

APPROVED IN OPEN BOARD MEETING, JANUARY 18, 2004

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

December 7, 2004
Tuesday, 10:15 a.m.

MINUTES OF REGULAR MEETING

The School Board of Broward County, Florida, met in regular session at 11:45 a.m., Tuesday, December 7, 2004, in the Board Room of the Kathleen C. Wright Administrative Center, 600 Southeast Third Avenue, Fort Lauderdale, Florida. Present were Chair Stephanie Arma Kraft, Esq.; Vice Chair Benjamin J. Williams; Members Carole L. Andrews, Robin Bartleman, Darla L. Carter, Maureen S. Dinnen, Beverly A. Gallagher, Dr. Robert D. Parks, Marty Rubinstein; Superintendent Franklin L. Till, Jr.; and Marilyn Batista-McNamara, Esq., Edward J. Marko, 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 Mrs. Andrews, seconded by Mr. Rubinstein and carried, to approve the official minutes for the following Board Meetings:

October 19, 2004 – Regular School Board Meeting
November 9, 2004 – Special Meeting – Student Expulsions
November 16, 2004 – Special Meeting – Organization of the Board
November 16, 2004 – The Broward School Board Leasing Corporation Annual Meeting

Dr. Till informed the Board that Agenda Item G-6 will be withdrawn, as it needs to come back to the Board as a policy.

Close Agenda Upon motion by Dr. Parks, seconded by Mrs. Andrews and carried, the Agenda was approved and declared closed.

REPORTS

District Advisory Council – Cathey Thomas

Ms. Thomas reported that DAC will meet on Wednesday, December 8, 2004, at the K.C. Wright Administration Center. At the November 10, 2004 meeting, Ms. Maggie Zalamea, Director, Office of Governmental Relations, spoke on legislative issues such as mandates, funding and the DCD. Proactive measures are underway to educate the general membership on legislative issues and how it ties with education.

Dr. Joe Melita, Executive Director, Professional Standards and Special Investigative Unit, spoke about the Drug Test Kit pilot program and how it works.

Four motions were made at the November meeting. A motion passed to establish a time frame for the current process of looping to the local school community for input on School Board issues and policies. A second motion regarding the district's emergency response plan was tabled. The third motion was brought forward by the South Area and did not pass. This motion was in regard to the election referendum for pari-mutuels to be held in November 2006. The fourth motion was brought forward by the South Central Area and was tabled. This motion dealt with forum meetings between faculty / staff, remediation contractors, and mold / mildew specialists.

Ms. Thomas further reported that the bylaws will be presented to the membership at the December 8, 2004 meeting and subsequently presented to the Board.

At the last Steering Committee meeting, DAC meet with the Four Area Superintendents to discuss what the Advisory does and how to better facilitate any issues at the schools.

A comprehensive written report was submitted to the Board.

Broward County Council PTA – Elinor Adler

Ms. Adler reported that the PTA Reflections Award Ceremony will be held on January 11, 2005 at the Broward Center for the Performing Arts. Broward PTA will recognize students of all ages for their creative work in visual arts, photography, music and literature. Winners in each category will advance to the Florida PTA Reflections competition.

In other action, Flanagan PTSA submitted a resolution to National PTA for consideration, "High-School Graduation, College Preparation, and Access." This resolution will fulfill National PTA's stated purpose, to promote the welfare of children and to secure for all children and youth the highest advantages in physical, mental, social and spiritual education.

Ms. Adler further reported that PTA met on November 9, 2004. At that meeting, Dr. Nancy Terrel, Director, Communications, Continuous Quality Improvement and Community Involvement was guest speaker, and discussed the district's Strategic Plan for 2005-2010.

Broward PTA reached a consensus on the calendar for the next school year, while expressing a concern that the calendar is resolved in a timely manner for parents to plan accordingly.

Ms. Adler stated that there will be a County Council Board of Managers meeting on December 14, 2004 in the K.C. Wright Administration Center Board room beginning at 6:30 p.m.

A comprehensive written report was submitted to the Board.

Mrs. Kraft requested that the school calendar for next year be placed on the January 18, 2005 Regular School Board meeting agenda.

Broward County Association of Student Councils and Student Advisor – Nohemie Pascal

Ms. Pascal reported that the Speak Up and Speak Out initiative is in the process of implementing dates for the first sessions at Blanche Ely High School and Miramar High School. Once the dates are finalized, the Board will be invited to attend these forums and/or suggest any issues that the Board would want student input on.

The BCASC will meet on Thursday, December 16, 2004, beginning at 4:00 p.m., at Piper High School.

Ms. Gallagher encouraged Board Members and the district to consider sending old holiday cards to the Student Advisor.

A comprehensive written report was submitted to the Board.

Facilities Task Force – Donna Korn

Ms. Korn reported that the Task Force met on December 2, 2004. Gratitude was extended to Mr. Tom Getz, Director, Capital Planning and Programs, and Mr. Michael Garretson, Deputy Superintendent, Facilities and Construction Management, for the presentations and updates they each provided at recent meetings. Mr. Getz provided a PowerPoint presentation on the Educational Specifications (Ed Specs) for the School District.

Gratitude was also extended to Mr. Paul Bach, Project Manager for the Stoneman Douglas Innovation Zone, for his comprehensive report on the projects in progress in this area.

Mr. Garretson led a discussion regarding an update of the Construction Review Committee and the Board's latest workshop. He shared information about the significant modifications being made at schools, such as new school entrances and increased fencing to ensure increased safety for children.

The Tools for School pilot program is beginning its new phase, which will include approximately 60 schools that have volunteered to be part of the program. Board Members were invited to attend the training for the new pilot schools which will be held at Dillard High School, beginning at 9:00 a.m., on Friday, December 17, 2004.

A comprehensive written report was submitted to the Board.

Diversity Committee – Bill Rettinger

Mr. Rettinger, who announced he was the newly-elected Chair, reported that Diversity met on December 2, 2004 and discussed and unanimously passed seven motions. A motion passed to reinstate the Student Subcommittee and the Student Suspension Subcommittee which was previously in effect, and to establish a new subcommittee for technology under the auspices of the Diversity Committee.

Steps were taken to ease concerns of new members regarding the history of the Diversity Committee and its goals for the future. A motion was unanimously passed to have PowerPoint presentations by Mrs. Mary Fertig and Mr. Lewis on the original Citizens Concerned for our Children (CCC) agreement that was previously presented to the Diversity Committee last year, prior to the site visits, at the January or February 2005 Committee meetings.

Mr. Rettinger further reported that DAC is in the process of finalizing the report from last year's Site Visit Subcommittee site visits, and it will be submitted to the Board. School sites are being reviewed for visitation for the 2004-2005 school, after the school holiday break. Presently the Committee and administration is working on gathering guidelines for the site visits.

A motion was made to request that Policy 1.7 could be amended to read that the current Chair of the Diversity Committee will remain and serve as Chair until the committee's organizational meeting in November is held.

Mrs. Bartleman requested that the Board be informed when the Diversity Committee has the presentation with Mrs. Fertig, so they could attend.

Dr. Parks stated that he will speak with the Chair of the Diversity Committee regarding individuals in the northern end of the county who can serve on the Diversity Committee.

BOARD MEMBERS

Mrs. Dinnen informed her colleagues that Senator Bob Graham visited Fort Lauderdale High School to teach a government class, one of his last working days as a Senator.

The Florida School Boards Association meeting held a one-day training session for incoming School Board Members which included sessions on the Sunshine Law, hurricane issues, and meeting with veteran School Board Members who shared their knowledge and experience.

Mrs. Dinnen stated that she is trying to meet with various staff members that she will be working with as a new School Board Member. She informed her colleagues that she will be receiving information regarding the North Andrews Gardens completion which is an ongoing concern with parents.

Mrs. Bartleman stated that as an At-Large Board Member she will support the district's Board Members and to look at issues globally. Mrs. Bartleman discussed her session at the Florida School Boards Association meeting in regard to No Child Left Behind. She provided an Executive Summary presented by the Central Florida School Boards Coalition regarding Florida's Public School Accountability System.

Mrs. Bartleman requested that staff consider placing No Child Left Behind, and its implication, on a workshop as soon as possible. In addition, that the recommendations from South Florida Consortium and Central Florida School Boards Coalition be placed in a form of a resolution so that the Broward Delegation can take this with them to Tallahassee, Florida and know what to fight for, especially Limited English Proficient students. She said it has to be the mission of staff and this Board to do everything they can, along with the Central Florida School Boards Coalition, to align FCAT A+Plans with No Child Left Behind.

Mr. Rubinstein informed his colleagues that he attended the Florida School Boards Association and the discussion of Amendment 4. Voicing concern over the amendment, Mr. Rubinstein stated that limitations should be placed on the amendment and that the School Board should workshop this discussion before a decision is made.

Dr. Parks reported that he was a judge at the annual Pompano Beach Yuletide Parade held recently, and that many school bands were involved from the district. Dr. Parks requested that staff get the school bands involved in events such as this parade, because band students represent the very best in a community.

Ms. Carter thanked the City of Coral Springs for inviting the two At-Large School Board Members, and Chair, Mrs. Kraft, to District 4 to be in their Christmas Parade.

Ms. Carter stated that clarification is needed on the guidelines for field trips. She requested that staff consider bringing the field trip policy back to the Board and attach the guidelines, as the guidelines have to be adopted by the Board along with the policy.

Ms. Gallagher reported that she was Mistress of Ceremonies for the Broward County All-County Orchestra Concert for the talented student musicians and guest conductors who performed at the event. She noted that one of the conductors wrote the theme song for the Olympics at Lake Placid, New York, who volunteered his time to the students.

Ms. Gallagher reported on the Florida School Boards Association meeting held last week. She suggested that a small work group be put together, comprised of Dr. Till, Ms. Zalamea and herself to meet with Mayor Irene Lieberman and Mr. Roger Desjarleis, to see if they can work out some of these issues before the County Commissioners select an election date for a vote on Amendment 4. Ms. Gallagher requested that staff determine what the district's legal rights are in changing the wording of Amendment 4. She suggested placing this on a workshop agenda to discuss what will be done as a school district.

Mr. Williams informed his colleagues that Student Awareness Day was sponsored by the school district and the Holocaust Documentation and Education Center. Half of the high school's representatives previously met with Holocaust survivors and the remaining high school representatives will meet the Holocaust survivors on December 8, 2004. Mr. Williams stated that that this educational experience was mandated by state legislators, every school district in the state of Florida must teach African-American studies, the Holocaust and women's issues.

Ms. Gallagher stated that this is part of the Human Relations Council.

Mrs. Andrews commended staff on the excellent meeting that was put together for the educational committees throughout the cities and counties. She said this will be the beginning of working together, district by district, in educating elected officials, parents and others that are interested in the school district. Mrs. Andrews stated that this will assist in helping the School Board in lobbying issues.

Mrs. Kraft requested that the Superintendent address the subject of a television news investigative report regarding the Maintenance department.

Mrs. Kraft requested that a workshop be held on the alternative centers, and for staff to do a presentation on how they are configured and what they are intended to do. Mrs. Kraft stated there may be some kind of changes that the Board may want to implement in addition to whatever staff has been working on.

Mrs. Kraft discussed her concerns over the guidelines regarding educational field trips. She requested the Superintendent to have staff justify why certain educational field trips have been turned down in October, November and December 2004.

SUPERINTENDENT

Dr. Till stated that superintendents have concept papers on the No Child Left Behind, and when a new Secretary of Education is appointed or confirmed, it will be noted that Florida put into some waivers. He stated that Mr. Bill Bogle, Superintendent of Seminole County School Board, and the committee, with his leadership, outlines some of the concerns that the Board may have. Dr. Till said that the district has joined together to do some case studies, as to what would happen if you changed some of the things. He said that the Superintendents are very proactive and are awaiting the change in Washington to actually go forward.

Dr. Till informed the Board that an investigation is being made of the allegations against the Maintenance Department, and some audits are being prepared, including a list of individuals that will be disciplined at the conclusion of the investigation. Dr. Till said that a pilot program was conducted at the maintenance department that was not successful due to proficiencies, but the process is moving forward and things are in place that will create some efficiencies.

Dr. Till stated that the alternative centers will be presented at a workshop discussion. He said it is hopeful that a temporary site will be available for Pine Ridge Alternative Center.

The Superintendent informed that he attended the ESE "Just Do It ... I did" campaign event and visited ESE classrooms. Dr. Till stated, for the record, that he has announced the eight finalists for Teacher of the Year; Cheryl Ann Chartrand, Falcon Cove Middle School; Jasmine Deboo, Deerfield Beach Elementary School; Daryl Linda Diamond, Broward Virtual School; Nicole Greggs, Plantation Park Elementary School; Brian Keough, Silver Trail Middle School; Diana Nusbaum, Apollo Middle School; Michael Rooney, Welleby Elementary School; and Maria Voyles, Coconut Creek High School. The ceremony will be held on January 26, 2005, at 11:30 a.m.

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

During the Consent Agenda, Mrs. Dinnen requested that staff meet with her to discuss the rules and regulations for charter schools.

Ms. Carter requested, for the record, that Ms. Betsy Donate, Coordinator, Charter Schools, keep track of all new charter schools and provide a list to the Board prior to placement on the Board agenda.

Dr. Till stated that in the past, the Board has refused to accept a charter school site after the Board has granted an application.

Mrs. Kraft stated that Agenda Items I-1 through I-16 will be pulled for discussion.

A. RESOLUTIONS

- *A-1. Resolution in Support of Multi-Ethnic Community Month – January 2005
(Adopted)

Adopted Resolution #05-39, in Support of Multi-Ethnic Community Month – January 2005.

- A-2. Resolution in Support of the District's Hurricane Jeanne Relief Effort
(Adopted)

Motion was made by Ms. Carter, seconded by Ms. Gallagher and carried, to adopt Resolution #05-40, in Support of the District's Hurricane Jeanne Relief Effort.

Dr. Till extended gratitude to staff for their assistance to St. Lucie County School District. St. Lucie County officials indicated that that their school system would not have opened without the assistance of Broward Schools Maintenance employees.

Dr. Till informed the Board that a Resolution was presented by the State Board of Education commending the Maintenance Department for their efforts.

Ms. Carter requested that awards from the Department of Education be briefly displayed in the Pre-function Room of the K.C. Wright Administration Center.

Dr. Parks informed his colleagues that Mr. Michael Lannon, Superintendent of Schools, St. Lucie County, expressed his appreciation to Broward County for their assistance during the hurricane relief.

Mrs. Dinnen stated that the Florida School Boards Association met in Tampa last week and many individuals praised the district for the physical and emotional assistance that they received during this time.

Employees from the Physical Plant Operations, Facilities and Building departments were recognized by the Board.

Dr. Till stated that staff will provide an original resolution to all maintenance workers involved in Hurricane Jeanne Relief Effort.

A-3. Resolution 05-41 Required Plat Improvements Dave Thomas Education Center (West) - Site #203.1 (Adopted)

Motion was made by Ms. Carter, seconded by Mrs. Andrews and carried, to adopt resolution 05-41, Required Plat Improvements – Dave Thomas Education Center (West) Site # 203.1 which are required by the plat. Mr. Rubinstein was absent for the vote. (8-0 vote)

Ms. Carter requested a clarification on the agenda item.

Mr. Garretson responded that the plat which includes the Dave Thomas Education Center, needed to be amended to specify certain limitations in the development. In addition, certain roadway improvements needed to be made, such as installing flashers and striping at the entrance to the school, a bus pull-off so commercial buses can pull off the road, and making the area handicapped accessible. Mr. Garretson stated that the resolution will put the Broward County Commission on notice that the road improvements will be made, so that they can approve the plat.

Ms. Carter voiced concern about the delay in making the changes, and the expense in paying \$6,000 for consulting and filing fees.

Dr. Till explained that the land was traded which was already platted, and a re-plat was required.

Mrs. Kraft stated that sometimes it is more cost effective for one person to handle the project

B. BOARD MEMBERS

B-1. Board Member Annual Salary for November 17, 2004 through November 15, 2005 (Adopted)

Motion was made by Ms. Carter, seconded by Ms. Gallagher and carried, to adopt the annual salary for School Board Members in the amount of \$38,161.76, plus fringe benefits, in accordance with Section 1001.395, Florida Statutes, to be in effect from November 17, 2004 through November 15, 2005.

Section 1001.395, Florida Statutes, provides that each district School Board shall annually determine the salary of its members at the first regular meeting following that Board's organizational meeting. Pursuant to Section 1001.395(1), Florida Statutes, the School Board has given public notice of a proposed salary of \$38,161.76, plus fringe benefits, as part of the notice for this meeting.

At the November 16, 2004, Organizational Meeting, Item #12, the School Board established their salary as \$38,161.76, plus fringe benefits.

The additional financial impact to The School Board of Broward County, Florida is \$13,209.84, plus fringe benefits.

Ms. Carter inquired about the financial impact and whether the Board Members' salary is retroactive to July 2004.

Dr. Till stated that per state statute, the Board sets their salary on the date it is set, from November 17, 2004 to November 15, 2005, and it is not retroactive to July 2004.

Remarking that the Board has been paid for the November 16, 2004 pay period, Mrs. Kraft inquired whether the payroll will be increased incrementally or whether the difference will be given.

Ms. Carter requested that staff contact the Payroll Department regarding the School Board Members' raise.

C. **BOARD POLICIES**

C-1. Proposed Revised Job Descriptions and Minimum Qualifications for Supply Management & Logistics Positions for The School Board of Broward County, Florida 2004-2005 Organizational Chart (Adopted)

Motion was made by Mr. Rubinstein, seconded by Mrs. Dinnen and carried, to adopt the proposed revised job descriptions and minimum qualifications of two (2) Supply Management & Logistics Chart level positions. Approval is requested to advertise for these vacant positions after the first reading. This is the **final** reading. Ms. Carter was absent for the vote. (8-0 vote)

Referring to page 6, Mrs. Dinnen inquired whether the job exemption from overtime provisions of the Fair Labor Standards Act is a new item that is being added to this category.

Ms. Norma Segal, Compensation Manager, Non-Instructional Staffing, responded that she was requested to add the exempt/nonexempt status to the job descriptions in order to clarify the status of overtime, whether the job is eligible for overtime. Ms. Segal stated that it is not a change from what the status would have been before.

- C-2. Proposed New Job Description and Minimum Qualifications for Transportation Dispatcher for The School Board of Broward County, Florida (Adopted)

Motion was made by Mr. Rubinstein, seconded by Ms. Gallagher and carried, to adopt the proposed new job description and minimum qualifications for the Transportation Dispatcher non-Chart job classification of the Federation of Public Employees (FOPE) Maintenance, Facilities Service, Transportation and Securities Specialists Unit. Approval is requested to advertise for this position following the first reading. This is the **final** reading. Mrs. Andrews and Ms. Carter were absent for the vote. (7-0 vote)

No discussion was held on this item.

- C-3. Proposed New and Revised Job Description and Minimum Qualifications for Human Resource Division Positions for The School Board of Broward County, Florida 2004-2005 Organizational Chart (Approved)

Motion was made by Ms. Gallagher, seconded by Mr. Williams and carried, to approve the proposed new or revised job description and minimum qualifications for Human Resource Division positions. These new or revised positions were designated for study at the time the Organizational Chart was approved by the Board. Approval is requested to advertise for vacant positions following the first reading. This is the **first** reading. Mrs. Andrews and Ms. Carter were absent for the vote. (7-0 vote)

No discussion was held on this item.

- C-4. Proposed New and Revised Job Descriptions and Minimum Qualifications for Operations Division Positions for The School Board of Broward County, Florida 2004-2005 Organizational Chart (Approved)

Motion was made by Mr. Rubinstein, seconded by Ms. Gallagher and carried, to approve the proposed new and revised job descriptions and minimum qualifications of Operations Division Administrative, Supervisory, Professional & Technical Chart level positions. Approval is requested to advertise for vacant positions after the first reading. This is the **first** reading. Mrs. Andrews and Ms. Carter were absent for the vote. (7-0 vote)

No discussion was held on this item.

- C-5. Proposed New and Revised Job Descriptions and Minimum Qualifications for Finance Division Positions for The School Board of Broward County, Florida 2004-2005 Organizational Chart (Approved)

Motion was made by Mr. Rubinstein, seconded by Ms. Gallagher and carried, to approve the proposed revised job descriptions and minimum qualifications of two (2) Finance Division Chart level positions. This is the **first** reading. Mrs. Andrews and Ms. Carter were absent for the vote. (7-0 vote)

No discussion was held on this item.

- C-6. Proposed New Job Description and Minimum Qualifications for District Space Planner for The School Board of Broward County, Florida (Approved)

Motion was made by Mr. Rubinstein, seconded by Ms. Gallagher and carried, to approve the proposed new job description and minimum qualifications for the District Space Planner position. Approval is requested to advertise for vacant positions following the first reading. This is the **first** reading. Mrs. Andrews and Ms. Carter were absent for the vote. (7-0 vote)

No discussion was held on this item.

- C-7. Proposed New School Board Policy 4412 Declared Emergency Paid Leave (Adopted)

Motion was made by Mr. Rubinstein, seconded by Ms. Gallagher and carried, to adopt the new School Board Policy 4412 at this **final** reading. Mrs. Andrews and Ms. Carter were absent for the vote. (7-0 vote)

No discussion was held on this item.

- C-8. Revisions to Policy 5306 – School and District Technology Usage (Approved as amended)

Motion was made by Dr. Parks, seconded by Ms. Carter and carried, to approve the revisions to Policy 5306 at this **first** reading. This motion was superseded by a Motion to Amend (page 12). Dr. Parks and Mr. Williams were absent for the vote. (7-0 vote)

Dr. Parks stated that there needs to be a goal to have a Comprehensive Digital Divide Program, and an idea that they are going to take this to the next level. Dr. Parks requested that staff institute in policy this concept of Digital Divide and make it happen. Then, staff can begin to integrate those procedures, goals, and objectives.

Dr. Parks stated that the next steps are to develop a pilot; improve the process; establish the steering committee; and expand the program.

Mr. Rubinstein, who said he would support the program, stated that this is one of the best projects for the district.

Mrs. Bartleman suggested that as a part of the RFP when they eventually bring this out for bid, when the lease expires, staff will ask the vendors to donate the computers back to the community. Mrs. Bartleman requested that staff work with vendors to make this program a success.

Mrs. Kraft requested that staff add language to the policy that states, "Any websites that are linked to a website that is created by a school or club, must meet the district's standards for appropriateness."

Motion to Amend (Carried)

Motion was made by Mrs. Kraft, seconded by Mrs. Dinnen and carried, to amend page 9, 7. Web Pages – School and District, 3.g. or h., add "links" to verbiage. Dr. Parks and Mr. Williams were absent for the vote. (7-0 vote)

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

- C-9. Proposed Revised Job Descriptions and Minimum Qualifications of Non-Instructional Positions for The School Board of Broward County, Florida (Adopted)

Motion was made by Mr. Rubinstein, seconded by Ms. Gallagher and carried, to adopt a revision to the testing requirements Qualifications, Education section in the job descriptions for Secretarial/Clerical and Confidential Office Personnel positions. This is the **final** reading. Mrs. Andrews and Ms. Carter were absent for the vote. (7-0 vote)

No discussion was held on this item.

- C-10. Proposed New and Revised Job Descriptions and Minimum Qualifications for Administrative, Supervisory, Professional & Technical Positions for The School Board of Broward County, Florida 2004-2005 Organizational Chart (Approved)

Motion was made by Mr. Rubinstein, seconded by Mr. Williams and carried, to approve the proposed new and revised job descriptions and minimum qualifications for Administrative, Supervisory, Professional & Technical Chart level positions. Approval is requested to advertise for vacant positions after the first reading. This is the **first** reading. Mrs. Andrews and Ms. Carter were absent for the vote. (7-0 vote)

No discussion was held on this item.

D. OFFICE OF THE CHIEF AUDITOR

E. OFFICE OF DEPUTY SUPERINTENDENT, OPERATIONS

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

Motion was made by Ms. Gallagher, seconded by Ms. Carter and carried, to approve the following Bid/RFP and other financial recommendations \$500,000 or greater: Bid/RFP 25-048R was pulled for separate discussion.

<u>BID/RFP</u>	<u>Title – Location – Amount</u>
<u>25-048R</u>	<u>Supply, Install and Repair of Chain Link Fencing – District Maintenance – Amount: \$5,000,000</u>

Mrs. Kraft inquired whether any other companies are being awarded the contract, or whether the two M/WBE contractors will be awarded the contract.

Mr. Donnie Carter, Deputy Superintendent, Operations, responded that the two contractors were primary and secondary M/WBE companies.

Mrs. Kraft discussed the district's grant for security fencing on some schools. She inquired whether this RFP will be the mechanism for getting the fencing at these schools.

Mr. Carter responded affirmatively.

Dr. Till stated that the Board was presented an allocation of capital moneys to meet this need, rather than grant moneys.

Mrs. Kraft requested that the Board be provided a delineation of which schools will be getting fencing under capital moneys for safety.

25-059R	Supply HVAC Equipment – District Maintenance – Amount: \$5,000,000
25-068B	Cafeteria Equipment – Various – Amount: \$2,500,000
25-123T	Intercom, Masterclock, Scoreboard, Sound, PA, Equipment, Parts, and Repair Services – Various – Amount: \$2,500,000

Note: The Bid Recommendation is for approval to purchase from a contract awarded by the School Board of Palm Beach County, Florida and is in accordance with both Department of Education Rules and Board Policy. Utilizing this award will permit the purchase of these services in a timely manner at competitive prices and contribute to our cooperative purchasing efforts.

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

Motion was made by Ms. Carter, seconded by Mr. Rubinstein and carried, to approve the following Bid/RFP and other financial recommendations less than \$500,000: Bid/RFP 25-040R and Bid/RFP 25-075E were pulled for separate discussion. Ms. Carter voted "no" on Bid/RFP 25-075E.
(8-1 vote)

<u>BID/RFP</u>	<u>Title – Location – Amount</u>
25-040R	Roof Repairs – District Maintenance – Amount: \$300,000

Ms. Gallagher discussed the bundling of items to be completed at schools. She informed her colleagues that one of her schools was slated to be painted this summer, and now the roof needs to be redone.

Dr. Till stated that a sequencing of projects is underway so that schools will be taken care of properly and efficiently.

Motion to Separate (Carried)

Motion was made by Ms. Carter, seconded by Mrs. Bartleman and carried, to separate Bid/RFP 25-040R and Bid/RFP 25-0756 for separate vote.

25-066B	Can Liners and Compactor Bags – Various – Amount: \$400,000
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25-098B	Home Economic Classroom Supplies and Equipment (Catalog) – Various – Amount: \$250,000
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Income to the School Board:

<u>25-075E</u>	<u>Recycling Services of Empty Cores and Cartridges – Various</u>
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Commenting that there is no money in the recycling process, Ms. Carter stated she would not support this Bid due to the process of picking up the cartridges.

Remarking that the district is saving income, Mr. Carter explained that a bid was issued and the amount of money is the projected amount based on the quantities that have been provided. He said that the company will pay the district as the ink cartridges are picked up. Remarking that it is a lucrative business, Mr. Carter said that the bid will expire in 2006.

Ms. Gallagher stated that school bands are using recycling as a fundraising project, as the empty cartridges are turned in for a fee.

Mrs. Dinnen noted that the contract provides for the firm to pay the district money, and if they do not uphold the contract they will be in breach of their contract.

Motion was made by Mrs. Dinnen, seconded by Dr. Parks, to call the question. (No vote taken)

A vote was taken on the Bid/RFP 25-075E, followed by a vote on Bid/RFPs 25-040R, 25-066B, and 25-098B.

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

Motion was made by Ms. Gallagher, seconded by Ms. Carter 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/RFP23-147V, Bid/RFP 22-137T, and Bid/RFP 24-009V were pulled for separate discussion.

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

1. 23-140R – Asphalt Paving, Paint Striping, Field Marking Service and Concrete Placement (additional expenditure of \$3,500,000 requested; \$3,500,000 originally approved on 3/4/03)

It is recommended that the School Board authorize an additional expenditure of \$3,500,000 to the subject contract. The amount of the recommended spending authority is available from funds already included in the District budget. This recommendation will allow the District Maintenance Department to continue purchasing service for asphalt paving, paint striping, field marking service and concrete placement as required through September 30, 2005, and will provide for an approximate total expenditure of \$7,000,000 for the award period.

2. 23-147V– Information Technology Hardware (additional expenditure of \$9,000,000 requested; \$1,500,000 approved on 12/17/02 and \$100,000 originally approved on 9/17/02) (Approved)

It is recommended that the School Board authorize an additional expenditure of \$9,000,000 to the subject contract. It is anticipated that \$1,916,247 would be dedicated to video conferencing systems procurement, and \$7,063,573 would be used for the AS400 Consolidation and Mainframe Server upgrades. The amount of the recommended spending authority is available from funds already included in the District budget. This recommendation will allow the Educational Technology Services Department to continue purchasing information technology hardware through July 31, 2005 and will provide for an approximate expenditure of \$10,600,000 for the award period.

Mrs. Kraft inquired how this bid ties into the RFP.

Mr. Vijay Sonty, Chief Information Officer, office of the Chief Information Officer, responded that Bid/RFP 23-147V is not related to the RFP. Mr. Sonty informed the Board that the item has many components, one of which is the video-conferencing unit that will be procured by the district and will be reimbursed 80 to 90 percent for those units under the Erate. Mr. Sonty stated that the other three components are mainframe upgrades which will increase the processing power and the disk space on the mainframe.

Mr. Sonty, who stated that the other component is for the AS/400 consolidation, explained that there are 234 AS/400s in the schools and as part of the blueprint initiative, the goal is to take these out of the schools and replace them with an Intel based server which will perform multiple functions.

Responding to Mr. Rubinstein's inquiry, Mr. Sonty stated that the goal is to move the central servers to Lenix/Unix applications in approximately three years, and the units that are being replaced will be able to run under this application system.

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

1. 21-076B - Mainline (Meats and Frozen, Canned, Dry) Foods For Cafeterias (additional expenditure of \$16,000,000 requested; \$40,000,000 previously approved on 9/11/01)

It is recommended that the contract with School Food Service Systems be renewed for an additional year from January 1, 2005 through December 31, 2005 in accordance with Special Condition 5 of the bid; and that the School Board authorize an additional expenditure of \$16,000,000 to the subject contract. The amount of the recommended spending authority is available from funds already included in the District budget. This recommendation will allow Food and Nutrition Services to continue purchasing mainline foods as required through December 31, 2005, and will provide for an approximate total expenditure of \$56,000,000 for the award period.

Note: This additional expenditure is requested in order to process Food Service orders against this contract for an additional year. This contract is used to provide food and beverages to all school cafeterias within the District.

2. 22-137T – Full Service Turnkey Storage and Distribution (additional expenditure of \$800,000 requested; \$50,000 previously approved on 12/9/03; \$800,000 originally approved on 12/4/01) (Approved)

It is recommended that the contract with Secure Storage, Inc. be renewed for an additional year from January 1, 2005 through December 31, 2005 in accordance with Special Condition 5 of the bid; and that the School Board authorize an additional expenditure of \$800,000 to the subject contract. The amount of the recommended spending authority is available from funds already included in the District budget. This recommendation will allow the Capital Planning and Programming department to continue purchasing full service turnkey storage and distribution services as required through December 31, 2005, and will provide for a total expenditure of \$1,650,000 for the award period. Ms. Carter voted "no." (8-1 vote)

Responding to Ms. Carter's inquiry, Mr. Carter stated that the warehouse has been used to receive and deliver Furniture, Fixtures and Equipment (FF&E) for new schools, renovations and portables. He said that this is done in the absence of sufficient warehouse space for the district. Mr. Carter stated that discussion is underway to try to secure a warehouse for purchase rather than continuing to pay for an outside service.

Mr. Carter explained that the turnkey process involves shipping everything to the warehouse for FF& E which is then delivered to the schools at the request of staff.

Ms. Carter stated that she could not support the bid due to the amount of the award for a one-year time period.

Motion to Separate (Carried)

Motion was made by Ms. Carter, seconded by Mrs. Bartleman and carried, to separate Bid/RFP 22-137T and voted on separated.

A unanimous vote was taken on the Motion to Separate, followed by a vote on Bid/RPP 22-137T.

C. APPROVAL FOR AMENDMENT TO AGREEMENT ON THE FOLLOWING CONTRACT:

1. 24-009V – (RFP) Group Medical Benefits for School Board Employees (additional expenditure of \$0 requested; additional expenditure of \$0 requested 8/17/04; \$640,000,000 originally approved on 8/19/03)

It is recommended that the attached Second Amendment to Agreement with Humana, Inc. be approved. The purpose for the Second Amendment to Agreement is to provide an enhancement to the mail-order prescription benefit for the Low Option HMO and the Consumer Driven Plans by reducing the mail order prescription ninety (90) day supply cost from three times retail co-payment to two times retail co-payment. This enhancement was approved by the Superintendent's Insurance Advisory Committee at its October 20, 2004 meeting.

Ms. Carter inquired about the recommendation under this Bid/RFP.

Mr. Ronald Weintraub, Director, Benefits, stated that the bid is an enhancement to the contract for the mail order prescription. For all other plans, a payment is made and a three-month prescription will be provided. Mr. Weintraub stated that the contract with Humana, for the consumer driven and the Low Option HMO indicates that paying three co-payments will entitle the employees to a three-month prescription supply which will be a direct savings to employees under this plan. Mr. Weintraub noted that the High Option already provides the two co-payments for a three-month's supply.

A vote was taken on the remaining Bid/RFPs.

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

Approved 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.

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

1. 21-119R – Electrical Supplies (additional expenditure of \$400,000 requested; \$450,000 previously approved on 3/16/04; \$1,500,000 previously approved on 3/4/03; \$3,000,000 originally approved on 1/16/01)

It is recommended that the School Board authorize an additional expenditure of \$400,000 to the subject contract. The amount of the recommended spending authority is available from funds already included in the District budget. This recommendation will allow the Stockroom to continue purchasing electrical supplies as required through March 31, 2005, and will provide for an approximate total expenditure of \$5,350,000 for the award period.

2. 23-167H – Envelopes (additional expenditure of \$15,000 requested; \$50,000 originally approved on 12/17/02)

It is recommended that the School Board authorize an additional expenditure of \$15,000 to the subject contract. The amount of the recommended spending authority is available from funds already included in the District budget. This recommendation will allow the Warehouse to continue purchasing envelopes as required through October 9, 2005, and will provide for an approximate total expenditure of \$65,000 for the award period.

3. 24-031H – Laminating Film (additional expenditure of \$35,000 requested; \$0 previously approved on 8/3/04; \$100,000 originally approved on 7/15/03)

It is recommended that the School Board authorize an additional expenditure of \$35,000 to the subject contract. The amount of the recommended spending authority is available from funds already included in the District budget. This recommendation will allow the schools, departments and centers to continue purchasing laminating film as required through August 31, 2005, and will provide for an approximate total expenditure of \$135,000 for the award period.

B. APPROVAL FOR EXTENSION ON A MONTH TO MONTH BASIS ON THE FOLLOWING CONTRACT:

1. 21-115R – Service, Repairs, Installation and Replacement of HVAC Equipment (additional expenditure of \$0 requested; \$11,000,000 originally approved on 6/19/01)

It is recommended that the contracts with Automated Controls Service, Inc., Bresnak Services d/b/a Electronic Services, McQuay Service, P.E.C.O. Enterprises, Inc. South Florida Trane Service and Temptrol Air Conditioning, Inc. be extended on a month-to-month basis until such time as a new bid can be awarded. This recommendation is not a request for an additional expenditure. This recommendation will allow the District Maintenance Department to continue purchasing service, repairs, installation and replacement of HVAC equipment at various SBBC locations.

Note: A new bid has been completed for these services; however, prequalification is a requirement for all those who submitted bids. The final prequalification recommendation for bidders is still pending. When the prequalification process is completed, a recommendation for award will be submitted for approval.

C. APPROVAL FOR EXTENSION AND AN ADDITIONAL EXPENDITURE ON THE FOLLOWING CONTRACT:

1. 22-132R – Lumber and Related Items (additional expenditure of \$450,000 requested; \$400,000 previously approved on 6/15/04; \$100,000 previously approved on 3/16/04; \$800,000 originally approved on 3/5/02)

It is recommended that the contract with Javan Lumber, Inc. be extended for an additional 90 days from April 1, 2005 through June 30, 2005, in accordance with Special Condition 5 of the bid; and that the School Board authorize an additional expenditure of \$450,000. The amount of the recommended spending authority is available from funds already included in the District budget. This recommendation will allow the Stockroom to continue purchasing lumber and related items as required through June 30, 2004, and will provide for an approximate total expenditure of \$1,750,000 for the award period.

Note: A new bid is being completed for this commodity and is scheduled for release by January 2005. When the bid evaluation is completed, a recommendation for award will be submitted for approval.

D. APPROVAL FOR EXTENSION AND AN ADDITIONAL EXPENDITURE ON A MONTH TO MONTH BASIS ON THE FOLLOWING CONTRACT:

1. 21-079R – Provide and Install Insulation (additional expenditure of \$250,000 requested; \$100,000 previously approved 6/15/04; \$425,000 previously approved on 1/21/03; \$500,000 originally approved on 9/12/00)

It is recommended that the contracts with Sparta Insulation Co. and Thermal Concepts, Inc. be extended on a month-to-month basis until such time as a new bid can be awarded; and that the School Board authorize an additional expenditure of \$250,000 to the subject contract. The amount of the recommended spending authority is available from funds already included in the District budget.

This recommendation will allow the District Maintenance Department to continue purchasing service to provide and install insulation as required at various SBBC locations and will provide for an approximate total expenditure of \$1,275,000 for the award period.

Note: A new bid has been completed for these services; however, prequalification is a requirement for all those who submitted bids. The final prequalification recommendation for bidders is still pending. When the prequalification process is completed, a recommendation for award will be submitted for approval.

E. APPROVAL FOR RENEWAL ON THE FOLLOWING CONTRACTS:

1. 21-113T – Fire Alarm Services (additional expenditure of \$0 requested; \$5,000,000 approved on 1/20/04; \$4,000,000 originally approved on 12/12/00)

It is recommended that the contracts with Advanced Fire and Safety Systems, Bass United Fire and Security Systems and Florida State Fire and Security be renewed on a month-to-month basis until such time as a new contract is awarded. Siemens Cerberus Division has declined to renew. This recommendation is not a request for an additional expenditure. This recommendation will allow the Physical Plant Operations department to continue purchasing fire alarm services as required.

Note: A new bid has been completed for these services. A recommendation for award of bid was posted on 11/30/04. This recommendation for award for award will be scheduled for Board review as soon as possible.

2. 22-123T – Miscellaneous Signs (Catalog) (additional expenditure of \$0 requested; \$325,000 approved on 12/18/01)

It is recommended that the contracts with Municipal Supply and Sign Company be renewed for an additional year from January 1, 2005 through December 31, 2005 in accordance with Special Condition 5 of the bid. Rocal, Inc. declined to renew. This recommendation is not a request for an additional expenditure. This recommendation will allow the District stockroom, schools and centers to continue purchasing miscellaneous signs as required through December 31, 2005.

3. 23-103R – Refinishing of Hardwood Floors (additional expenditure of \$0 requested; \$675,000 originally approved on 10/1/02)

It is recommended that the contracts with Robbins Sport Floors South Florida, L.L.C. and Trident Surfacing, Inc. be renewed for an additional year from January 1, 2005 through December 31, 2005, in accordance with Special Condition 6 of the bid; and that the contract with Sportworks, Inc. (substandard contract performance) not be renewed. This recommendation is not a request for an additional expenditure. This recommendation will allow the District Maintenance Department to continue purchasing service to refinish hardwood floors as required through December 31, 2005.

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

1. 22-048R – Glass, Glass Blocks and Plexiglas (additional expenditure of \$250,000 requested; \$200,000 previously approved on 12/16/03; \$350,000 originally approved on 8/14/01)

It is recommended that the contracts with Bob's Glass and Radiator Service, Inc. and Faulkner, Inc. of Miami be renewed for an additional year from January 1, 2005 through December 31, 2005 in accordance with Special Condition 5 of the bid; and that the School Board authorize an additional expenditure of \$250,000 to the subject contract. The amount of the recommended spending authority is available from funds already included in the District budget. This recommendation will allow the Maintenance Stockroom to continue purchasing glass, glass blocks and Plexiglas as required through December 31, 2005, and will provide for an approximate total expenditure of \$800,000 for the award period.

2. 22-049R – Air Conditioning Units (additional expenditure of \$400,000 requested; \$1,000,000 originally approved on 9/25/01)

It is recommended that the contracts with Friedrich Air Conditioning Co. and Johnstone Supply be renewed for an additional year from January 1, 2005 through December 31, 2005, in accordance with Special Condition 5 of the bid; and that the School Board authorize an additional expenditure of \$400,000 to the subject contract. The amount of the recommended spending authority is available from funds already included in the District budget. This recommendation will allow the Maintenance Stockroom to continue purchasing air conditioning units as required through December 31, 2005, and will provide for an approximate total expenditure of \$1,400,000 for the award period.

3. 23-035T – Sewer Main Cleaning and Repair Services (additional expenditure of \$175,000 requested; \$250,000 originally approved on 10/15/02)

It is recommended that the contract with Shenandoah General Construction, Inc. be renewed for an additional year from January 1, 2005 through December 31, 2005 in accordance with Special Condition 6 of the bid; and that the School Board authorize an additional expenditure of \$175,000 to the subject contract. The amount of the recommended spending authority is available from funds already included in the District budget.

This recommendation will allow the Physical Plant Operations Department to continue purchasing sewer main cleaning and repair services as required through December 31, 2005, and will provide for a total expenditure of \$425,000 for the award period.

4. 23-048T – Bleacher Repair Services (additional expenditure of \$150,000 requested; \$220,000 approved on 12/16/03; \$250,000 originally approved on 8/6/02)

It is recommended that the contracts with Certified Gym Repair, Inc., Charron Sports Services, Inc. and Lyle Bleachers, Inc. be renewed for an additional year from January 1, 2005 through December 31, 2005 in accordance with Special Condition 5 of the bid; and that the School Board authorize an additional expenditure of \$150,000 to the subject contract. The amount of the recommended spending authority is available from funds already included in the District budget.

This recommendation will allow the Physical Plant Operations Department to continue purchasing bleacher repair services as required through December 31, 2005, and will provide for a total expenditure of \$620,000 for the award period.

E-5. Authorization to Release Requests for Proposal (RFP) (Approved)

Motion was made by Mr. Rubinstein, seconded by Mrs. Andrews and carried, to request that the School Board authorize the release of the following RFPs:

<u>RFP #</u>	<u>Title</u>	<u>Department</u>
25-119E	Classroom Data Management and Gradebook Solution	Education Technology Services
26-020V	Group Term Life and Accidental Death and Dismemberment (AD&D) for School Board Employees	Benefits

The RFP's listed above seek proposals from qualified firms for one of the following procurement criteria: 1) technology; 2) financial services; 3) health and/or safety; or 4) other procurements in excess of \$500,000. A copy of each RFP listed is attached for the School Board's consideration. The following is a brief synopsis of the intent and purpose of the RFP's:

No discussion was held on this item.

25-119E - Classroom Data Management and Gradebook Solution

The School Board of Broward County, Florida desires to receive proposals for a Classroom Data Management and Gradebook Solution which allows teachers to effectively bridge the district's student information system, TERMS, to the solution. The solution will provide, but not be limited to, the following: 1) allow for students' grades, attendance, progress and interim reports towards Florida performance standards to be tracked; 2) provide a secure management utility for teachers and a real time source for information for principals, parents and students; 3) a tool that provides electronic transfer of grades, attendance, and Workforce Development performance indicators to TERMS, thus eliminating the need for bubble sheets, attendance cards, eliminating the need for manually developed progress reports and data entry previously used to collect that information.

26-020V - Group Term Life and Accidental Death and Dismemberment (AD&D) Insurance for School Board Employees

Seeks qualified, licensed providers for a fully-insured, non-participating group term life and AD&D insurance plan. Plans proposed are on a group contract basis. SBBC provides a core group term life and AD&D insurance benefits for all eligible employees paid for by the Board. SBBC also makes a voluntary enhanced group term life and AD&D insurance available on an employee paid basis. All eligible employees are able to participate in the core plan and enhanced plan.

E-6. Approval of Energy Services Agreement with FPL Services, LLC.
(Approved)

Motion was made by Mr. Rubinstein, seconded by Ms. Carter and carried, to approve and authorize the execution of the attached Energy Services Agreement with FPL Services for Energy Conservation Measures in ten schools. Dr. Parks and Mr. Rubinstein were absent for the vote.(7-0 vote)

On July 16, 2002, The School Board of Broward County, Florida, entered into an Energy Audit Agreement with FPL Services, LLC to examine ten (10) schools to identify Energy Conservation retrofits which meet the requirements of State Statue 1013.23 for Energy Efficiency Contracting. This Energy Services Agreement stipulates that these improvements to the school will pay for themselves in a ten (10) year period of time, through avoided electric, fuel and maintenance material costs. This second phase of Performance Contracting builds on the financial benefits demonstrated in Phase One of Performance Contracting. The scope of work includes lighting retrofits with high efficiency lights, water conservation, and water heating heat pump installation.

These utility savings measures will avoid \$2,508,782 in electrical, water and maintenance materials over 10 years guaranteed by FPL Services, LLC. If there is any shortfall in savings, as outlined in the agreement, FPL Services, LLC will monetarily reimburse the District. The retrofits will cost the District \$1,636,579 and an additional \$375,749 for ten (10) years of maintenance, measurement and verification of savings.

Please see the attached cash flow sheet which details the cost of financing the above costs and the net cash flows for years one through ten. Staff traditionally shows the cash flow coinciding with the term of the financing agreement, the savings guarantee and expected life of the installed equipment (all of which are ten years.) If the equipment lasts longer than the ten years, the District would benefit substantially. These potential savings for years eleven through fifteen are shown for informational purposes only and are not required for the 10 year payback.

This Energy Services Agreement will authorize FPL Services, LLC. to install utility savings measures as described above.

The Financial Impact is \$2,012,328 which will be offset by the guaranteed savings or cost avoidance in the Energy Services agreement over the 10 year period of that contract.

Appropriations for this item are included in the Adopted District Facilities Educational Facilities Plan, Fiscal Year 2004-05 to 2008-09, Appendix E, Page 107, Capital Improvement Program. The funding source for the \$13 million energy Management Performance Program will be a Certificate of Participation (COPs) to be issued for a period of 10 Years.

No discussion was held on this item.

E-7. Inspiration Software Comprehensive Volume License Agreement
(Approved)

Motion was made by Mr. Rubinstein, seconded by Mrs. Dinnen and carried, to approve the Agreement with Inspiration Software, Inc. Ms. Gallagher was absent for the vote. (8-0 vote)

Curriculum software, Inspiration™ and Kidspiration™, is used extensively by teachers and students to assist in structuring research, organizing thought processes, brainstorming ideas, and developing concept maps. All students, including those with special needs, can use this software as an integral part of the learning process. Kidspiration™ assists students in grades K-5 in building graphic organizers by combining pictures, text and spoken words to represent thoughts and information. Inspiration™ is used in grades 6 through Adult.

Approximately 12,900 licenses were purchased by schools or district departments without the preferential pricing that can come with a bulk purchase. Demand for this software has risen substantially as teachers learn how to use this instructional software through professional development programs such as the Digital Education Teacher Academy and the New Teacher Academy. In addition, students in the Digital Learning Environment Study schools will also be immediate users of this software.

To enable all classroom computers to utilize this curriculum software on an equal basis, staff is requesting that licensing be purchased in a bulk quantity for instructional purposes. The attached agreement would provide sufficient licenses for all instructional computers. The Supply Management and Logistics department negotiated preferential pricing that result in savings of over 30% per license to the district. In addition, software upgrades for current licenses have been included in the negotiated price. The agreement includes the ability to load both Inspiration™ and Kidspiration™ on instructional computers, enables SBBC educators to load the software on home computers for lesson planning purposes, provides professional development materials via a web site, and provides training CD's and training services. The software is cross-platform and will be accessible from either a Macintosh or PC computer.

The financial impact is \$657,849.65 for licensing fees. Funding source is ETS Operating budget - Activity 69106.

Mr. Rubinstein inquired whether multiple use for licenses or site licenses are utilized rather than singular licenses.

Mr. Sonty responded that this vendor prefers to use an individual license.

Ms. Becky Schmaus, Specification Coordinator, Information Technology Services, informed the Board that a good faith form was completed for Inspiration regarding how many licenses the district felt it needed. Remarking that a determination was made that 60,000 licenses was needed, Ms. Schmaus stated that the district was able to pay one figure and have all the licenses to use throughout the district. She said this is as if there is a district license to be used at will and to upgrade every license that is available within the district, and that the older versions can be automatically upgraded and go forward. Ms. Schmaus further stated that once this can be put back together, re-negotiations resumed and a 30 percent discount was received. She assured the Board that the district owns the licenses.

F. CURRICULUM AND INSTRUCTION STUDENT SUPPORT

- *F-1. Second Amendment to Behavioral Health Contract Between Broward County Children's Services Administration Division and the School Board
(Approved)

Approved second amendment to the contract with Broward County Children's Services Administration Division to provide family counseling services.

In addition to the Behavioral Health Renewal Contract in Item F-8 on the September 21, 2004 School Board agenda, a request is being made to seek approval for this second amendment offered to the district through the Children's Services Board.

Pending final approval by the County Commission, an additional \$100,000 will be added to the existing \$700,000 grant award. Last year, one-time funding was received for family counseling services based at Tequesta Trace Middle School and Everglades High School. These sites provide access to families living in the southwestern part of the district. This award, which enhances the contract referenced in Item F-8, does not produce additional cost to the School Board and will enable these counseling services to be continued. The 12 existing sites of the program, Perry Middle, Cooper City High, Deerfield Beach High, Everglades High, Bair Middle, Taravella High, Northeast High, South Broward High, Plantation High, Coral Springs Middle, Crystal Lake Community Middle and Westwood Heights Elementary, will remain intact.

The contract has been approved as to form by the School Board Attorney.

Broward County will sign after School Board approval.

The financial impact is \$100,000. The source of funds is Broward County Children's Services Administration Division.

G. HUMAN RESOURCES

*G-1. Personnel Recommendations for Instructional Appointments and Leaves for 2004-2005 School Year (Approved)

Approved the personnel recommendations for 2004-2005 appointments and leaves as listed on the attached Executive Summary and respective lists for Instructional staff. All recommendations are made with the understanding that these individuals will comply with regulations/policies as set forth by the Florida State Department of Education and The School Board of Broward County, Florida.

The Personnel Recommendations for Instructional Employees include the following items:

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 2004-2005 School Year (Approved)

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

The Personnel Recommendations for Instructional Employees include the following items:

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

*G-3. Personnel Recommendations for Non-Instructional Appointments and Leaves for the 2004 – 2005 School Year (Approved as amended)

Approved the personnel recommendations for appointments and reassignments as listed on the attached Executive Summary, respective lists and individual appointments for Non-Instructional Employees. All recommendations 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 item was amended to reflect the following: Withdraw 3 individuals on pages 37, 42 and 44 from Section 6; add additional pages 48-54 to Section 6; add additional pages 55-56 to Section 8; add additional page 57 to Section 8b.

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

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

Newly-appointed district personnel were congratulated and recognized by Mrs. Kraft, on behalf of the School Board.

*G-4. Personnel Recommendations for Non-Instructional Separation of Employment and Discipline(s) for the 2004-2005 School Year (Approved as amended)

Approved the personnel recommendations for separation of employment and discipline as listed on the attached respective lists for Non-Instructional staff. All recommendations are made with the understanding that these individuals will comply with regulations/policies as set forth by the Florida State Department of Education and The School Board of Broward County, Florida. This item was amended to rescind one name from Section 3, and to withdraw one name from Section 4.

The Personnel Recommendations include the following items:

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

*G-5. Supplemental Pay Positions – List #7 (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 2004-2005 school/fiscal year for the individuals listed, as requested by the appropriate administrators.

G-6. Terminal Sick Pay for Administrators (Withdrawn)

H. ATTORNEY

I. OFFICE OF THE SUPERINTENDENT

I-1. Initial Charter Approval – Educational Charter Foundation of Florida, Inc. (Bobcat Charter Elementary) (Approved)

Motion was made by Mr. Rubinstein, seconded by Ms. Gallagher and carried, to approve the initial charter application, pending agreement on location, to Educational Charter Foundation of Florida, Inc. (Bobcat Charter Elementary) to open a charter school serving grades K-5, for the 2005-2006 school year. Final School Board approval shall be required prior to the signing of a written contract establishing the operation of the charter school. Mr. Williams was absent for the vote. (8-0 vote)

Section 1002.33, Florida authorizes the establishment of charter schools in Florida. An application for a new charter school may be made by an individual, teachers, parents, a group of individuals, a municipality, or a legal entity organized under the laws of this state. Educational Charter Foundation of Florida, Inc. (Bobcat Charter Elementary) submitted a formal application to start a public charter school for the 2005-2006 school year. A district School Board may sponsor a charter school in the county over which the board has jurisdiction. The district School Board shall receive and review all applications for a charter school.

The Superintendent of Schools appointed a Charter Review Committee to review and analyze the application from Educational Charter Foundation of Florida, Inc. (Bobcat Charter Elementary). The committee is comprised of representatives from curriculum, budget, facilities, district administration, transportation, Exceptional Student Education, ESOL, and other areas of the organization. Utilizing the standard Florida Charter School application, the committee reviewed the application in detail.

The mission and academic design of the charter school application meets requirements of state law and state standards. The school shall open as a private charter serving a total of 750 students, grades K-5. The maximum capacity of the school will be 750 students. As a private employer, the charter school has developed its own human resources, salary schedule and fringe benefits program. The charter school has adopted the same 180 day student calendar in place for the Broward County Public School System.

There is no financial impact to the district.

Agenda Items I-1 through I-16 were discussed concurrently.

Responding to Ms. Gallagher's inquiry, Ms. Betsy Donate, Coordinator, Charter Schools, stated that Florida Statute states that a charter school may choose the site to place their school. Ms. Donate stated that currently, five schools have sites and two UCP schools are working with Ms. Nancy Lieberman, Coordinator I, ESE, Child Development Services, and staff to identify sites that would be appropriate for their schools. In addition, three applications are at stake; that they will directly work with the district in identifying sites. Ms. Donate explained that historically this practice has occurred, that the schools have worked with the Boundaries department to identify appropriate sites. She explained that a site that would be desirable to the district might not be affordable to the charter school.

Mrs. Dinnen requested that she be provided with the rules and regulations for charter schools.

Mrs. Kraft requested that once the charter schools have identified a potential area, have them work with the Board Member in that area to help them find a site.

I-2. Initial Charter Approval – The Charter Foundation, Inc.
(Central Broward Academy) (Approved)

Motion was made by Mr. Rubinstein, seconded by Ms. Gallagher and carried, to approve the initial charter application, pending agreement on location, to The Charter Foundation, Inc. (Central Broward Academy) to open a charter school serving grades K-8, for the 2005-2006 school year. Final School Board approval shall be required prior to the signing of a written contract establishing the operation of the charter school. Mr. Williams was absent for the vote. (8-0 vote)

Section 1002.33, Florida authorizes the establishment of charter schools in Florida. An application for a new charter school may be made by an individual, teachers, parents, a group of individuals, a municipality, or a legal entity organized under the laws of this state.

The Charter Foundation, Inc. (Central Broward Academy) submitted a formal application to start a public charter school for the 2005-2006 school year. A district School Board may sponsor a charter school in the county over which the board has jurisdiction. The district School Board shall receive and review all applications for a charter school.

The Superintendent of Schools appointed a Charter Review Committee to review and analyze the application from The Charter Foundation, Inc. (Central Broward Academy). The committee is comprised of representatives from curriculum, budget, facilities, district administration, transportation, Exceptional Student Education, ESOL, and other areas of the organization. Utilizing the standard Florida Charter School application, the committee reviewed the application in detail.

The mission and academic design of the charter school application meets requirements of state law and state standards. The school shall open as a private charter serving a total of 1100 students, serving grades K-8. The maximum capacity of the school will be 1600 students. As a private employer, the charter school has developed its own human resources, salary schedule and fringe benefits program. The charter school has adopted the same 180 day student calendar in place for the Broward County Public School System.

There is no financial impact to the district.

Agenda Items I-1 through I-16 were discussed concurrently.

I-3. Initial Charter Approval – Eagles Nest Community Charter Schools, Inc. (Eagles Nest Elementary Charter School) (Approved)

Motion was made by Mr. Rubinstein, seconded by Ms. Gallagher and carried, to approve the initial charter application, pending agreement on location, to Eagles Nest Community Charter Schools, Inc. (Eagles Nest Elementary Charter School) to open a charter school serving grades K-5, for the 2005-2006 school year. Final School Board approval shall be required prior to the signing of a written contract establishing the operation of the charter school. Mr. Williams was absent for the vote. (8-0 vote)

Section 1002.33, Florida authorizes the establishment of charter schools in Florida. An application for a new charter school may be made by an individual, teachers, parents, a group of individuals, a municipality, or a legal entity organized under the laws of this state. The Eagles Nest Community Charter Schools, Inc. (Eagles Nest Elementary Charter School) submitted a formal application to start a public charter school for the 2005-2006 school year. A district School Board may sponsor a charter school in the county over which the board has jurisdiction. The district School Board shall receive and review all applications for a charter school.

The Superintendent of Schools appointed a Charter Review Committee to review and analyze the application from Eagles Nest Community Charter Schools, Inc. (Eagles Nest Elementary Charter School).

The committee is comprised of representatives from curriculum, budget, facilities, district administration, transportation, Exceptional Student Education, ESOL, and other areas of the organization. Utilizing the standard Florida Charter School application, the committee reviewed the application in detail.

The mission and academic design of the charter school application meets requirements of state law and state standards. The school shall open as a private charter serving a total of 400 students, grades K-5. The maximum capacity of the school will be 400 students. As a private employer, the charter school has developed its own human resources, salary schedule and fringe benefits program. The charter school has adopted the same 180 day student calendar in place for the Broward County Public School System.

There is no financial impact to the district.

Agenda Items I-1 through I-16 were discussed concurrently.

I-4. Initial Charter Approval – Eagles Nest Community Charter Schools, Inc. (Eagles Nest Academy of Technology) (Approved)

Motion was made by Mr. Rubinstein, seconded by Ms. Gallagher and carried, to approve the initial charter application, pending agreement on location, to Eagles Nest Community Charter Schools, Inc. (Eagles Nest Academy of Technology) to open a charter school serving grades 6-8, for the 2005-2006 school year. Final School Board approval shall be required prior to the signing of a written contract establishing the operation of the charter school. Mr. Williams was absent for the vote. (8-0 vote)

Section 1002.33, Florida authorizes the establishment of charter schools in Florida. An application for a new charter school may be made by an individual, teachers, parents, a group of individuals, a municipality, or a legal entity organized under the laws of this state. The Eagles Nest Community Charter Schools, Inc. (Eagles Nest Academy of Technology) submitted a formal application to start a public charter school for the 2005-2006 school year. A district School Board may sponsor a charter school in the county over which the board has jurisdiction. The district School Board shall receive and review all applications for a charter school.

The Superintendent of Schools appointed a Charter Review Committee to review and analyze the application from Eagles Nest Community Charter Schools, Inc. (Eagles Nest Academy of Technology). The committee is comprised of representatives from curriculum, budget, facilities, district administration, transportation, Exceptional Student Education, ESOL, and other areas of the organization. Utilizing the standard Florida Charter School application, the committee reviewed the application in detail.

The mission and academic design of the charter school application meets requirements of state law and state standards. The school shall open as a private charter serving a total of 200 students, grades 6-8. The maximum capacity of the school will be 420 students. As a private employer, the charter school has developed its own human resources, salary schedule and fringe benefits program. The charter school has adopted the same 180 day student calendar in place for the Broward County Public School System.

There is no financial impact to the district.

Agenda Items I-1 through I-16 were discussed concurrently.

I-5. Initial Charter Approval – Florida Intercultural Academy, Inc. (Approved)

Motion was made by Mr. Rubinstein, seconded by Ms. Gallagher and carried, to approve the initial charter application, pending agreement on location, to Florida Intercultural Academy, Inc. to open a charter school serving grades K-5, for the 2005-2006 school year. Final School Board approval shall be required prior to the signing of a written contract establishing the operation of the charter school. Mr. Williams was absent for the vote. (8-0 vote)

Section 1002.33, Florida authorizes the establishment of charter schools in Florida. An application for a new charter school may be made by an individual, teachers, parents, a group of individuals, a municipality, or a legal entity organized under the laws of this state. Florida Intercultural Academy, Inc. submitted a formal application to start a public charter school for the 2005-2006 school year. A district School Board may sponsor a charter school in the county over which the board has jurisdiction. The district School Board shall receive and review all applications for a charter school.

The Superintendent of Schools appointed a Charter Review Committee to review and analyze the application from Florida Intercultural Academy, Inc. The committee is comprised of representatives from curriculum, budget, facilities, district administration, transportation, Exceptional Student Education, ESOL, and other areas of the organization. Utilizing the standard Florida Charter School application, the committee reviewed the application in detail.

The mission and academic design of the charter school application meets requirements of state law and state standards. The school shall open as a private charter serving a total of 400 students, serving grades K-5. The maximum capacity of the school will be 600 students. As a private employer, the charter school has developed its own human resources, salary schedule and fringe benefits program. The charter school has adopted the same 180 day student calendar in place for the Broward County Public School System.

There is no financial impact to the district.

Agenda Items I-1 through I-16 were discussed concurrently.

I-6. Initial Charter Approval – United Cerebral Palsy of South Florida Charter Schools, Inc. (Early Beginnings Academy Central) (Approved)

Motion was made by Mr. Rubinstein, seconded by Ms. Gallagher and carried, to approve the initial charter application, pending agreement on location, to United Cerebral Palsy of South Florida Charter Schools, Inc. (Early Beginnings Academy Central) to open a charter school serving PreK students, for the 2005-2006 school year. Final School Board approval shall be required prior to the signing of a written contract establishing the operation of the charter school. Mr. Williams was absent for the vote. (8-0 vote)

Section 1002.33, Florida authorizes the establishment of charter schools in Florida. An application for a new charter school may be made by an individual, teachers, parents, a group of individuals, a municipality, or a legal entity organized under the laws of this state.

United Cerebral Palsy of South Florida Charter Schools, Inc. (Early Beginnings Academy Central) submitted a formal application to start a public charter school for the 2005-2006 school year. A district School Board may sponsor a charter school in the county over which the board has jurisdiction. The district School Board shall receive and review all applications for a charter school.

The Superintendent of Schools appointed a Charter Review Committee to review and analyze the application from United Cerebral Palsy of South Florida Charter Schools, Inc. (Early Beginnings Academy Central). The committee is comprised of representatives from curriculum, budget, facilities, district administration, transportation, Exceptional Student Education, ESOL, and other areas of the organization. Utilizing the standard Florida Charter School application, the committee reviewed the application in detail.

The mission and academic design of the charter school application meets requirements of state law and state standards. The school shall open as a private charter serving a total of 48 students, in PreK. The maximum capacity of the school will be 52 students. As a private employer, the charter school has developed its own human resources, salary schedule and fringe benefits program. The charter school has adopted the same 180 day student calendar in place for the Broward County Public School System.

There is no financial impact to the district.

Agenda Items I-1 through I-16 were discussed concurrently.

I-7. Initial Charter Approval – Somerset Academy, Inc. (Hollywood Academy Charter School) (Approved)

Motion was made by Mr. Rubinstein, seconded by Ms. Gallagher and carried, to approve the initial charter application, pending agreement on location, to Somerset Academy, Inc. (Hollywood Academy Charter School) to open a charter school serving grades K-5, for the 2006-2007 school year. Final School Board approval shall be required prior to the signing of a written contract establishing the operation of the charter school. Mr. Williams was absent for the vote. (8-0 vote)

Section 1002.33, Florida authorizes the establishment of charter schools in Florida. An application for a new charter school may be made by an individual, teachers, parents, a group of individuals, a municipality, or a legal entity organized under the laws of this state. The Somerset Academy, Inc. (Hollywood Academy Charter School) submitted a formal application to start a public charter school for the 2006-2007 school year. A district School Board may sponsor a charter school in the county over which the board has jurisdiction. The district School Board shall receive and review all applications for a charter school.

The Superintendent of Schools appointed a Charter Review Committee to review and analyze the application from Somerset Academy, Inc. (Hollywood Academy Charter School).

The committee is comprised of representatives from curriculum, budget, facilities, district administration, transportation, Exceptional Student Education, ESOL, and other areas of the organization. Utilizing the standard Florida Charter School application, the committee reviewed the application in detail.

The mission and academic design of the charter school application meets requirements of state law and state standards. The school shall open as a private charter serving a total of 500 students, grades K-5. The maximum capacity of the school will be 500 students. As a private employer, the charter school has developed its own human resources, salary schedule and fringe benefits program. The charter school has adopted the same 180 day student calendar in place for the Broward County Public School System.

There is no financial impact to the district.

Agenda Items I-1 through I-16 were discussed concurrently.

I-8. Initial Charter Approval – Somerset Academy, Inc. (Hollywood Academy Charter Middle School) (Approved)

Motion was made by Mr. Rubinstein, seconded by Ms. Gallagher and carried, to approve the initial charter application, pending agreement on location, to Somerset Academy, Inc. (Hollywood Academy Charter Middle School) to open a charter school serving grades 6-8, for the 2006-2007 school year. Final School Board approval shall be required prior to the signing of a written contract establishing the operation of the charter school. Mr. Williams was absent for the vote. (8-0 vote)

Section 1002.33, Florida authorizes the establishment of charter schools in Florida. An application for a new charter school may be made by an individual, teachers, parents, a group of individuals, a municipality, or a legal entity organized under the laws of this state. The Somerset Academy, Inc. (Hollywood Academy Charter Middle School) submitted a formal application to start a public charter school for the 2006-2007 school year. A district School Board may sponsor a charter school in the county over which the board has jurisdiction. The district School Board shall receive and review all applications for a charter school.

The Superintendent of Schools appointed a Charter Review Committee to review and analyze the application from Somerset Academy, Inc. (Hollywood Academy Charter Middle School). The committee is comprised of representatives from curriculum, budget, facilities, district administration, transportation, Exceptional Student Education, ESOL, and other areas of the organization. Utilizing the standard Florida Charter School application, the committee reviewed the application in detail.

The mission and academic design of the charter school application meets requirements of state law and state standards. The school shall open as a private charter serving a total of 300 students, grades 6-8. The maximum capacity of the school will be 300 students. As a private employer, the charter school has developed its own human resources, salary schedule and fringe benefits program. The charter school has adopted the same 180 day student calendar in place for the Broward County Public School System.

There is no financial impact to the district.

Agenda Items I-1 through I-16 were discussed concurrently.

I-9. Initial Charter Approval – Life Skills Center Broward County, Inc. (Approved)

Motion was made by Mr. Rubinstein, seconded by Ms. Gallagher and carried, to approve the initial charter application, pending agreement on location, to Life Skills Center Broward County, Inc. to open a charter school serving grades 9-12, for the 2005-2006 school year. Final School Board approval shall be required prior to the signing of a written contract establishing the operation of the charter school. Mr. Williams was absent for the vote. (8-0 vote)

Section 1002.33, Florida authorizes the establishment of charter schools in Florida. An application for a new charter school may be made by an individual, teachers, parents, a group of individuals, a municipality, or a legal entity organized under the laws of this state. Life Skills Center Broward County, Inc. submitted a formal application to start a public charter school for the 2005-2006 school year. A district School Board may sponsor a charter school in the county over which the board has jurisdiction. The district School Board shall receive and review all applications for a charter school.

The Superintendent of Schools appointed a Charter Review Committee to review and analyze the application from Life Skills Center Broward County, Inc. The committee is comprised of representatives from curriculum, budget, facilities, district administration, transportation, Exceptional Student Education, ESOL, and other areas of the organization. Utilizing the standard Florida Charter School application, the committee reviewed the application in detail.

The mission and academic design of the charter school application meets requirements of state law and state standards. The school shall open as a private charter serving a total of 300 students, grades 9-12. The maximum capacity of the school will be 600 students. As a private employer, the charter school has developed its own human resources, salary schedule and fringe benefits program. The charter school has adopted the same 180 day student calendar in place for the Broward County Public School System.

There is no financial impact to the district.

Agenda Items I-1 through I-16 were discussed concurrently.

- I-10. Initial Charter Approval – The Charter Foundation, Inc. (North Broward Academy of Excellence Middle School) (Approved)

Motion was made by Mr. Rubinstein, seconded by Ms. Gallagher and carried, to approve the initial charter application, pending agreement on location, to The Charter Foundation, Inc. (North Broward Academy of Excellence Middle School) to open a charter school serving grades 6-8, for the 2005-2006 school year. Final School Board approval shall be required prior to the signing of a written contract establishing the operation of the charter school. Mr. Williams was absent for the vote. (8-0 vote)

Section 1002.33, Florida authorizes the establishment of charter schools in Florida. An application for a new charter school may be made by an individual, teachers, parents, a group of individuals, a municipality, or a legal entity organized under the laws of this state.

The Charter Foundation, Inc. (North Broward Academy of Excellence Middle School) submitted a formal application to start a public charter school for the 2005-2006 school year. A district School Board may sponsor a charter school in the county over which the board has jurisdiction. The district School Board shall receive and review all applications for a charter school.

The Superintendent of Schools appointed a Charter Review Committee to review and analyze the application from The Charter Foundation, Inc. (North Broward Academy of Excellence Middle School). The committee is comprised of representatives from curriculum, budget, facilities, district administration, transportation, Exceptional Student Education, ESOL, and other areas of the organization. Utilizing the standard Florida Charter School application, the committee reviewed the application in detail.

The mission and academic design of the charter school application meets requirements of state law and state standards. The school shall open as a private charter serving a total of 800 students, serving grades 6-8. The maximum capacity of the school will be 800 students. As a private employer, the charter school has developed its own human resources, salary schedule and fringe benefits program. The charter school has adopted the same 180 day student calendar in place for the Broward County Public School System.

There is no financial impact to the district.

Agenda Items I-1 through I-16 were discussed concurrently.

I-11. Initial Charter Approval – Oak Scholar, Inc. (Approved)

Motion was made by Mr. Rubinstein, seconded by Ms. Gallagher and carried, to approve the initial charter application, pending agreement on location, to Oak Scholar, Inc. to open a charter school serving grades K-8, for the 2005-2006 school year. Final School Board approval shall be required prior to the signing of a written contract establishing the operation of the charter school. Mr. Williams was absent for the vote. (8-0 vote)

Section 1002.33, Florida authorizes the establishment of charter schools in Florida. An application for a new charter school may be made by an individual, teachers, parents, a group of individuals, a municipality, or a legal entity organized under the laws of this state. Oak Scholar, Inc. submitted a formal application to start a public charter school for the 2005-2006 school year. A district School Board may sponsor a charter school in the county over which the board has jurisdiction. The district School Board shall receive and review all applications for a charter school.

The Superintendent of Schools appointed a Charter Review Committee to review and analyze the application from Oak Scholar, Inc. The committee is comprised of representatives from curriculum, budget, facilities, district administration, transportation, Exceptional Student Education, ESOL, and other areas of the organization. Utilizing the standard Florida Charter School application, the committee reviewed the application in detail.

The mission and academic design of the charter school application meets requirements of state law and state standards. The school shall open as a private charter serving a total of 400 students, serving grades K-8. The maximum capacity of the school will be 600 students. As a private employer, the charter school has developed its own human resources, salary schedule and fringe benefits program. The charter school has adopted the same 180 day student calendar in place for the Broward County Public School System.

There is no financial impact to the district.

Agenda Items I-1 through I-16 were discussed concurrently.

I-12. Initial Charter Approval – Paragon Academy of Technology, Inc.
(Approved)

Motion was made by Mr. Rubinstein, seconded by Ms. Gallagher and carried, to approve the initial charter application, pending agreement on location, to Paragon Academy of Technology, Inc. to open a charter school serving grades 6-8, for the 2005-2006 school year. Final School Board approval shall be required prior to the signing of a written contract establishing the operation of the charter school. Mr. Williams was absent for the vote. (8-0 vote)

Section 1002.33, Florida authorizes the establishment of charter schools in Florida. An application for a new charter school may be made by an individual, teachers, parents, a group of individuals, a municipality, or a legal entity organized under the laws of this state. Paragon Academy of Technology, Inc. submitted a formal application to start a public charter school for the 2005-2006 school year. A district School Board may sponsor a charter school in the county over which the board has jurisdiction. The district School Board shall receive and review all applications for a charter school.

The Superintendent of Schools appointed a Charter Review Committee to review and analyze the application from Paragon Academy of Technology, Inc. The committee is comprised of representatives from curriculum, budget, facilities, district administration, transportation, Exceptional Student Education, ESOL, and other areas of the organization. Utilizing the standard Florida Charter School application, the committee reviewed the application in detail.

The mission and academic design of the charter school application meets requirements of state law and state standards. The school shall open as a private charter serving a total of 200 students, grades 6-8. The maximum capacity of the school will be 420 students. As a private employer, the charter school has developed its own human resources, salary schedule and fringe benefits program. The charter school has adopted the same 180 day student calendar in place for the Broward County Public School System.

There is no financial impact to the district.

Agenda Items I-1 through I-16 were discussed concurrently.

I-13. Initial Charter Approval – Paragon Elementary Charter School, Inc.
(Approved)

Motion was made by Mr. Rubinstein, seconded by Ms. Gallagher and carried, to approve the initial charter application, pending agreement on location, to Paragon Elementary Charter School, Inc. to open a charter school serving grades K-5, for the 2005-2006 school year. Final School Board approval shall be required prior to the signing of a written contract establishing the operation of the charter school. Mr. Williams was absent for the vote. (8-0 vote)

Section 1002.33, Florida authorizes the establishment of charter schools in Florida. An application for a new charter school may be made by an individual, teachers, parents, a group of individuals, a municipality, or a legal entity organized under the laws of this state. Paragon Elementary Charter School, Inc. submitted a formal application to start a public charter school for the 2005-2006 school year. A district School Board may sponsor a charter school in the county over which the board has jurisdiction. The district School Board shall receive and review all applications for a charter school.

The Superintendent of Schools appointed a Charter Review Committee to review and analyze the application from Paragon Elementary Charter School, Inc. The committee is comprised of representatives from curriculum, budget, facilities, district administration, transportation, Exceptional Student Education, ESOL, and other areas of the organization. Utilizing the standard Florida Charter School application, the committee reviewed the application in detail.

The mission and academic design of the charter school application meets requirements of state law and state standards. The school shall open as a private charter serving a total of 400 students, grades K-5. The maximum capacity of the school will be 400 students. As a private employer, the charter school has developed its own human resources, salary schedule and fringe benefits program. The charter school has adopted the same 180 day student calendar in place for the Broward County Public School System.

There is no financial impact to the district.

Agenda Items I-1 through I-16 were discussed concurrently.

I-14. Initial Charter Approval – Somerset Academy, Inc. (Somerset Academy Elementary-Miramar) (Approved)

Motion was made by Mr. Rubinstein, seconded by Ms. Gallagher and carried, to approve the initial charter application, pending agreement on location, to Somerset Academy, Inc. (Somerset Academy Elementary-Miramar) to open a charter school serving grades K-5, for the 2005-2006 school year. Final School Board approval shall be required prior to the signing of a written contract establishing the operation of the charter school. Mr. Williams was absent for the vote. (8-0 vote)

Section 1002.33, Florida authorizes the establishment of charter schools in Florida. An application for a new charter school may be made by an individual, teachers, parents, a group of individuals, a municipality, or a legal entity organized under the laws of this state. The Somerset Academy, Inc. (Somerset Academy Elementary-Miramar) submitted a formal application to start a public charter school for the 2005-2006 school year.

A district School Board may sponsor a charter school in the county over which the board has jurisdiction. The district School Board shall receive and review all applications for a charter school.

The Superintendent of Schools appointed a Charter Review Committee to review and analyze the application from Somerset Academy, Inc. (Somerset Academy Elementary-Miramar). The committee is comprised of representatives from curriculum, budget, facilities, district administration, transportation, Exceptional Student Education, ESOL, and other areas of the organization. Utilizing the standard Florida Charter School application, the committee reviewed the application in detail.

The mission and academic design of the charter school application meets requirements of state law and state standards. The school shall open as a private charter serving a total of 675 students, grades K-5. The maximum capacity of the school will be 675 students. As a private employer, the charter school has developed its own human resources, salary schedule and fringe benefits program. The charter school has adopted the same 180 day student calendar in place for the Broward County Public School System.

There is no financial impact to the district.

Agenda Items I-1 through I-16 were discussed concurrently.

I-15. Initial Charter Approval – Somerset Academy, Inc. (Somerset Academy Middle-Miramar) (Approved)

Motion was made by Mr. Rubinstein, seconded by Ms. Gallagher and carried, to approve the initial charter application, pending agreement on location, to Somerset Academy, Inc. (Somerset Academy Middle-Miramar) to open a charter school serving grades 6-8, for the 2005-2006 school year. Final School Board approval shall be required prior to the signing of a written contract establishing the operation of the charter school. Mr. Williams was absent for the vote. (8-0 vote)

Section 1002.33, Florida authorizes the establishment of charter schools in Florida. An application for a new charter school may be made by an individual, teachers, parents, a group of individuals, a municipality, or a legal entity organized under the laws of this state. The Somerset Academy, Inc. (Somerset Academy Middle-Miramar) submitted a formal application to start a public charter school for the 2005-2006 school year. A district School Board may sponsor a charter school in the county over which the board has jurisdiction. The district School Board shall receive and review all applications for a charter school.

The Superintendent of Schools appointed a Charter Review Committee to review and analyze the application from Somerset Academy, Inc. (Somerset Academy Middle-Miramar). The committee is comprised of representatives from curriculum, budget, facilities, district administration, transportation, Exceptional Student Education, ESOL, and other areas of the organization. Utilizing the standard Florida Charter School application, the committee reviewed the application in detail.

The mission and academic design of the charter school application meets requirements of state law and state standards. The school shall open as a private charter serving a total of 325 students, grades 6-8. The maximum capacity of the school will be 325 students. As a private employer, the charter school has developed its own human resources, salary schedule and fringe benefits program. The charter school has adopted the same 180 day student calendar in place for the Broward County Public School System.

There is no financial impact to the district.

Agenda Items I-1 through I-16 were discussed concurrently.

- I-16. Initial Charter Approval – United Cerebral Palsy of South Florida Charter Schools, Inc. (Early Beginnings Academy West) (Approved)

Motion was made by Mr. Rubinstein, seconded by Ms. Gallagher and carried, to approve the initial charter application, pending agreement on location, to United Cerebral Palsy of South Florida Charter Schools, Inc. (Early Beginnings Academy West) to open a charter school serving PreK through Kindergarten, for the 2005-2006 school year. Final School Board approval shall be required prior to the signing of a written contract establishing the operation of the charter school. Mr. Williams was absent for the vote. (8-0 vote)

Section 1002.33, Florida authorizes the establishment of charter schools in Florida. An application for a new charter school may be made by an individual, teachers, parents, a group of individuals, a municipality, or a legal entity organized under the laws of this state. United Cerebral Palsy of South Florida Charter Schools, Inc. (Early Beginnings Academy West) submitted a formal application to start a public charter school for the 2005-2006 school year. A district School Board may sponsor a charter school in the county over which the board has jurisdiction. The district School Board shall receive and review all applications for a charter school.

The Superintendent of Schools appointed a Charter Review Committee to review and analyze the application from United Cerebral Palsy of South Florida Charter Schools, Inc. (Early Beginnings Academy West). The committee is comprised of representatives from curriculum, budget, facilities, district administration, transportation, Exceptional Student Education, ESOL, and other areas of the organization. Utilizing the standard Florida Charter School application, the committee reviewed the application in detail.

The mission and academic design of the charter school application meets requirements of state law and state standards. The school shall open as a private charter serving a total of 27 students, in PreK through Kindergarten. The maximum capacity of the school will be 72 students. As a private employer, the charter school has developed its own human resources, salary schedule and fringe benefits program. The charter school has adopted the same 180 day student calendar in place for the Broward County Public School System.

There is no financial impact to the district.

Agenda Items I-1 through I-16 were discussed concurrently.

- I-17. Renaming Pine Ridge Alternative Center (Approved)

Motion was made by Dr. Parks, seconded by Mr. Rubinstein and carried, to approve the request to change the name of Pine Ridge Alternative Center to Pine Ridge Education Center.

In accordance with the guidelines set forth in School Board Policy 1401 (Naming/Renaming of School Board-Owned Facilities), the faculty, staff, students and community members from Pine Ridge Alternative Center completed the renaming process. Mrs. Andrews and Ms. Carter were absent for the vote.

The word alternative in the current facility's name places a negative connotation on the students attending the school. Changing the name to Pine Ridge Education Center reflects our current goal of meeting students' behavioral needs while providing an exemplary academic environment. The majority of votes were cast to rename the facility "Pine Ridge Education Center." The committee also elected to keep the Bulldog as the school mascot and teal, black, and grey as the school colors.

There is no financial impact to the district.

This item was discussed concurrent with Agenda Item I-18.

Dr. Parks expressed gratitude to the Superintendent and staff for the name change of the schools.

I-18. Renaming Cypress Run Alternative Center (Approved)

Motion was made by Dr. Parks, seconded by Mr. Rubinstein and carried, to approve the request to change the name of Cypress Run Alternative Center to Cypress Run Education Center. Mrs. Andrews and Ms. Carter were absent for the vote. (7-0 vote)

In accordance with the guidelines set forth in School Board Policy 1401 (Naming/Renaming of School Board-Owned Facilities), the faculty, staff, students and community members from Cypress Run Alternative Center completed the renaming process.

The word alternative in the current facility's name places a negative connotation on the students attending the school. Changing the name to Cypress Run Education Center reflects our current goal of meeting students' behavioral needs while providing an exemplary academic environment. The majority of votes were cast to rename the facility "Cypress Run Education Center." The committee also elected to keep the Chief as the school mascot and black and gold as the school colors.

There is no financial impact to the district.

This item was discussed concurrent with Agenda Item I-17.

*I-19. Resident On Campus Security (ROCS) Program Lease Agreement Termination (Approved)

Approved to accept the lease termination of the ROCS tenant at Griffin Elementary 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-20. 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 police officer as Tenant in the ROCS Program at Griffin Elementary 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-21. School Resource Officer (SRO) Program Agreements – (2004/2005)
(Approved)

Motion was made by Mr. Rubinstein, seconded by Dr. Parks and carried, to approve the SRO Agreements with various municipalities for police officers to serve as School Resource Officers in the specified schools for the 2004/2005 school year.

The agreements provide for police officers to serve as School Resource Officers in Seventy Three (73) elementary, twenty four (24) middle, eighteen (18) high schools and eight (8) others operated by the Board, and located in the various municipal police jurisdictions. The School Resource Officer Program is one of the most effective, proactive, safety and security programs in our schools. This cooperative school based partnership, now in its eighteenth year, concentrates on preventative programs such as anti-drug and alcohol programs, conflict mediation and anti-violence, crime initiatives and Stranger Danger. In addition, these officers provide a positive presence and role model for students of all ages, as well as liaison between school and law enforcement.

These Agreements have been approved as to form by the School Board Attorney.

The financial impact of the SRO Program is \$1,224,000.00. The source of funds is the school and center Budgets for the 2004/2005 school year. The remainder of the contracts will be submitted at a later date.

Mrs. Bartleman requested that staff work with the League of Cities regarding SRO officers in the schools, and to consider discussing this at a workshop. Mrs. Bartleman further requested that staff re-evaluate the formula and ascertain how they can make sure that each school has what it needs.

Mrs. Kraft requested that staff decide what number of officers are adequate for each school based on population needs.

I-22. School Advisory Council Membership for 2004-2005 (Approved)

Motion was made by Ms. Gallagher, seconded by Mr. Rubinstein and carried, to approve the School Advisory Council membership for the 2004-2005 year.

Each school in the state of Florida is required to submit to the District School Board a list of members of the School Advisory Council (SAC). The membership must be representative of all stakeholders and duly elected or appointed according to the guidelines.

Membership guidelines require that at least 51% of the members not be employed at the school site and that the membership reflect the diversity of the school's student population. Area Directors approve each membership list. The SAC's primary focus is the writing, implementing, and monitoring of the School Improvement Plan (SIP).

There is no financial impact on the district.

Ms. Gallagher requested that staff provide the names of schools to check for the validity of the School Advisory Council memberships.

*I-23. Quarterly Financial Schedules, period ending June 30, 2004, for Central Charter School, Chancellor @ North Lauderdale, Chancellor @ North Lauderdale Middle, Chancellor @ Weston, Charter School Institute, Charter School of Excellence, Coral Springs Charter, Eagle Academy, North Broward Academy of Excellence, North Lauderdale Academy High, Parkway Academy, Pembroke Pines Charter Schools, Smart School Middle, Smart School Institute, Somerset Academy, Somerset Academy Middle, Somerset Academy High, Somerset Davie, and Somerset Neighborhood (Received)

Received the Quarterly Financial Schedules for the period ending June 30, 2004 for the charter schools of Broward County, Florida.

Per the charter school agreement, the charter schools shall provide Quarterly Financial Schedules to the SPONSOR that shall include a balance sheet and a schedule of revenues, expenditures and changes in fund balances prepared in accordance with Generally Accepted Accounting Principles. The format shall include a detail of all revenue and expenditure activities relating to its operations.

There is no financial impact to the district.

I-24. Amendments to the Technology Advisory Committee (TAC) Bylaws
(Approved)

Motion was made by Mr. Rubinstein, seconded by Dr. Parks and carried, to approve revisions to the Technology Advisory Committee Bylaws as recommended by the TAC Committee. Mr. Williams was absent for the vote. (8-0 vote)

Per recommendations from TAC, the Bylaws are being brought forth for revision. The revisions will also be reflected in Policy 5306, School and District Technology Usage. This Policy will also be presented at the December 7, 2004 Board meeting.

There is no financial impact to the school district.

Remarking that there are 86 positions in the TAC committee, Mr. Rubinstein voiced concern over the effectiveness of the committee with many groups.

Dr. Till stated that it is incumbent on staff to ensure that the effectiveness of the committee is not diminished. The Superintendent stated that he was assured that with this amount they will be a highly effective group.

Mr. Sonty stated that usually a technology advisory committee is comprised of 15 to 20 members, but TAC members do not attend all the Steering Committee meetings. He said that subcommittees have been established in order to assure that there is sufficient expertise at this level.

Dr. Parks requested that the Technology Advisory Committee should be made up of highly professional Chief Information Officers, a group of experts, to work with staff.

I-25. Grant Applications (Approved)

Motion was made by Ms. Carter, seconded by Mr. Rubinstein and carried, to approve the submission of grant applications to:

- A. Mary Turner Fund and Nancy France Fund
- B. Reading Coach and Mathematics Coach Grant
- C. Target Stores 2004 Community Giving Program
- D. 2004-2005 Title I, Part D - Local Agency Programs

Copies of the full grant applications are available at the public stand in the lobby of the KC Wright Building and at the Board Members' Office on the 14th Floor of the KC Wright Building.

The positive financial impact is \$718,796 from various sources. There is no additional financial impact to the school district. (See Executive Summary.)

No discussion was held on this item.

*I-26. 2004-2005 SIP Waiver

(Approved)

Approved the request of Riverland Elementary School for one School Improvement Waiver (2004-2005) in accordance with Policy 1403 as recommended by the Superintendent.

Broward School Board Policy 1403 provides for a procedure whereby schools can request a waiver to school board policy and/or the BTU contract for the purpose of removing barriers to school improvement. All waivers must be approved by 66 2/3 percent of the faculty and be endorsed by the school community at public meetings. One new waiver is presented for consideration. Riverland Elementary had originally requested a waiver for an alternative gifted student instructional model in August 2004, but the review committee rejected that waiver. Riverland has revised the waiver request. The revised waiver has gone through the District review process and has been approved by the Advanced Academic Programs Department for presentation to the School Board for approval.

Waivers recommended by the Superintendent have no fiscal impact on the district budget.

J. FACILITIES AND CONSTRUCTION MANAGEMENT

J-1. Reduction of Retainage – Monarch High School – “GGG” – New School – Project No. 3541-99-01 (Approved)

Motion was made by Ms. Carter, seconded by Mr. Rubinstein and carried, to approve the recommendation to reduce retainage now being held on the project from the Design-Builder, James B. Pirtle Construction Company, Inc., from \$49,431 to \$1,000.

In accordance with School Board Policy 7005, the Facilities and Construction Management Division is recommending that the retainage be reduced from \$49,431 to \$1,000.

The project has reached Substantial Completion. The amount of \$1,000 is being withheld at this time pending closing out of the project.

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

The funds being released totaling \$48,431 are included in the Adopted District Educational Facilities Plan, Fiscal Years 2003-2004 to 2007-2008, page 86.

Dr. Parks requested that staff develop a policy that as the CRC is being restructured, to align it to a policy and begin looking at a tiered approach. Dr. Parks stated he would meet with staff, and that staff consider discussing this at a workshop. He said before they change the CRC, there needs to be some alignment.

- *J-2. Village at Gulfstream Park's Developer Voluntary Commitment of \$2,000,000 to be Earmarked for the Renovation of Hallandale Elementary School (Approved)

Approved acceptance of the Village at Gulfstream Park's developer voluntary Commitment of \$2,000,000 to be earmarked for the renovation of Hallandale Elementary School and/or such other projects that the School Board, City of Hallandale Beach and developer deem appropriate. The applicant for the Village at Gulfstream Park is proposing to change the land use designation of a 90.2 acre site located in the City of Hallandale Beach from the current designation of Commercial Recreation to Local Activity Center (LAC) to enable the development of 1, 500 high rise units. Staff's review of the development estimates that it would generate a total of 92 students (63 elementary, 12 middle and 17 high) into Broward County Public Schools, and schools affected in the 2004/05 school year are Hallandale Elementary, McNicol Middle and Hallandale High School.

The application currently being reviewed by the Broward County Planning Council (BCPC) as Land Use Plan Amendment (LUPA) PC 04-20 was considered and conditionally approved at the August 26, 2004 BCPC first public hearing, recognizing the applicant's voluntary commitment of \$2,000,000 to be earmarked for the renovation of Hallandale Elementary School and/or such other projects that the School Board, City and developer deem appropriate. The South Florida Regional Planning Council (SFRPC) also considered the application at a first public hearing on November 1, 2004 and conditionally approved it for the same reasons as the BCPC. The BCPC and the SFRPC will again consider the application at a second and final public hearing in January 2005. As such, they require feedback from School Board Growth Management staff regarding the School Board's acceptance of the voluntary commitment at the January 2005 hearings.

Rule 13(a) of School Board Policy 1161 "Local Government Voluntary Mitigation Options" requires that the primary mitigation option for proposed LAC designations is the payment of cost per student station as determined and published by the State of Florida. However, Rule 13(b) allows for the proposal of alternative mitigation option(s). The proposed voluntary commitment of \$2,000,000 qualifies as an alternative mitigation option, and the proposed dollar amount exceeds the estimated State of Florida established cost per student station amount of \$1,623,275 (June 2012 figures) that could have been due as mitigation for the development.

It is recommended that the School Board should approve acceptance of the Village at Gulfstream Park's developer voluntary Commitment of \$2,000,000 to be earmarked for the renovation of Hallandale Elementary School and/or such other projects that the School Board, City of Hallandale Beach and developer deem appropriate. Upon acceptance of the commitment and per School Board Policy 1161, the applicant will be required to file a Declaration of Restrictive Covenant to enable legal enforcement of the voluntary commitment, and an agreement will be executed between the School Board and City to determine the specific use of the \$2,000,000.

The financial impact will be \$2,000,000 in additional revenue to the School District.

*J-3. Amend the Professional Services Agreement – McNicol Middle Administrative Site – Project No. 0482-22-01 (Approved)

Approved an amendment to the Professional Services Agreement dated February 19, 2002, between The School Board of Broward County, Florida and Architecture, Inc., by increasing the Basic Services Fee by \$42,300 to cover expenses for extended time and change in scope.

The Construction Phase has extended past the contract completion date of January 15, 2004, as a result of contractor delays.

The Negotiating Parameters Committee met on November 16, 2004 to review the fee and recommended the proposed change, as requested by the project consultant.

The approved agreement for Basic Services is \$101,355. This amendment will increase the Basic Services Fee to \$143,655. The requested contract increase of \$42,300 constitutes a financial impact to the District. The requested amount of \$42,300 will be funded from the Capital Projects Reserve.

*J-4. Professional Services Agreement – Lauderdale Middle School – Remodeling/Renovations – Project No. 1391-25-01 (Approved)

Approved the Professional Services Agreement with Harvard Jolly, Inc., for Remodeling/Renovations, Lauderdale Middle School, Project No. 1391-25-01, in the form of the Professional Services Agreement and authorize the Deputy Superintendent to reimburse the Project Consultant for costs pursuant to the Professional Services Agreement.

Scope of Work: Roof repairs; new elevator; remodel mezzanine area; new covered walkway; upgrade gym lights; and site drainage improvements.

According to School Board Policy 7003, Selection of Engineers and Architects, and pursuant to the Consultants' Competitive Negotiation Act, the Consultant Review Committee selected Harvard Jolly, Inc., and the Superintendent's Negotiating Committee met with Harvard Jolly, Inc., and negotiated a fixed fee in accordance with Article 5 of the Professional Services Agreement.

The Architectural/Professional Liability Insurance has been agreed upon pursuant to Article 9 of the Professional Services Agreement based upon the Project Contract Cost. The Management/Facility Audits and Risk Management departments have reviewed this agreement, and the School Board Attorney has approved it as to form.

The funds for this item are included in the Adopted District Educational Facilities Plan, Fiscal Years 2004-2005 to 2008-2009. The total fees included in this item are \$103,250. They include a Fixed Design Fee of \$ 78,250, and Supplemental/Reimbursable Services of \$25,000.

J-5. Reduction of Retainage – Fort Lauderdale High School – Phased Replacement – Project No. 0951-21-01 (Approved)

Motion was made by Mr. Rubinstein, seconded by Mr. Williams and carried, to approve the recommendation to reduce retainage now being held on the Fort Lauderdale High School, Project No. 0591-21-01 from the Construction Manager, Centex Rooney Construction Company, Inc., from \$1,166,341.46 to \$116,634.15.

In accordance with School Board Policy 7005, the Facilities and Construction Management Division is recommending that the retainage be reduced from \$1,166,341.46 to \$116,634.15. Phase I Classroom Buildings A, B, C & the Mechanical Building D are substantially complete, since occupancy was granted on August 12, 2004.

The funds being released in the amount of \$1,049,707.31 are included in the Adopted District Educational Facilities Plan, Fiscal Year 2001-2002, Page 102.

No discussion was held on this item.

J-6. Reduction of Retainage – Blanche Ely High School – New Construction – Project No. 0361-21-01 (Approved)

Motion was made by Ms. Carter, seconded by Ms. Gallagher and carried, to approve the recommendation to reduce retainage now being held on Blanche Ely High School, Project No. 0361-21-01, from the contractor Padula & Wadsworth Construction, Inc. from \$1,016,730 to \$101,673 in the amount of \$915,057.

In accordance with School Board Policy 7005, the Facility & Construction Management Division is recommending that the retainage be reduced from 10% to 1%.

The Medical Magnet and Classroom Building have reached Substantial Completion and was opened for the beginning of this school year on August 16, 2004. The amount of \$101,673 being withheld at this time pending final completion of the project.

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

The funds being released totaling \$915,057 are included in the Adopted District Educational Facilities Plan, Fiscal Years 2004-2005 to 2008-2009, page 97.

No discussion was held on this item.

J-7. Site Selection for Proposed New School High School "FFF" in the City of Sunrise, Florida (Approved)

Motion was made by Mr. Rubinstein, seconded by Ms. Carter and carried, to approve the Designated Site for the new school as recommended to the Superintendent from his Site Review Committee: Proposed site for High School "FFF" shall be located at the SW quadrant of Oakland Park Boulevard and Pine Island Road in the City of Sunrise, Florida.

The Superintendent's Site Review Committee convened on October 21, 2004. The committee members included those identified in the Interlocal Agreement with the municipalities of Broward County, Florida. Proposed High School "FFF" is scheduled to provide relief to Taravella, Piper, and Plantation High, with a projected opening in the 2006/2007 school year. The site is owned by two property owners, one being the North Broward Hospital District.

Funding for these schools are included in the Adopted District Educational Facilities Plan 2004-2005 to 2008-2009.

There is no financial impact to the district.

Mr. Rubinstein discussed the benefits to Sunrise area students from "FFF" High School. He said that this Oakland Park Boulevard/Pine Island Road, 27-acre site is centrally located to the western portion of the county, and it will provide relief to Piper, Plantation, and Taravella high schools. Mr. Rubinstein asked his colleagues for their support of this site.

Mrs. Kraft stated that Board Members should support each other when a Board Member is advocating an issue for his or her district. Remarking that this decision impacts some of her constituents, Mrs. Kraft stated that the original intent of this project was to provide a high school for students in Tamarac, Lauderhill and Sunrise area who attended Banyan and Challenger elementary schools.

Mrs. Kraft voiced concern about the traffic pattern in the Oakland Park Boulevard and Pine Island Road, and that the location is heavily traveled to put a 15 mile-per-hour speed limit. Mrs. Kraft stated that many older residents in the area are also concerned about the traffic situation and living near a high school facility.

Mr. Rubinstein informed his colleagues that the site is buffered by Sunrise Lakes, and natural landscaping and a wide canal.

Mrs. Kraft requested that staff consider providing a 36-classroom addition at Taravella High School at some point.

The following individuals addressed this item:

Steve Feren, Mayor, City of Sunrise
Joseph Scutto, Vice Mayor, City of Sunrise
Donald Rosen, Commissioner, City of Sunrise
Jeffrey Miller, City Manager, City of Tamarac
Steven Pelser

Ms. Carter requested that staff consider another site around the Sunrise area for a high school to alleviate overcrowding at Taravella High School.

J-8. Site Selection for New School Proposed for Elementary School "A-2" in the City of Sunrise, Florida (Approved)

Motion was made by Ms. Carter, seconded by Mr. Rubinstein and carried, to approve the Designated Site for the new school as recommended to the Superintendent from his Site Review Committee: Elementary School "A-2", identified in preferential order is located at SW corner of Commercial Boulevard and Pine Island Road (First Choice) and SW corner of Commercial Boulevard and 94th Avenue (Second Choice), both sites in the City of Sunrise, Florida, as the location to be designated. Dr. Parks was absent for the vote. (8-0 vote)

The Superintendent's Site Review Committee convened on October 21, 2004. The committee members included those identified in the Interlocal Agreement with the municipalities of Broward County, Florida. Elementary School "A-2" is scheduled to provide relief to Challenger, Banyan, and Horizon Elementary Schools, with a projected opening in the 2006/2007 school year. The first choice for elementary school "A-2" is also owned by the North Broward Hospital District. The City of Sunrise has emphasized during the course of the Site Review Committee Meeting, that the North Broward Hospital District would not sell both of their properties to the School Board. The Committee, however, was insistent that staff make every effort in speaking with the hospital to see if some solution could be worked out.

If it is determined that the hospital is not a willing seller of their site at Commercial Boulevard and Pine Island Road, then staff may abandon that effort and seek to acquire the second choice location. Funding for these schools are included in the Adopted District Educational Facilities Plan 2004-2005 to 2008-2009.

There is no financial impact to the district.

Mr. Rubinstein stated that when the site for "FFF" High School was being discussed by the City of Sunrise, the city also recognized the need for relief for Banyan and Challenger elementary schools and A-2 Elementary School was proposed.

Mr. Rubinstein, who requested that his colleagues support this item, stated that this school will go a long way to providing the extra seating capacity that the schools in the area need.

Mrs. Kraft, who remarked that she supports the item, stated she had concerns about middle school students with Westpine and Millennium being overcrowded. Mrs. Kraft stated that the district needs to be cognizant of the middle school population in the area. Expressing gratitude to Mr. Rubinstein for his effort on this project, Mrs. Kraft stated that the site is very good and it will be easily bounded.

Mr. Rubinstein stated that his goal is to get "NN" Middle School moving and thereafter, the effect it will have in the area can be reviewed.

Ms. Carter urged her colleagues to approve this site, and that staff make an effort to trade off the Imagination Farms site.

Dr. Till stated that staff has had several conversations about Imagination Farms and this was one of the properties that the district was considering trading with the church. Dr. Till stated that there is a deed restriction that the site must meet for a school. The Superintendent stated that a workshop needs to be held regarding the district's view on middle schools and property.

Dr. Parks reminded his colleagues that there are schools that do not have air conditioning in cafeterias.

Mrs. Bartleman stated that near the Imagination Farms site, Weston and South Post Road, there is a site with a possible seller, and the city has been working very diligently on this matter. Remarking that this is an alternative that staff needs to aggressively look at, Mrs. Bartleman said the district needs to move on whatever land is left that the district can use as soon as possible.

- *J-9. Lease Agreement between The School Board of Broward County, Florida, and The School of Health Careers (Approved)

Approved the lease agreement between The School Board of Broward County, Florida, and The School of Health Careers.

The School Board of Broward County, Florida, will utilize classroom space at The School of Health Careers for use by Lauderhill Middle Community School, to conduct ABE and GED Programs.

This agreement will provide classroom space for the period from January 1, 2005, through December 31, 2005.

The School Board Attorney has approved this Lease Agreement as to form.

There is no financial impact to the district.

- J-10. Phasing Agreement for Installation of Required Roadway Improvements Relating to Hale Plat/Dave Thomas Education Center (West) - Site # 203.1 (Approved)

Motion was made by Ms. Carter, seconded by Mrs. Andrews and carried, to approve the phasing agreement for installation of required road improvements for Hale Plat/Dave Thomas Education Center (West) – Site #203.1. Mr. Rubinstein was absent for the vote. (8-0 vote)

The approval of the phasing agreement, as recommended, will assure the County that the required road improvements will be funded and constructed. This agreement is required as part of the Broward County Development Review Code.

Exhibit "A" is a list of required improvements. Also see Agenda Item A-3 for the companion resolution securing these improvements.

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

The financial impact on this item is addressed with companion Item A-3.

This item was discussed concurrent with Agenda Items A-3 and J-11.

- J-11. Agreement for Amendment of Notation on the Hale Plat - Dave Thomas Education Center (West) Site No. 203.1 (Approved)

Motion was made by Ms. Carter, seconded by Mrs. Andrews and carried, to approve the Agreement for Amendment of Notation on the Hale Plat for Dave Thomas Education Center (West) - Site No. 203.1. (This item was revised to reflect an amount of \$6,000 for consultant and filing fees). Mr. Rubinstein was absent for the vote. (8-0 vote)

The Amendment Agreement will allow the existing notation on the face of the Hale Plat to be changed to correctly describe the existing and new conditions.

The change will reflect from "Single Story Commercial Use Only" to "170,500 Square Feet of Commercial Use and 125,000 Square Feet of Public Educational Facility" on the Plat.

The School Board Attorney has approved the Amendment Agreement as to form.

There is no financial impact to the District, except for consultant and filing fees. These fees will be funded through the Adopted District Educational Facilities Plan, Fiscal Years 2004-05 through 2008-09, Page 118.

This item was discussed concurrent with Agenda Items A-3 and J-10.

- J-12. Contract(s) for the Acquisitions of the Properties for the New School Site at Lincoln Park, Hollywood, Florida, for the Relief of Hollywood, Central Elementary (Sixth Submission) (Approved)

Motion was made by Mr. Rubinstein, seconded by Ms. Andrews and carried, to approve the Contract(s) for the Acquisitions of the Properties for the New School Site at Lincoln Park, Hollywood, Florida, for the Relief of Hollywood Central Elementary (Sixth Submission). In addition, approve the settlement agreement for the Coronet Springs Condominium.

The School Board of Broward County, Florida, in efforts to meet its responsibility for class-size reduction and overcrowding in the schools has determined that a new elementary school would be needed in the eastern portion in the City of Hollywood. A site was selected by the Superintendent's Site Review Committee, which was held on November 20, 2003, to build the new school adjacent to Lincoln Park. Lincoln Park is located between Lincoln and Pierce Streets, bordered by 24th Avenue and Dixie Highway. The Park site is 4.7 acres and the sites to be acquired are approximately 5.5 acres. The acquisition of these properties on the block of the Lincoln Park site will enable the School Board to build a K thru 5th grade elementary school.

As a part of the acquisition for the Coronet Springs Condominium, the Association had two pending lawsuits and one settled obligation that the School Board will settle for a sum of \$40,000. This settlement will relieve the Association of any further liability.

We are requesting the Board to execute the agreement first, due to time constraints in order to schedule the closing in timely manner.

The contracts represent a cumulative total of 85% of the total acquisitions required. All contracts thus far have been settled through voluntary sales negotiations. The School Board will continue to negotiate for the remaining parcels and a Resolution 05-02 has been submitted to the Board at this meeting permitting eminent domain proceedings to be filed with the Court for the remaining parcels.

The School Board Attorney has reviewed the contracts as to form.

NOTE: The signature page from the School Board Attorney will be delivered December 1, 2004.

The financial impact to the District for the contracts (combined total) is \$4,169,500.00 plus closing costs and legal fees.

Mr. Garretson informed the Board that the project is going smoothly and is under-budget.

*J-13. 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 November 18, 2004, to review Pre-Qualification Applications received from the following contractors and makes the following recommendations to the Superintendent of Schools:

BRPH Construction Services, Inc. – Issue Pre-Qualification Re-Certification
Dodec, Inc. – Issue Pre-Qualification Re-Certification
Earl Hagood, Inc. – Issue Pre-Qualification Re-Certification
Florida State Fire & Security, Inc. – Issue Pre-Qualification Re-Certification
Hewett-Kier Construction, Inc. – Issue Pre-Qualification Re-Certification
Merkury Development – Issue Pre-Qualification Re-Certification
*Preventive Maintenance Support Service, Inc. – Issue Pre-Qualification Certification
S.F.C.S., Inc. – Issue Pre-Qualification Re-Certification

* New Certification

The Pre-Qualification Application reviews and recommendations were conducted in accordance with F.S. 1013.46, Florida Building Code, State Requirements for Educational Facilities and Board Policy 7011.

There is no financial impact to the District.

J-14. Approve Award of Contract – Technology Lab Remodeling & Renovations – Whiddon Rogers Education Center, Fort Lauderdale – Project No. 0452-21-01 (Approved)

Motion was made by Ms. Gallagher, seconded by Ms. Carter and carried, to approve award of a construction contract for Whiddon Rogers Education Center, Technology Lab Remodeling & Renovations, Project No. 0452-21-01 to the low bidder meeting the bid specifications, Coral-Tech Associates, Inc. The amount of the contract shall be \$491,800.

Consultant: Brown & Brown Architects
Scope of Work: Remodeling and renovation of existing Building No.5, formerly an Industrial Arts Lab, to convert to a Vocational Technology Studies Lab per Educational Specifications provided by Vocational and Adult Education Curriculum Department.

The construction budget for this project is \$650,000 and the award of this contract results in a savings to the District of \$158,200.

Total M/WBE Subcontractors Participation for Cooper City Elementary, New Cafeteria, Kitchen, Multipurpose & ADA Restrooms, 39.68%-African Americans 00%, Hispanic American 39.19%, White Females .49%, Other Minorities 00%.

The amount of the contract shall be \$491,800. The sources of funds are identified in the Adopted District Educational Facilities Plan, Fiscal Years 2004-2005 to 2008-2009.

Mrs. Bartleman discussed selecting the lowest bidder and change orders. She requested that staff keep track of the change orders in a database with regard to this project; let the vendors know that staff will be tracking this project. Mrs. Bartleman stated that at the end of the project, staff can show the Board a comparison to see if taking this lowest bidder really worked, or in fact, the district is losing money.

Mr. Garretson informed the Board that the project is expected to be completed by the start of the 2005-2006 school year.

*J-15. Reduction of Retainage – Cooper City High School – Regional Athletic Facility Phase I – Project No. 1931-22-01 (Approved)

Approved the recommendation to reduce retainage now being held on the Cooper City High School, Project No. 1931-22-01 from MBR Construction, Inc.

In accordance with School Board Policy 7005, the Facilities and Construction Management Division is recommending that the retainage be reduced from \$91,086.46 to \$5,000.00. The project has reached Substantial Completion.

The amount of \$5,000.00 is being withheld at this time pending final closeout of project.

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

The funds being released in the amount of \$86,086.46 are included in the Adopted District Educational Facilities Plan, Fiscal Year 2004-2005 to 2008-2009, and page 98.

- *J-16. Contract Amendment – Bethune Elementary School – Phased Replacement – Project No. 0341-99-01 (Approved_

Approved a contract amendment to the Professional Services Agreement, dated April 17, 2001, between the School Board of Broward County and Song and Associates by reducing the Basic Services by \$63,602.

In order to accelerate classroom construction, the 20 classroom building will be fast-tracked under a TPM project to be done by Stiles. The cost of Construction and Administration Warranty for the classrooms will fall under the Stiles contract.

It is requested that the Basic Services be decreased from \$522,468 to \$458,866.

The Basic Services fee will be reduced by \$63,602, therefore, resulting in a credit to the District on the contract with Song and Associates, dated April 17, 2001.

- *J-17. Approve Easement – Boyd Anderson High School – Water Main Improvements – Project No. 1741-98-01 (Approved)

Approved the execution of an easement for the main water line, which supplies the campus of Boyd Anderson High School.

An easement is required for Broward County Public Works Department – Office of Environmental Services – Environmental Engineering Division, (BCOES/EED), to provide water service as shown on the attached sketch.

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

The funds being released are included in the Adopted District Educational Facilities Plan, Fiscal Years 2004-2005 to 2008-2009, page 96.

J-18. Reduction of Retainage – Deerfield Beach High School – Addition and Renovations – Project No. 1711-99-01 (Approved)

Motion was made by Mr. Rubinstein, seconded by Mrs. Andrews and carried, to approve the recommendation to reduce the retainage now being held on the Deerfield Beach High School, Project No. 1711-99-01 from the Di Pompeo Construction Corporation.

In accordance with School Board Policy 7005, the Facilities and Construction Management Division is recommending that the retainage be reduced from \$712,079.90 to \$142,415.98. The project has reached Substantial Completion.

The amount of \$142,415.98 is being withheld at this time pending final closeout of project.

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

The funds being released in the amount of \$569,663.92 are included in the Adopted District Educational Facilities Plan, Fiscal Year 2004-2005.

No discussion was held on this item.

J-19. Change Orders (Approved)

Motion was made by Mr. Rubinstein, seconded by Mrs. Bartleman and carried, to approve the following Change Orders:

<u>Atlantic Technical Center</u>		Change Order 08	\$7,611
Consultant Error	\$7,611		
<u>Coral Cove Elementary</u>		Change Order 06	\$9,837
Consultant Error	\$1,417		
Owner Request	\$8,420		
<u>Davie Elementary</u>		Change Order 05	\$3,432
Owner Request	\$3,432		
<u>Deerfield Beach High</u>		Change Order 11	\$78,968
Consultant Error	\$15,386		
Other	\$38,587		
Owner Request	\$5,763		
Unforeseen Condition	\$19,232		
<u>Everglades High</u>		Change Order 09	\$271,040
Owner Request	\$271,040		
<u>Hallandale Adult & Community Center</u>		Change Order 17	\$264
Other	\$264		

<u>McArthur High</u>		Change Order 21	\$73,608
Other	\$1,285		
Owner Request	\$68,319		
Unforeseen Condition	\$4,004		
<u>North Andrews Gardens Elementary</u>		Change Order 17	\$81,461
Consultant Error	\$75,294		
Other	\$758		
Owner Request	\$-2,758		
Unforeseen Condition	\$8,167		
<u>Palm Cove Elementary</u>		Change Order 1	\$75,000
CCD-Unforeseen Condition	\$75,000		
<u>Plantation High</u>		Change Order 20	\$55,734
Consultant Error	\$15,297		
Owner Request	\$396		
Unforeseen Condition	\$40,041		
<u>Riverside Elementary</u>		Change Order 1	\$68,113
Owner Request	\$68,113		
<u>Royal Palm Elementary</u>		Change Order 13	\$55,364
Consultant Error	\$21,135		
Other	\$1,454		
Owner Request	\$30,996		
Unforeseen Condition	\$1,779		
<u>Tedder Elementary</u>		Change Order 10	\$61,416
Consultant Error	\$1,939		
Other	\$4,535		
Owner Request	\$32,098		
Unforeseen Condition	\$22,844		
<u>Twin Lakes Administrative Center</u>		Change Order 11	\$158,614
Consultant Error	\$28,298		
Other	\$18,504		
Owner Request	\$11,709		
Unforeseen Condition	\$100,103		

Remarking that she will be monitoring change orders, Mrs. Bartleman requested that staff keep track of staff errors in change orders; look at how this happens. In addition, that staff show the Board how staff members are performing.

K. OFFICE OF CHIEF FINANCIAL OFFICER

Following the recognition of newly-appointed district personnel under Agenda Item G-3, the following Attorney-Client Session commenced at 12:44 p.m.

Announcement by Chair

"The School Board of Broward County, Florida, will meet in an Attorney-Client Private Session in accordance with Florida Statutes, Section 286.011(8), today, December 7, 2004, immediately following this announcement, in the Board Room of the K.C. Wright Administration Center, 600 Southeast Third Avenue, Fort Lauderdale, Florida 33301.

"The purpose of this Attorney-Client Session is for the School Board and Counsel to discuss pending litigation relative to the following case: Christine Curran, by and through her parent, John Curran vs. The School Board of Broward County, Florida, Case No. 04-60032-CIV-Ungaro-Benages, before the United States District Court for the Southern District of Florida. The entire session will be recorded by a Certified Court Reporter.

"The following persons will attend this Attorney-Client Private Session: Present were Chair Stephanie Arma Kraft, Esq.; Vice Chair Benjamin J. Williams; Members Carole L. Andrews, Robin Bartleman, Darla L. Carter, Maureen S. Dinnen, Beverly A. Gallagher, Dr. Robert D. Parks, Marty Rubinstein; Superintendent Franklin L. Till, Jr.; Marylin Batista-McNamara, Esq.

The Attorney-Client Sessions recessed at 1:15p.m. The Regular School Board meeting reconvened at 1:30 p.m. with the Board Reports (page 4).

SPEAKERS

Barney Schlesinger
Billy Davison
Tom Jenkins
Alisa McCrae
Katrina Bowen
Rachel Boyd

Responding to Ms. Boyd's inquiry, Ms. Gallagher requested that staff look into speaker's concerns about an incident that happened at her son's middle school.

Adjournment This meeting was adjourned at 5:30 p.m.

RT