vendor be recommended for award and that no purchase orders be released to this vendor. This additional recommendation is in accordance with General Conditions 3, 23 and 24 of their bid. Items 1, 2 and 3, will be purchased from Compulab, Inc., (first alternate vendor) and items 4 and 5 from Advanced Technology Services, Inc. (first alternate vendor).

Responding to Ms. Carter's inquiry, Mr. Carter stated that the vendor has indicated that there is not enough business for the amount of expenses being incurred for them to continue the contract. Mr. Carter stated that the vendor is in breach of contract by withdrawing the bid.

Mrs. Wexler requested that staff provide the Board with information on the status of the process; whether the district is using someone else, or is everything being done in-house. If that is the situation, is there a backlog.

Mrs. Wexler indicated that two years ago she had asked that “we” grow our own, that something be put in place, and the Technology Department was going to work to help through the schools; do something internally to help students learn how to repair, as well as, researching if the technical schools can create future job opportunities. Mrs. Wexler inquired about the status of that conversation, and where the district is as far as schools’ needs being met for computer repair.

Mr. Isadore Mason, Executive Director, Education Technology Services, responded that staff is working with the Technology Advisory Committee (TAC) and Instructional Technology Committee to look at a plan for providing technical support for the schools.

Dr. Till informed the Board that nine months previous staff sought a private vendor, Komputer Kingdom, to help the district get caught up on the backlog.

Mr. Mason stated that the contract with the vendor was to work down the backlog and only use the vendor as an ad hoc resource.

Mrs. Wexler further requested that the Board be provided information, in writing, on how many days it would be if a school needs repair on computers, printers, fax machines, and all kinds of office equipment that is utilized.

Mr. Rubinstein stated that there are financial rewards for the district in dealing with warranty service, through the right contract with the vendor.

Mrs. Wexler asked staff not to lose sight of “growing our own” and working with mentoring and externships, and anything that we can do to help this profession and help people be successful.

The following individual addressed this item:

Jim Silvernale

Dr. Till stated that staff will work with Mr. Silvernale and Mr. Mason to go back and see what progress we are making and to ascertain the workload.

Mrs. Wexler stated, at this time she hopes that they are not going to pursue moving into using another vendor until staff has had the opportunity to review the data.

Ms. Carter requested that staff check into the other companies listed on the bid; consider breaking ties with those companies and make sure it does not cost the school district any money in the future, using a letter of intent to break contracts.

Concurring, Mr. Kenneth Klink, Chief Operating Officer, stated that a determination will be made of the other suppliers and they will be investigated.

E-5. Approval of Energy Services Agreement with Siemens Building Technologies, Inc. (Approved)

Motion was made by Ms. Carter, seconded by Ms. Gallagher and carried, to approve and authorize the execution of the Energy Services Agreement with Siemens Building Technologies, Inc. for Miramar High School.

Phase One of Energy Performance Contracting, approved on September 12, 2000, involves retrofitting selected schools with high efficiency equipment in order to lower the District's utility costs. Originally, McArthur High School was one of the sites approved as part of the project. However, on March 20<sup>th</sup>, 2001 the Board approved agenda item E-11 to delete McArthur High due to a facilities phased replacement.

On July 17, 2001 the Board approved Agenda item E-6 to replace McArthur with Miramar High School, and to complete a Technical Energy Audit at Miramar. SBBC staff requested Siemens Building Technologies, Inc. to complete an audit using information from Phase 1 to proceed with the project at Miramar. The final scope of work incorporates Phase 1 types of retrofits, which have proven most successful. The scope of work will include a lighting retrofit with high efficiency lights, a new high efficiency 400-ton air conditioning chiller, and water conservation through low flow fixtures and enhancements to the chiller plant controls. The scope of this project does not include any changes to refuse or waste removal plans currently in place at this site. Details on the scope of work and utility savings are contractually attached to the Energy Services Agreement as Contract Schedules and the Technical Energy Audit. Copies of these documents are available at Official School Board Records and the School Board Members' office.

These utility saving measures will avoid \$803,686 in electrical and water costs over 10 years guaranteed by Siemens. If there is any shortfall in savings, as outlined in the agreement, Siemens will monetarily reimburse the district. The total dollar figure of \$698,130 will include ten years worth of service on the mechanical equipment installed and the measurement and verification of savings. This Energy Services Agreement will authorize Siemens Building Technologies to install utility saving measures at Miramar High School.

The financial impact is \$689,130 which will be recovered through the guaranteed savings within the 10-year agreement period as stated in the Energy Services Agreement. The source of funds is the ETS Capital Budget – Performance Contracting.

No discussion was held on this item.

**F. CURRICULUM AND INSTRUCTION, STUDENT SUPPORT**

- F-1. Amendment to Agreement No. 00-CR-2329 between The School Board of Broward County, Florida and WorkForce One for the Continuation of a Year Round Out-of-School Youth Program (OSY) (Approved)

Motion was made by Mr. Rubinstein, seconded by Mrs. Budnick and carried, to approve the proposed Amendment to Agreement No. 00-CR-2329 Between The School Board of Broward County, Florida and WorkForce One for a Year Round Out-of-School Youth Program (OSY).

The School Board of Broward County, Florida approved Agreement No. 00-CR-2329 with WorkForce One for the continuation of a Year Round Out-of-School Youth Program on June 19, 2001. On May 22, 2003, the Broward Workforce Development Board (BWDB) voted to amend this Agreement.

The Amendment extends the current Agreement to June 30, 2004. It also increases the budget to provide administrative oversight at no cost to the district.

The Year Round Out-of-School Youth program provides participants an opportunity to develop the tools required to change their lives and successfully enter the job market. Program components include occupational training in a classroom setting, academics integrated with job-specific training, training related support services, job placement assistance, and intensive support from caring adults.

Students will be enrolled at an area technical center in a program that meets their occupational goals, skills, abilities, and aptitude. The program will prepare a minimum of 30 youth, ages 18-21, who have dropped out of school or who did not receive a regular high school diploma, to transition to the world of work. Students will be paid by WorkForce One at the prevailing minimum wage.

The various proposals submitted to WorkForce One all serve economically disadvantaged students, but the selection criteria differ from program to program.

This proposal must serve students who are out-of-school. Over the past three years the program has been evaluated by WorkForce One and has met all performance requirements.

This Amendment has been reviewed and approved as to form by the School Board Attorney.

The financial impact is \$400,000. The source of funds is WorkForce One. There is no additional financial impact to the school district.

Mrs. Budnick requested that complete back-up information be provided to the Board when preparing an agenda item.

Mrs. Budnick further requested that a memorandum be prepared to the WorkForce Board to propose that all participants would have to receive a GED to participate in this program. Mrs. Budnick further requested that staff work with the Workforce Development Board, and consider paying these individuals minimum wage for intern time, not while working on their GED.

Mrs. Wexler stated that the federal program combines the GED with the occupational skills, and all students are encouraged to attain a GED. Mrs. Wexler opined that there is a conflict between the federal program and what is actually being done.

Dr. Earlean Smiley, Deputy Superintendent, Curriculum and Instruction/Student Support, stated that currently the federal government is not required to meet the mandates of the grant.

Mr. Williams stated that there might be some students who do not have the ability to attain their GED but they are capable of successfully working at a trade.

Dr. Till stated that staff will work to include this in the federal policy, and keep the Board apprised.

- F-2. Amendment to Agreement No. 00-CR-2328 between The School Board of Broward County, Florida and WorkForce One for the Continuation of the Summer Training and Academic Remediation Program (STAR)  
(Approved)

Motion was made by Ms. Carter, seconded by Mrs. Budnick and carried, to approve the proposed Amendment to Agreement No. 00-CR-2328 between The School Board of Broward County, Florida and WorkForce One for the Summer Training and Academic Remediation Program (STAR). Mr. Williams was absent for the vote. (8-0 vote)

The School Board of Broward County, Florida approved Agreement No. 00-CR-2328 with WorkForce One for the continuation of the STAR Program on June 19, 2001. On May 22, 2003, the Broward Workforce Development Board (BWDB) voted to amend this Agreement.

The Amendment extends the current Agreement to June 30, 2004. It also increases the budget to provide administrative oversight at no cost to the district.

The STAR Program will deliver academic enrichment, which aligns with high school intensive reading and math initiatives, to 50 students who are rising ninth graders at Dillard High School. During the summer component, students will receive approximately 120 classroom hours in

core academic competencies, computer-assisted instruction, authentic life skills management, and experiences in contextual activities. The summer component includes an exploration of high wage/high demand careers, participation in team building projects, and the development of SCANS competencies/employability skills. Students are paid by WorkForce One at the prevailing minimum wage per hour for participation in the summer component.

The year-round component includes activities such as increasing parental involvement, coordinating enriching field trips, facilitating tutoring activities, and monitoring interim and quarterly report cards. The activities will not pull students from classes; rather, services will be provided on early release days, teacher planning days, and after school.

The various proposals submitted to WorkForce One all serve economically disadvantaged students, but the selection criteria differ from program to program. This program will continue services to students at Dillard High School. Over the past three years the program has been evaluated by WorkForce One and has met all performance requirements.

This Amendment has been reviewed and approved as to form by the School Board Attorney.

The financial impact is \$145,000. The source of funds is WorkForce One. There is no additional financial impact to the school district.

This item was discussed with Agenda Item F-3.

F-3. Amendment to Agreement No. 00-CR-2330 between The School Board of Broward County, Florida and WorkForce One for the Continuation of the Brandeis Summer Transitions Program (Approved)

Motion was made by Ms. Carter, seconded by Mrs. Budnick and carried, to approve the proposed Amendment to Agreement No. 00-CR-2330 between The School Board of Broward County, Florida and WorkForce One for the Brandeis Summer Transitions Program. Mr. Williams was absent for the vote. (8-0 vote)

The School Board of Broward County, Florida approved Agreement No. 00-CR-2330 with WorkForce One for the continuation of the Summer Transitions Program on June 19, 2001. On May 22, 2003, the Broward Workforce Development Board (BWDB) voted to amend this Agreement.

The Amendment extends the current Agreement to June 30, 2004. It also increases the budget to provide administrative oversight at no cost to the district.

The Summer Transitions Program serves 34 students at Blanche Ely,



34 students at Boyd Anderson, and 34 students at Hallandale High Schools. The program is designed to increase learning gains in math and science among students at risk of falling behind in school. The academic enrichment component will align with high school math, science, and reading benchmarks. The program includes a summer component with follow-up activities during the school year. The summer component is designed to increase the math and science competencies of students. Summer Transitions students will participate in classes that are customized to meet the Brandeis University model through the infusion of authentic project-based learning activities, SCANS competencies, and career enriching explorations. WorkForce One will pay students at the prevailing minimum wage.

The year-round follow-up component will include activities such as increasing parental involvement, coordinating enriching field trips, facilitating peer tutoring activities, exploring postsecondary opportunities, monitoring interim and quarterly report cards, and coordinating the design of student developed project-based activities with business community partners. The activities will not pull students from classes; rather, services will be provided on early release days, teacher planning days, and after school.

The various contracts from WorkForce One all serve economically disadvantaged students, but the selection criteria differ from program to program.

The program will continue services to students at Blanche Ely, Boyd Anderson, and Hallandale High Schools. These sites were selected by a committee that included the Area Superintendents. Over the past four years, the program has been evaluated by WorkForce One and has met all performance requirements.

This Amendment has been reviewed and approved as to form by the School Board Attorney.

The financial impact is \$350,000. The source of funds is WorkForce One. There is no additional impact to the school district.

This item was discussed with Agenda Item F-2.

Mrs. Budnick stated that her concerns have been addressed by staff. She said that back-up information should have been a part of the agenda item.

Mrs. Budnick requested that staff inform the Board about what happened to the Kaleidoscope program.

- F-4. Amendment to Agreement No. 00-CR-2331 between The School Board of Broward County, Florida and WorkForce One for the Continuation of a Year Round In-School Youth Program (Approved)

Motion was made by Ms. Carter, seconded by Mrs. Budnick and carried, to approve the proposed Amendment to Agreement No. 00-CR-2331 between The School Board of Broward County, Florida and WorkForce One for a Year Round In-School Youth Program. Mr. Williams was absent for the vote. (8-0 vote)

The School Board of Broward County, Florida approved Agreement No. 00-CR-2331 with WorkForce One for the continuation of a Year Round In-School Youth Program on June 19, 2001. On May 22, 2003, the Broward Workforce Development Board (BWDB) voted to amend this Agreement.

The Amendment extends the current Agreement to June 30, 2004. It also increases the budget to provide administrative oversight at no cost to the district.

The Year Round In-School Youth Program provides in-school youth a paid, part-time private sector internship that is aligned with the students' career interest and/or school based program. Intensive case management, job coaching, employability skills training, and other supportive services are delivered to each intern.

This program will prepare a minimum of 30 students to transition to the world of work. All students are enrolled in Upward Bound Schools and are selected and approved by the school administrators.

All students must meet WorkForce One eligibility requirements and must be academically and economically disadvantaged. Each student will engage in an internship for a maximum of 499 hours. Students will be paid by WorkForce One at the prevailing minimum wage. Transportation assistance is provided through bus passes or gas cards.

The various proposals submitted to WorkForce One all serve economically disadvantaged students, but the selection criteria differ from program to program. This proposal must serve eleventh and twelfth grade students. Over the past five years the program has been evaluated by WorkForce One and has met all performance requirements.

This Amendment has been reviewed and approved as to form by the School Board Attorney.

The financial impact is \$130,000. The source of funds is WorkForce One. There is no additional financial impact to the school district.

Mrs. Budnick stated that her concerns have been addressed.

F-5. Before and After School Child Care (BASCC) Fees (Approved)

Motion was made by Ms. Carter, seconded by Mrs. Andrews and carried, to approve the proposed Before and After School Child Care Fees to begin June 2003. Dr. Parks was absent for the vote. (8-0 vote)

The Before and After School Child Care Department coordinates:

- 199 – Programs      Serving 23,476 children
- After School Programs
    - 133 - Elementary Programs
      - 57 - School Board Operated(SBO) 76 - Private Provider Operated (PPO)
    - 19 - Middle School Programs
      - 13 - SBO 6 - PPO
    - 5 - Centers
  - Before Care Programs - 42
    - 24 - SBO 18 – PPO

All programs are fee supported and do not incur any financial impact on the district budget.

The following information details the current and the proposed BASCC fees:

	2002-2003 2004	Proposed for 2003- 2004
Registration Fee (one time charge)	\$10	\$15
Full Tuition Fee (hourly)	\$1.50	\$ 1.75
Economically disadvantaged participants pay 50% of the Full Fee		

Rationale for fee increase:

- Higher operational costs associated to lower staff to child ratios. New mandated ratios for 2002-2003:  
Headstart/Pre-K -10 to 1, K through 5<sup>th</sup> grade - 20 to 1 (from 25 to 1).
- Fee increase will maintain alignment with fees charged by Before and After School Child Care private provides operating programs in the schools.
- Current rates are 5 years old and do not reflect increases in salaries, materials and lower ratios.
- Increased operational costs needed to serve special needs children. Number of special needs children has increased each year.
- Increase in cost to implement new Sterling Continuous Quality Improvement Program which includes assessments, mentoring, training, site visits and technical assistance for all programs.

There is no financial impact to the school district.

Mrs. Budnick requested that staff prepare a survey to determine how many teachers have children enrolled in before and after programs. Mrs. Budnick inquired that in times of tight budgets, what kind of incentives could be given to teachers and staff. She said that this could be considered for children and grandchildren; if it is a grandparent who is the guardian of the child, or an aunt or an uncle, who are School Board employees.

Informing her colleagues that she met with staff on this issue, Mrs. Wexler stated that it is very “doable” for this department to be totally self-funded within two years through the fees and registration of the students participating in the Before and After School Care program.

Mrs. Wexler stated that having an increase in fees, which brings it in line with the private providers, puts them in line competitively with the private provider operated programs. Mrs. Wexler further requested the Superintendent and the Chief Operating Officer to oversee a business plan that would allow that to occur. Mrs. Wexler requested that staff consider having the difference between 35 percent and 100 percent of a one-time charge go to the district.

Dr. Till discussed the district expanding their business by bringing back practices in-house, such as maintenance on computers. Dr. Till stated there is an increase in costs associated with doing the business and costs had to be increased in order to stay competitive.

Responding to Ms. Carter's inquiry, Ms. Mary Lee Johnson, Coordinator, Educational Programs, stated that there was a cost of living increase of 25 cents which was agreed upon as a fair increase by the principals, teachers, community and coordinators. Ms. Johnson further stated that private providers are allowed to charge 20 percent more than the district, according to the RFP. Most all providers are charging at least \$1.70 to \$1.80.

Ms. Carter stated that the district needs to bring the increase higher than the providers, or at least level.

Mrs. Kraft requested that staff encourage the schools to provide Before and After School Care in-house because it is revenue producing, and it will provide added income to teachers.

Mrs. Kraft stated, when schools run the After School in-house, they are wasting the opportunity for the teachers not to be able to work with the students. Mrs. Kraft requested that staff address the tutoring issue and the conflict of issue.

\*F-6. Amendments to Various Cooperative Agreements with Preschool, Private Providers Serving School Readiness Students (Approved)

Approved amendments to various cooperative agreements between the School Board of Broward County and four preschool private providers to extend services to June 30, 2003.

The School Board and Assistance Unlimited dba Central Charter School, North Lauderdale Educational Centers, Inc., Riverwood Enterprises, Inc., and Youth Impact Inc. have entered into contracts for the purpose of providing classroom instruction to preschool children for more than fourteen years in the School Readiness Program.

The current contracts dated August 19, 2002 to June 13, 2003 need to be amended to increase the School Readiness calendar by 11 days from

June 13 to June 30, 2003. These calendar extensions will enable the district to capture all available State Readiness funds and provide extended services to children and their families.

The School Board attorney has reviewed these amendments and approved them as to form.

There is no financial impact to the district for the 2002 – 2003 school year.

## **G. HUMAN RESOURCES**

### **\*G-1. Personnel Recommendations for Instructional Appointments and Leaves for the 2002-2003 and 2003-2004 School Year (Approved)**

Approved personnel recommendations for appointments and leaves for instructional staff as indicated below. All recommendations are made with the understanding that these individuals will comply with regulations/policies as set forth by the State Department of Education and The School Board of Broward County, Florida.

1. Teacher Approvals
2. Substitute Teacher Approvals
3. Interim Substitute Teachers
4. Part-time Teacher Approvals
5. Teacher Extension of Calendar
6. Instructional Leaves

### **\*G-2. Personnel Recommendations for Instructional Separation of Employment and Discipline for the 2002-2003 School Year (Approved)**

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

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

### **\*G-3. Personnel Recommendations for Noninstructional Appointments and Leaves for the 2002-2003 and 2003-2004 School Years (Approved)**

Approved personnel recommendations for appointments and reassignments for noninstructional employees as indicated below. All recommendations are made with the understanding that these individuals will comply with regulations/policies as set forth by the State Department of Education and The School Board of Broward County, Florida.

1. Noninstructional Approval(s)

2. Noninstructional Reassignment Promotion(s)
3. Noninstructional Reassignment Demotion(s)
4. Noninstructional Substitutes/Temporaries
5. Noninstructional Leaves(s)
6. District Managerial/Professional/Technical (NONE)
  
7. Reassignment of Current School-Based/District Managerial/Professional Technical (NONE)
8. School-Based Managerial
9. Managerial Acting/Special/Task Assignment(s)
10. Managerial/Professional/Technical Leaves
11. Salary Adjustment (NONE)

Mrs. Wexler congratulated and announced newly-elected district personnel.

G-4. Personnel Recommendations for Noninstructional Separation of Employment and Discipline(s) for the 2002 and 2003 & 2003-2004 School Year (Approved as amended)

Motion was made by Ms. Carter, seconded by Mrs. Budnick and carried, to approve personnel recommendations for noninstructional separation of employment and discipline(s) for the 2002-2003 school/fiscal year, as indicated below. All recommendations are made with the understanding that these individuals will comply with regulations/policies as set forth by the State Department of Education and The School Board of Broward County, Florida. This motion was amended as follows: two names were added to Section 3, Managerial and Professional/Technical Resignation(s)/Retirement(s); one name was added to Section 4, Managerial and Professional/Technical Termination(s)/Suspension(s).

The Personnel Recommendations include the following items:

1. Noninstructional Resignation(s)/Retirement(s)
2. Noninstructional Termination(s)/Suspension(s)
3. Managerial and Professional/Technical Resignation(s)/Retirement(s)
4. Managerial and Professional/Technical Termination(s)/Suspension(s)

Mrs. Kraft recognized Mr. Daniel O'Keefe, Principal, Ramblewood Middle School, and expressed gratitude for his 36-year service to the district.

Dr. Parks recognized Mr. Allen Downing, Principal, Bright Horizons, for his compassion and leadership.

Mrs. Wexler recognized Mr. Arlin Vance, Director, Transportation for his 41-year service to the school district.

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

Approved supplements for 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 2002-2003 school/fiscal year for the individuals listed, as requested by the appropriate administrators.

\*G-6. Interim 2003-2004 Salary Schedules (Adopted)

Adopted the 2003-2004 Interim Salary Schedules which authorizes the continuation of the salary schedules for the 2002-2003 school year until negotiations/meet & confer sessions are completed with the various unions and employee organizations. **No general pay increases, including steps, will be granted until negotiations are concluded.**

The 2003-2004 Interim Salary Schedule (bargaining unit and non-bargaining unit employees) will remain in effect until permanent schedules are adopted by the Board. **These schedules represent no change from the 2002-2003 salary schedules previously Board approved.**

This item does not generate any additional costs. Funds to cover these salary schedules are to be budgeted and approved by the Board during the budget process for the 2003-2004 year.

\*G-7. Recommendation(s) for Instructional/Noninstructional Discipline for the 2002-2003 School Year (Approved)

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

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

We have followed the School Board processes for disciplinary action. The requested action(s) is listed on the attachment.

There is no financial impact to the School District.

## H. ATTORNEY

### H-1. Broward County School Board, Petitioner vs. Keith Goodluck, Respondent (Accepted)

Accepted the Recommended Order, rendered on April 2, 2003 by Robert E. Meale, Administrative Law Judge; in the matter of Broward County School Board, Petitioner vs. Keith Goodluck, Respondent, Case No. 02-3154, before the State of Florida Division of Administrative Hearings, and to render a final order in this cause. Ms. Carter was absent for the vote. (8-0 vote)

Petitioner is a teacher holding a professional service contract. He was charged in an administrative complaint with allegedly hitting and verbally abusing students on several occasions. All in violation of State Statutes and Florida Administrative Code.

The Superintendent recommended Mr. Goodluck be suspended without pay and dismissed from employment. The School Board at its August 6, 2002 meeting approved the item and suspended Mr. Goodluck without pay. Mr. Goodluck timely requested an administrative hearing pursuant to Chapter 120 of the Florida Statutes. Following an administrative hearing, the Administrative Law Judge submitted a Recommended Order which recommends that The School Board enter a Final Order dismissing Administrative Complaint against Mr. Goodluck. This action would result in his reinstatement.

The School Board must take final agency action and accept, reject, or modify the Recommended Order by the Administrative Law Judge and enter a Final Order. **No exceptions to the Recommended Order were filed.**

Mrs. Kraft stated that the Board needs to accept, reject, or modify the recommendation.

Motion to Accept (Carried)

Motion was made by Mrs. Kraft, seconded by Mrs. Andrews and carried, to accept the Recommended Order.

The following individuals addressed this item:

Tom Jenkins  
Dennis Grant

Mrs. Wexler inquired about the process following the acceptance of the Recommended Order.

Responding that he would meet with Personnel staff, Mr. Vignola stated if the Board acts to uphold and accept the conclusions of law and render a final order on the Recommended Order, the employee would return to



the prior employment status. Mr. Vignola stated that the back pay would be calculated and addressed through the Payroll Department upon disposition of the final order.

Dr. Till stated that the payroll processing will be conducted in an expeditious manner.

The following individual addressed this item:

James Sparks

H-2. Designation of Cadre Attorney Harry Boreth to Conduct a Hearing and Issue a Recommended Decision Upon the Step 5 Grievance Appealed to the School Board by Employee Mark Commiskey  
(Approved as amended)

Motion was made by Ms. Carter, seconded by Mr. Rubinstein and carried, to approve to designate Cadre Attorney Harry Boreth as the School Board's designee under Step 5 of the grievance procedures under School Board Policy 4015, Section III, Article E to conduct a hearing and issue a recommended decision upon a grievance appealed to The School Board by employee Mark Commiskey. This motion was superseded by a Motion to Amend (page 36).

Employee Mark Commiskey has filed a grievance concerning the denial of his request that the school district pay for certain attorney's services that he retained. The grievance progressed under School Board Policy 4015 to Step 5 which provides that the Board, or its designee, shall hold a hearing with the aggrieved employee, his/her representative if one has been selected, and such persons, witnesses or consultants as either party deems necessary. Cadre Attorney Harry Boreth is experienced in labor disputes and is recommended by the School Board Attorney to serve as The Board's designee to conduct the Step 5 hearing and issue a recommended decision for the Board's consideration.

Remarking that she has spoken to the Board Attorney on this issue, Mrs. Kraft requested the Attorney to come to a resolution without expending additional funding. Mrs. Kraft stated she would rather settle the matter in order to alleviate additional expense.

Responding to Mrs. Wexler's inquiry, Mr. Vignola advised that the Board can have the latitude to designate more than one designee to conduct the Step 5 hearing.

Dr. Till voiced concern about the Board setting precedent by conducting hearings for employee grievances.

Ms. Carter inquired whether the Legal Services Committee would be an appropriate venue to conduct the hearing.

Mr. Vignola responded that the Legal Services Committee is comprised of two School Board Members and the Board Attorney who would be in a position of advising the designee of the Board, which would complicate the issue. Mr. Vignola stated that it is seldom that a grievance has reached Step 5, and in the past the Board has designated an individual to act as its designee.

Remarking that the premise of the grievance is attorney's fees, Mrs. Kraft stated that the district should not hire an outside attorney to resolve whether the attorney's fees are recoverable. Mrs. Kraft stated that the grievance needs to be resolved by the Board as an overall policy or by the Legal Services Committee. Mrs. Kraft said that guidelines should be implemented in these types of grievances, and the grievance cannot be resolved without resolving the question of the process and policy which does not exist.

Motion to Amend (Carried)

Motion was made by Mrs. Kraft, seconded by Ms. Carter and carried, to designate the Board as the Step 5 grievance panel.

Mr. Vignola suggested the Board adding a Special School Board meeting on Tuesday, June 10, 2003, in conjunction with the workshop.

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

**I. OFFICE OF THE SUPERINTENDENT**

I-1. Technology Compliance Document Updates (Approved)

Motion was made by Mrs. Kraft, seconded by Mr. Rubinstein and carried, to approve the Technology Compliance Document Updates for Submittal to the Florida Department of Education. Mrs. Budnick was absent for the vote. (8-0 vote)

Florida school districts are required to have state-approved technology documentation on file in order to qualify for state and federal technology funding.

On December 4, 2001, the Broward School Board approved the submission of Broward's compliance document (agenda item I-1) which was assembled to state criteria. The Florida DOE approved that compliance document in April, 2002, and it now requires updates that incorporate projects funded by 2002-2003 Title II "Enhancing Education Through Technology" grants. These updates are required for Broward to remain eligible to receive Title II grant funding. The Title II grants fund teacher technology professional development projects in the Curriculum department and Broward Virtual Education classes for disadvantaged students in BECON. The updates have been reviewed and approved by the Technology Advisory Committee. The full technology compliance

document can be found at the following website:  
[www.broward.k12.fl.us/itp](http://www.broward.k12.fl.us/itp).

There is no financial impact.

Mrs. Wexler stated that as the district goes through the Five-Year capital process which includes a large allocation for technology, the Board is struggling to identify its plan.

Dr. Till responded that the district adopted the state plan which included the vision statement and other strategic issues, and the Technology Compliance Document is an indication that the district will be going virtual. Dr. Till stated that the strategic plan for the technical portion will deal with issues such as the lack of a main frame, and the business community will ensure that key people will serve as an advisory group in addition to the Technology Advisory Committee (TAC).

\*I-2. Resident On Campus Security (ROCS) Program Lease Agreement Termination (Accepted)

Accepted the lease termination of the ROCS tenant at Whispering Pines School.

Tenant has requested termination of his lease agreement for personal and professional reasons. He has complied with written notification for lease termination

There is no financial impact to the school district.

\*I-3. Resident On Campus Security (ROCS) Program Lease Agreement (Approved)

Approved the Lease Agreement with the police officer as Tenant in the ROCS Program at the specified school.

The lease agreement provides for a police officer as Tenant in the ROCS Program at Whispering Pines School. Participant has been informed of program requirements. The program is an enhancement to school based safety and security initiatives.

This agreement has been approved as to form by the School Board Attorney.

There is no financial impact to the school district.

\*I-4. Partnership Agreement with Virtual CEO, Incorporated (Approved)

Approved Partnership Agreement with Virtual CEO, Incorporated.

Virtual CEO, Inc., (VCEO) uses a proprietary software designed to identify the successful characteristics of organizational culture. The survey program has been adapted for use by education organizations.

Currently, this type of information is missing piece in SBBC's present system for assessing successful schools. The program was included in the assessment portion of the SBBC US DOE School Leadership Grant.

Schools participating in the survey were randomly selected by SBBC. School staffs (instructional, non-instructional, admin.) will participate in an on-line survey.

Data will help identify those "best practices" evident in successful school cultures that impact positive culture/student achievement. These will be incorporated into SBBC's Leadership Development Programs.

The financial impact to the district is \$20,000 for the 25 school pilot and will be funded from the USDOE Pathways to Administrative Leadership (PAL) Grant approved by the SBBC on October 15, 2002.

\*I-5. Expansion of Driver's Education Program (Approved)

Approved this agreement with Broward County Government, which will allow expansion of the Driver's Education Program to include the use of cars in the program.

In 2002, the Florida Legislature approved legislation that provided additional funding for traffic education programs to public and non-public high school students.

The legislation provides funds for driver education automobiles to be used for road experience. (The District currently uses only simulators). The funding for this statute comes from fees paid as part of traffic tickets.

On April 29, 2003, the Broward County Commission approved establishment of the Broward County Driver Education Trust Fund for purposed of designating the funds collected by the Broward County Clerk of Courts for this purpose. The County staff has been charged with entering into a contract with the School Board to provide this educational program.

Once the attached contract is approved by the School Board, funds collected to date will be transmitted to the district to be used for this purpose.

The contract only covers a period from now until September 30, 2003. An amendment will be forthcoming shortly to cover subsequent periods.

Approved as to from by School Board Attorney.

As a result of this Agreement, \$111,054 will be provided to the school district by Broward County Government.

\*I-6. Partnership Agreement with NMD Management, Inc., d/b/a/ Sunrise Cinemas (Approved)

Approved partnership agreement with NMD Management, Inc., d/b/a Sunrise Cinemas.

NMD Management, Inc., d/b/a Sunrise Cinemas is a family owned chain of movie theaters, based here in Broward County. The company has identified Education as a priority and has offered to provide their theaters as a resource for teachers. The partnership agreement was developed as a result of meetings that were held with staff members from several departments within the district. The program offers teachers the opportunity to incorporate multi-media resources into lesson plans. Movies will be offered to schools based on the curriculum areas identified by district staff. All movies will be reviewed to determine that each is tied to state standards, provides an accurate depiction of historical information and falls within district viewing guidelines.

In addition, Sunrise Cinemas through its contacts in the community will also identify for school groups, when appropriate, related speakers on movie topics that can help frame movie viewing experiences and help students engage in discussion about story content.

Approved as to from by School Board Attorney.

There is no financial impact to the School Board.

\*I-7. Partnership Agreement with Learning for Success, Inc. (Approved)

Approved partnership agreement with Learning for Success, Inc.

Learning for Success, Inc. (LFS) a not for profit corporation with more than 10 years of experience in providing students with hands-on experience in business basics. LFS develops and implements relationships between businesses, organizations and elementary or middle schools. Volunteers and teachers are trained to teach lessons from a curriculum which deals with career awareness and workplace skills. All program materials, lessons and activities are tied to state educational standards.

Lessons introduce students to different kinds of jobs, what it takes to do them, how the subjects they are studying in school are used in those jobs, and teach specific workplace skills needed to be successful in work and in life, including communication, positive work habits, decision-making, and teamwork. The program also entails planning and coordinating field trips by participating students, teachers and parents to the business partner's work site.

LFS will work with schools to develop funding strategies for these experiences and provide training for volunteers to deliver the program along side classroom teachers.

Approved as to from by School Board Attorney.

There is no financial impact to the School Board.

\*I-8. Back to Work Agreement and General Release (Approved)

Rescinded School Board action of October 1, 2002, suspending this employee without pay and simultaneously accept the Back to Work Agreement & General Release and her request to withdraw from the 120 Hearing before the Division of Administrative Hearings.

On October 1, 2002, the School Board received a Petition for Formal Proceedings (I-12) and suspended this employee without pay pending the employee's right to request a 120 Hearing before the State of Florida, Division of Administrative Hearings. On May 5, 2003, this employee withdrew her request for a 120 Hearing and accepted a Back to Work Agreement & General Release.

There is no financial impact to the school district.

I-9. Continuation of Rental or Maintenance of Data Processing Software and Hardware (Approved)

Motion was made by Mr. Rubinstein, seconded by Dr. Parks and carried, to approve the continuation of the rental or maintenance of data processing software and hardware. Mrs. Budnick was absent for the vote. (8-0 vote)

The Education Technology Services department utilizes business systems of software from various publishers rather than developing such software itself. As a part of the renewal with these publishers and vendors, they agree to provide maintenance and new releases to the school district for an annual fee. Therefore, towards the end of each fiscal year, an agenda item listing each of the major business systems software and hardware is brought to the School Board for approval in order to provide maintenance support for the next fiscal year (03-04).

The financial impact is \$5,129,417. This expenditure will be funded by the district's hardware/software budget, activity #72179 for fiscal year 03-04.

No discussion was held on this item.

I-10. Waiver for Everglades High School (Approved)

Motion was made by Ms. Carter, seconded by Mrs. Budnick and carried, to approve a waiver of Policy 6000.1 and 1403 for Everglades High School.

Everglades High School will open the 2003-2004 school year in a temporary portable site that will require students to attend on a double session instructional schedule. The planned 4x4 block schedule will

provide 280 minutes for an instructional day, and therefore not meet the current requirement of 360 minutes as required in Policy 6000.1. In addition, this waiver is being submitted without either the required faculty vote or School Advisory Council (SAC) approval as required in Policy 1403 because the faculty has not yet been selected and there is currently no SAC. These waivers will expire on the day that Everglades High School moves into the new permanent building (anticipated date is September 29, 2003).

The cost for transportation for 23 days is \$127,190; each additional day will cost \$5,530. Source of funding is District Transportation Budget.

Mrs. Budnick, who voiced concern over the cost for transportation, stated she is not pleased to be paying for something in the future, when the district is ready for liquidated damage, that it not be looked at for reimbursement. Mrs. Budnick stated that the company indicated that the school would open on a timely basis and high school students will be disrupted.

**J. FACILITIES AND CONSTRUCTION MANAGEMENT**

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

Motion was made by Ms. Carter, seconded by Mr. Williams and carried, to approve the following Change Orders: Mrs. Budnick was absent for the vote. (8-0 vote)

<b><u>Ely High</u></b>		Change Order 01	\$0
Owner Request	\$0		
Consultant Error	\$0		
Unforeseen	\$0		
<b><u>Fort Lauderdale High</u></b>		Change Order 02	\$10,618
Unforeseen	\$10,618		
<b><u>Hallandale Adult &amp; Community Center</u></b>		Change Order 03	\$19,503
Consultant Error	\$11,105		
Unforeseen	\$8,398		
<b><u>Indian Trace Elementary</u></b>		Change Order 01	\$2,187
Unforeseen	\$2,187		
<b><u>Lake Forest Elementary</u></b>		Change Order 01	\$111,279
Owner Request	\$9,723		
Unforeseen	\$101,556		
<b><u>Margate Middle</u></b>		Change Order 09	\$6,421
Consultant Error	\$3,132		
Unforeseen	\$3,289		
<b><u>Markham, Robert C. Elementary</u></b>		Change Order 06	\$351
Consultant Error	\$351		

<b><u>McNicol Middle – Administrative Site</u></b>		Change Order 01	\$45,293
Owner Request	\$8,426		
Unforeseen	\$36,867		
<b><u>North Side Elementary</u></b>		Change Order 07	\$30,519
Unforeseen	\$30,519		
<b><u>Pompano Beach HS Inst. of International Studies</u></b>		Change Order 08	\$67,561
Owner Request	\$16,869		
Consultant Error	\$42,256		
Unforeseen	\$8,436		
<b><u>Sea Castle Elementary</u></b>		Change Order 01	\$2,187
Unforeseen	\$2,187		
<b><u>West Central Bus Complex</u></b>		Change Order 07	\$13,181
Consultant Error	\$12,306		
Unforeseen	\$875		

Ms. Carter stated the change orders were too high.

J-2. **Reduction of Retainage – Lloyd Estates Elementary – Modular Classroom Building – Project No. 1091-21-01** (Approved)

Motion was made by Dr. Parks, seconded by Mrs. Andrews and carried, to approve the recommendation to reduce retainage now being held on the project from the Contractor, Decon Environmental & Engineering, Inc., from \$50,392 to \$20,070. Mrs. Budnick was absent for the vote. (8-0 vote)

In accordance with School Board Policy 7005, the Facilities and Construction Management Division is recommending that the retainage be reduced from \$50,392 to \$20,070.

The project has reached Substantial Completion. The amount of \$20,070 is being withheld at this time pending closing out of the project.

Subsequent to final completion, this will be brought back to the Board for Final Acceptance and Final Release of Retainage.

There is no additional financial impact to the district.

No discussion was held on this item.

\*J-3. **Approve Renewal of Contract – Bid No. 20-148T – Athletic Track Surfacing and Striping** (Approved)

Approved renewal of the contract with Southwest Recreational Industries, Inc. for an additional two-year period through November 2, 2004, in



accordance with Special Condition 1.01 of Bid No. 20-148T, Athletic Track Surfacing and Striping; and authorize additional expenditures up to \$450,000.

Contractor: Southwest Recreational Industries, Inc.

The contract was originally awarded November 2, 1999, for Bid No. 20-148T, Athletic Track Surfacing and Striping, has been utilized for the installation of synthetic rubber polyurethane-bound sports surface coating of running track and field event paved areas at Coral Springs High and Fort Lauderdale High. The initial contract was for a three-year period and may be renewed for two additional one-year periods. Southwest Recreational Industries, Inc. has agreed to renew the contract at the same pricing, terms and conditions of the Invitation to Bid. This recommendation will provide for the continued procurement of services for athletic track surfacing and striping projects as required through November 2, 2004.

A copy of Bid No. 20-148T Athletic Track Surfacing and Striping is available in the School Board Members Offices.

The source of funds is the capital project funds budget for individual construction projects and individual school and department budgets as necessary.

\*J-4. Pre-Qualification of Contractors – Approval of Application and Issuance of Certificates (Approved)

Approved the recommendations of the Superintendent and the Contractor Pre-Qualification Review Committee including Authorization to issue Pre-Qualification Certificates.

The Contractor Pre-Qualification Review Committee (CPQRC) convened on May 8, 2003 to review Pre-Qualification Applications received from the following contractors and makes the following recommendations to the Superintendent of Schools:

Advanced Roofing, Inc. – Issue Pre-Qualification Re-Certification  
Grace & Naeem Uddin, Inc. – Issue Pre-Qualification Re-Certification  
Janice M. Riley, Inc. DBA The Paving Lady – Issue Pre-Qualification Certification  
Lear Associates, Inc. – Issue Pre-Qualification Re-Certification  
NDR Corporation – Issue Pre-Qualification Certification  
R. L. Saum Construction Co., Inc. – Issue Pre-Qualification Re-Certification  
SA Consultants, LLC – Issue Pre-Qualification Certification  
The Haskell Company – Issue Pre-Qualification Re-Certification

The Pre-Qualification Application Reviews and recommendations were conducted in accordance with F.S. 235.31, SREF 1999 and Board Policy 7011.

There is no financial impact to the district.

\*J-5. Approve Easement – BellSouth Telecommunications, Inc. – Everglades High School – New Construction – Project No. 3731-99-01 (Approved)

Approved an easement with BellSouth Telecommunications, Inc., at Everglades High School.

An easement is required for BellSouth Telecommunications, Inc., to provide underground service as shown on the attached sketch.

The School Board Attorney has reviewed the document and approved as to form.

There is no financial impact to the district.

\*J-6. License Agreement with the Hilton Fort Lauderdale Airport for the 2003 Northeast High School Homecoming Dance (Approved)

Approved the license agreement with the Hilton Fort Lauderdale Airport for the 2003 Northeast High School Homecoming Dance.

The Hilton Fort Lauderdale Airport will lease their facility to the School Board to hold the 2003 Northeast High Homecoming Dance. The Hilton Fort Lauderdale has been utilized by the School Board in the past for School Board events.

The date of the Homecoming Dance is November 7, 2003.

The School Board Attorney has approved this agreement as to form.

There is no financial impact to the School District. The expenses for the event are covered by ticket sales and the Student Government Club.

J-7. Reduction of Retainage – Boyd H. Anderson High School – 24 Classroom Addition – Project No. 1741-98-01 (Approved)

Motion was made by Ms. Carter, seconded by Mr. Williams and carried, to approve the recommendation to reduce retainage now being held on the project from the Contractor, DiPompeo Construction Corporation, from \$379,529 to \$37,953. Mrs. Budnick was absent for the vote. (8-0 vote)

In accordance with School Board Policy 7005, the Facilities and Construction Management Division is recommending that the retainage be reduced from \$379,529 to \$37,953.

The project has reached Substantial Completion. The amount of \$37,953 is being withheld at this time pending closing out of the project.

Subsequent to final completion, this will be brought back to the Board for Final Acceptance and Final Release of Retainage.

There is no additional financial impact to the district.

Ms. Carter, who voiced concern over pending litigation with the construction company, inquired about the length of time the retainage amount has been held regarding Piper and Boyd Anderson high schools. Ms. Carter voiced concern that a problem will occur at either school if money is released.

Mr. Notter responded that the district holds the retainage from the day that the district takes occupancy.

Dr. Till stated that the retainage is being released because the jobs are completed. Dr. Till noted that the Grand Jury Report faulted the district for releasing retainage before there was substantial completion.

Mr. Notter stated that the Boyd Anderson 24-classroom addition was occupied two to three months ago, and the Piper High School addition was completed approximately six months ago. Mr. Notter noted that it is standard operating procedure for the district to hold two times the value of what is remaining on the punch list.

Responding to Mrs. Wexler's inquiry, Mr. Notter stated that there are no remaining punch list items.

**J-8. Reduction of Retainage – Piper High School – Classroom Building Addition – Project No. 1901-98-01 (Approved)**

Motion was made by Ms. Carter, seconded by Dr. Parks and carried, to approve the recommendation to reduce retainage now being held on the project from the Contractor, DiPompeo Construction Corporation, from 5% to 1%. Mrs. Budnick was absent for the vote. (8-0 vote)

In accordance with School Board Policy 7005, the Facilities and Construction Management Division is recommending that the retainage be reduced from \$183,639 to \$3,672.78.

The project has reached Substantial Completion. One tenth of one percent is being withheld at this time pending closeout of the project. This project will be brought back to the Board for Final Acceptance and Release of Retainage.

There is no additional financial impact to the district.

Ms. Carter stated that she discussed her concerns on this item under Agenda Item J-7.

**J-9. Final Acceptance of Project – Boyd Anderson High School – Concession/Press Box/Bleachers – Project No. 1741-99-51 (Approved)**

Motion was made by Ms. Carter, seconded by Mr. Rubinstein and carried, to approve Final Acceptance of the Concession/Press Box/Bleachers project at Boyd Anderson High School, Project No. 1741-99-51. Mrs. Budnick was absent for the vote. (8-0 vote)

Based on a settlement reached with the Contractor, a final payment of \$1,000 will be released.

The contractor DiPompeo Construction Inc., completed the project within the contract time limits.

There is no financial impact to the district.

Ms. Carter stated that she discussed her concerns on this item under Agenda Item J-7 and J-8.

J-10. Lease Agreement between The School Board of Broward County, Florida, and the Broward Schools Credit Union (Approved)

Motion was made by Ms. Gallagher, seconded by Mrs. Wexler and carried, to approve the lease agreement between The School Board of Broward County, Florida, and the Broward Schools Credit Union.

The School Board entered into an agreement with the Credit Union in April 1991 to provide for certain leased space in the Kathleen C. Wright Building. Since the inception of the lease, the Credit Union has occupied space on the second floor. The Credit Union is now requesting to enter into a lease for space available on the first floor and to have use of the drive through banking area. The first floor space will allow the Credit Union customers direct access from the street.

The Credit Union will be entitled to a remaining balance of rent abatement, which they earned due to the sale of their property at Sailboat Bend to the School Board in January 2000. The rent abatement extends through January 2005. The value of the abatement is \$29,400 per annum.

Thereafter, they will resume paying prevailing market rate for retail space.

The School Board Attorney has approved this agreement as to form.

There is no additional financial impact to the district.

Discussing the district's need for signage to identify that the school district is housed in the K.C. Wright Administration Center, Mrs. Wexler requested that staff come forward with a recommendation pertaining to the naming of the K.C. Wright Administration building.

Mrs. Kraft requested that staff consider using as an advertising opportunity, if someone wants to make a donation and have a couple of names on the advertisement. Mrs. Kraft stated that in times of fiscal restraint the district does not need to go out and buy signs for buildings.

The following individual addressed this item:

Frederick C. Heidgerd, Esq.

- J-11. 2003 Graduation Lease Agreements for Office Depot Center, LMI/HHI, Ltd. a Texas Limited Partnership (Approved)

Motion was made by Dr. Parks, seconded by Mrs. Kraft and carried, to approve the lease agreements with the Office Depot Center for 2002/2003 graduation school rehearsals and graduation exercises.

Piper, Flanagan, Western and Stoneman-Douglas High Schools will hold their graduation rehearsals and graduation exercises June 9, 2003, through June 13, 2003, at Office Depot Center. A list of the exact dates and location for each high school is attached as Exhibit 1.

It is the policy of the Office Depot, LMI/HHI, Ltd. that the licensee executes the agreement first.

The School Board Attorney has approved these agreements as to form.

There is an estimated financial impact to the School District of \$45,200. These funds were approved at the Board Meeting of April 1, 2003, as part of the Agenda Item J-7.

Mrs. Kraft requested that graduation lease agreements be brought to the Board in a timely manner next year, and that staff inform the Board why these agreements were not brought in a more timely fashion.

**K. COMPTROLLER/BUDGET**

**\*K-1. Interim Financial Statements for the Period Ended March 31, 2003  
(Approved)**

Approved the financial statements for the period ended March 31, 2003.

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

There is no financial impact to the district.

**\*K-2. Bank Resolutions (Approved)**

Approved the following bank resolutions for school internal accounts:

<u>School</u>	<u>Bank</u>
Bennett Elementary	Wachovia Bank, N.A.
Deerfield Beach High	Wachovia Bank, N.A.
Driftwood Middle	Wachovia Bank, NA
Ramblewood Elementary	Wachovia Bank, N.A.
Walker Elementary	Wachovia Bank, N.A.

There is no financial impact to the district.

**SPEAKERS**

Tom Jenkins  
Barney Schlesinger  
Rhonda Ward  
David Geller  
Beverly Sobel  
Les Sobel  
Jennifer Sobel  
Scott Wagner  
Benjamin Stevenson  
Ernestine Price  
Jacqueline Rinehart  
Stephanie Gioletti  
James Sparks

Responding to speakers' concerns regarding the Piper High School Student Government election, Mrs. Wexler stated that the Board is not in a position to overturn any election and to override any constitution at a school.

Dr. Till informed that whenever a problem exists in the district, the Board has an obligation to respond and correct the situation. Dr. Till stated that after discussion with staff surrounding this issue, he concurs that the constitution had created certain "things" that are not in accord with district's policies and procedures, and needed to be changed.

Dr. Till further stated that the Governor's office has offered resources from his staff and the Southeast Equity Center will offer assistance in healing the Piper community. The Superintendent said that the new principal will be selected and charged with the responsibility to work with people to bring cohesiveness to the school and community.

Mrs. Budnick requested that staff consider having a workshop/Retreat on the bylaws of the Broward County Schools Student Government.

Ms. Gallagher requested that staff put together a committee to write guidelines that are fair, and put something into place so that this will not happen again.

Mrs. Kraft requested that staff respond whether the election and the process by which students could have applied to be candidates is consistent with the bylaws and constitution of every other school. If not, then maybe this should be held in abeyance until something is in place over the summer.

Mrs. Kraft stated that speakers have raised some concerns about the election process itself; there were some inconsistencies of who was able to vote, how the votes were handled, and how the ballots were handled. Mrs. Kraft requested that staff do a full investigation of the election process, and if any irregularities were found, that needs to be readdressed as well.

Mr. Rubinstein stated that staff needs to arrange for a facilitated meeting among the students in order to work out a solution that is equitable to everyone. He said that this needs to be addressed as quickly as possible so that the issue can be resolved and the process of healing can proceed for the Piper community.

Dr. Tom Geismar, North Central Area Superintendent, informed the Board that there are county guidelines that are inclusionary, and there are guidelines in place to encourage everyone to participate in the process which every school is expected to follow. Dr. Geismar stated that data is currently being gathered to ascertain which schools are following the guidelines. Dr. Geismar said that the election was held using a different procedure than in the past; held in classrooms under the supervision of teachers or substitute teachers, or counselors who filled in for absent teachers.

Dr. Geismar further stated that the counting of the ballots was supervised by Mr. Mike Roland, Student Activities, Student Support, and Scantron sheets were used to avoid a miscount. Dr. Geismar stated that from the information gathered, there is an indication that the process was fair in accordance with district guidelines.

Mr. Damian Huttenhoff, Director, Student Support, stated that Piper High School changed their constitution locally to have different qualifications, which are inconsistent with the district guidelines.

Mrs. Kraft further requested that staff consider meeting in a workshop to discuss guidelines with the Board.

Mrs. Budnick further requested that she be provided with information regarding when the 2.5 grade point average went into effect, and when the state changed their grading score from 90 to 100.

**Adjournment** This meeting was adjourned at 6:00 p.m.

RT