

THE SCHOOL BOARD OF BROWARD COUNTY, FLORIDA

DIVERSITY COMMITTEE MEETING

KCW Administration Building

February 7, 2008

SUMMARY

CALL TO ORDER

The meeting was called to order, at 6:40 p.m. by **Roland Foulkes**, Chair, and declared a workshop due to lack of quorum. Quorum was established at 6:50 p.m. Membership dropped below quorum during the presentation, at which time the meeting reverted back to a workshop.

Members Present:

Jawhar Badran
Randy Fleischer
Roland Foulkes
Phoebe Francois
Julian Gazzano

Lina Gioello
Patrick Jabouin
Bapthol Joseph
Marguerite Luster

Ernestine Price
Barbara Williamson
Suzanne Yach
Alyce Zahniser

Members Absent:

Cedric Douglas
Jeanne Jusevic
George Pedlar
Sherry Reece
Michael Rajner

Ron Simon-Menéndez
Barbara Stuart
Peter Valletutti
Alex Lange, Student
Advisor Designee

LaToya Jackson, Student Rep.
Daniel Starman, Student Rep.
Zach Fertel, Student Rep.

Diversity & Cultural Outreach Staff:

Dr. Elizabeth Watts, Director; Jean Darius, Coordinator; Terri Jones; Maryse Nelson; Nancy Weintraub; Marion Williams

District Staff:

Dr. Earlean C. Smiley, Deputy Superintendent, Curriculum & Instruction/Student Support

Guests:

James Sparks; Leslie Sparks; Clementees Foulkes; Rodney Collins; Mary Fertig; Chris Fertig, Esq.; Darlene Lidondici, Esq.

APPROVAL OF THE AGENDA

The Committee adopted the Agenda.

APPROVAL OF THE MINUTES

The Committee approved the January 10, 2008 minutes without change.

CHAIR'S REPORT, Roland Foulkes

The **Chair** distributed a packet entitled *RECOMMENDATIONS BY ROLAND ALEXANDER FOULKES FOR DIVERSITY COMMITTEE AS YOUR CHAIR – 2008*. The recommendations are to:

1. Postpone school site visits until late Fall, 2008 or Spring, 2009 (January-June).
Mr. Foulkes said a reason for recommending postponement of the school site visits is to give the **Committee** time to implement a travel/gas reimbursement policy process form. He believes the cost of gasoline is a contributing factor to the low numbers of members participating in the site visits. The postponement would give the **Committee** time to revise the site visit survey instrument, as well as the site visit process, itself. Time could be used to outline, establish and implement policy and process for **Diversity Committee** site visits to include student and parent focus groups.
2. Convene a joint meeting between the **County Commission's Diversity Advisory Council** and the **School Board's Diversity Committee**.
3. Expand diversity, inclusion, cultural self-representation on the **Diversity Committee**.
4. Stay on top of critical district issues.
5. Update, print and distribute new **Diversity and Cultural Outreach/Diversity Committee** brochures.

Mr. Foulkes said there have been some concerns that "I am only concerned about Black male students, and, yes, I am. But I also have a global vision." **Mr. Foulkes** referred to Black History Month and briefly described the balance of the documents in the packet.

1. *THE REVEREND DOCTOR MARTIN LUTHER KING, JR.*, Prepared and Presented by Roland Alexander Foulkes
2. *The Purpose of Education* by Martin Luther King Jr
3. *TO WHOM IT MAY CONCERN: [RE: ROSE ESPINOLA, UNIVERSITY OF PENNSYLVANIA-WHARTON, CLASS OF 2011]*
4. *NINETEEN OF THE MANY HISPANICS/LATINOS/LATINAS/CHICANOS/CHICANAS...*
5. *THE TROUBLE WITH TOLERANCE* by Tim Wise
6. *The Burden of Health Disparities Part 2: A Call for a National Disparities Elimination Research Agenda*. (A panel presentation held at the American Public Health Association 133rd Annual Meeting & Exposition, December 10-14, 2005.)
7. *RACISM*
8. *Guidelines for a Culturally Responsive Curriculum* (Schmitz, 1999)

Mr. Foulkes asked that it be on the record that, "**Roland Foulkes** is concerned, not just about Black male students, although he is. That is a priority. But he's concerned about the rights to an education of all of Broward's students. So I give you that, just to share that with you."

DIRECTOR'S REPORT, Dr. Elizabeth Watts

Dr. Watts announced that the ESOL Department will be at the March Diversity Committee meeting to discuss ESOL services.

March subcommittee meeting dates were to be given to **Maryse Nelson** by noon, February 8.

Mr. Darius distributed the response to **Mr. Rajner's** suggestion that there be call centers throughout the District for non-English speakers. Committee members felt that the response did not directly address the Motion that *"The Diversity Committee recommends the Superintendent of Schools investigate establishing a 'call-center' for parents/guardians whose primary language is not English. A separate number would be established for persons speaking Spanish, Haitian, and Portuguese. The Broward County School District will provide an update within 60 days"* and would like a more definitive response. The Motion referred to the **District** establishing a call center. **Mr. Darius** suggested this be brought up at the March meeting during the ESOL presentation. **Dr. Watts** stated the response was an attempt to advise what is currently in place. It was not a final recommendation from the **Superintendent**. **Ms. Gioello** said she is disappointed that there was no mention of sign language interpreting services for the deaf and other disabled citizens.

Angel Aviles will forward his response to a Request for Information regarding the status of ADA compliant bathrooms in the District's schools.

Joel Smith is available to meet with the **Student Suspension Subcommittee**.

OLD BUSINESS

PRESENTATION BY MARY FERTIG REGARDING THE CITIZENS CONCERNED ABOUT OUR CHILDREN (CCC) SETTLEMENT AGREEMENT

Ms. Fertig began her presentation by acknowledging the individuals who were involved in the CCC and the activities leading up to the Settlement Agreement. Among those mentioned were: **Ernestine Price, Dr. Janice Boursiquot, Chris Fertig, Pam and John Wilkes, Darlene Lidondici, Rodney Collins, James Sparks, Leslie Sparks, and Levi Williams.**

Ms. Fertig narrated a PowerPoint presentation. She began her presentation by stating the CCC was formed in 1995 to "address the inequities facing children in the Broward County school system. The founding members were participants on the Superintendent's Desegregation Task Force."

At the end of the presentation, the **Chair** noted the lack of quorum and declared this a workshop. He opened the floor for discussion.

To **Mr. Joseph's** query as to what is still not being done, **Ms. Fertig** responded that she believes the Committee has "evolved tremendously in the past few years." She mentioned the site visits as an example of the Committee's progress. She believes the Committee's job is to find the problems and keep people focused on finding solutions. **Ms. Fertig** said, "Will it ever be all fixed? It will not. But, can we do better? Yes, we most certainly can do better."

As to textbooks, **Mr. Joseph** asked for a clarification on the requirements. Is there to be a book for the classroom and another for the student to take home? **Ms. Fertig** responded, "If anyone has two sets of textbooks, then everybody should have two sets of textbooks. What should not happen is a child should not be taking a course and not have a take-home textbook. And by that, an assigned textbook, something they can take." **Mr. Fertig** added that their "approach has always been consistent...If there are schools that have take-home books for the children, then all children should have take-home books."

Ms. Yach stated, “One of the greatest outcomes of all of this work are the lines of communication that have been opened.” She referred to the lines of communication between **Diversity Committee** members and **School Board** members on the issues.

Ms. Price said she is frustrated because of “what is happening today.” She said this was an orientation for Committee members so they would know why they are on the Committee. She noted that many members are new and wondered what their views are. **Ms. Price** said, “Our children deserve to get the very, very best.” She is concerned about how the Committee could get things done when they “don’t even know what we are doing.” The lack of a quorum was noted, making it impossible to vote on any issue that might have come up during the remainder of the meeting. **Ms. Price** stated that, when the **School Board** members appoint people, they ought to be people who are committed. She wants the public to know what is happening. **Mr. Foulkes** agreed with **Ms. Price** and commented that, to his knowledge, new **Board members** have not seen this presentation. He said he will meet with **Mr. Notter** and **Ms. Bartleman** and will recommend that the entire **Board** have a workshop on this issue. Regarding the Committee members, he observed that everyone comes to the meetings with their own agendas, that “there are a group of individuals who are not here for this issue.” As to what can be done about that, he said to continue to do what they are doing: raising the issue, keeping the issue alive, continue to discuss it, take it into the community, continue the site visits, and hope the **School Board** will appoint people who are committed to addressing the issue of disparities between Black, Hispanic, White, rich, and poor.

Ms. Zahniser suggested the Committee recommend a joint meeting with the **School Board** to discuss the CCC. The **Chair** will include this suggestion as part of his meeting with the **Superintendent**.

The **Chair** recognized **Mr. Sparks**, one of the originators of the CCC lawsuit. **Mr. Sparks** said one of the concerns of the members of the CCC was identifying someone “to keep an eye on what was going on.” He said the task for the Committee is to watch the people who are educating the children. He said, “Kids need a fair shot, and it’s our job to give it to them.”

Mr. Fertig said the CCC did not want to be the “gatekeeper.” It decided the **Diversity Committee** should do that job. He said the charge is embodied in the Court order, which gives the Committee the “authority to go on out, to conduct your own research, and then mandates that you report back to the **Superintendent** what problems you have found. And you are the ones that are really carrying on the DNA of the people who came before you.”

(Verbatim of **Ms. Lidondici’s** comments, per **Chair’s** request.) “You made a comment about some people may have other agendas. However, I don’t care what their agendas are. Their charge, under the Settlement Agreement, and the reason for appointing them, is to manifest and go forward with the **School Board**-stated commitment to equality in education and in making facilities, equipment, courses, books, materials available equally for all children. Anything you want to do above and beyond that, fine and dandy. But do your job.”

Mr. Joseph asked **Ms. Fertig** for a clarification of Articles 10 and 11, Point A, Page 3, of the Settlement Agreement: “*Furnishing input into the surveys proposed in this settlement (i.e., opportunity to propose survey questions and criteria for inclusion in surveys.)*” **Ms. Fertig** said the members of

the Committee are from the community and know, or know people who know, which questions should be asked. They should not be looking at just the policies, but the practices, as well.

(Verbatim of **Mr. Fertig's** comments, per **Chair's** request.) "I think I know exactly what **Mr. Bapthol** is talking about. Paragraph 11 is your Committee. Those are your powers. But, in order to read what your powers are about furnishing input into the surveys, which is 'A', what you have to do is read paragraphs 2-10, which takes each category that **Mrs. Lidondici** spoke about, and that is the surveys to develop to determine the availability of textbooks, which is under '2', *'in relation to student enrollment.'* In number 3, they have surveys and plans to study 'the present technology within the schools.' In '4' is Standards of Service. But as you get down there, you will see, that, oh, '7', they mention the word 'survey'. *'Agrees to develop a plan to survey all schools' media centers, to ascertain number, ... age,* and whatnot. And each one of the areas of inequities is addressed in the first '2-10'. But when we get to you, which is '11', it says the **Committee** *'shall'* furnish input. This is what **Mrs. Fertig** was saying. It's your obligation just not to listen to what the **School Board** tells you, 'Well, this is what our survey says.' But you all have the right to tell the **School Board** what input, what they should look at. And then 'B', it's your obligation to review and analyze the data. 'C', once you do that, after you tell them what you want to look at, after they perform the surveys and give them to you, under 'C', then you are to furnish input to the **Superintendent**. Develop plans that address these gaps. And 'D', this is your passive role, you are going to review this report, prepared by the **Superintendent**, which, I hope you're holding his feet to the fire and saying, '**Superintendent**, where is our annual State of the Union report from you?' But then, you, under the last paragraph, is to report back to him, based upon what kind of a job he's doing based upon your review. So that's what these surveys are all about."

Ms. Yach said the power of the Committee is its ability to call for information and data, and the ability to analyze that data and draw conclusions and make analogies from that data. She would also "like to caution this group that this addresses many of the concrete things, like computers, textbooks, and furniture and all those kinds of things. We also have the opportunity to be observant and enter into dialogue about things that are more qualitative, things that you cannot physically touch." She said the Committee has the "enormous" ability to make change.

Mr. Gazzano made the following suggestions: 1. That, at his meetings with the **Board**, **Mr. Foulkes** express the need for all vacancies on the Committee to be filled. 2. That CDs of this presentation be given to all **Board** members and, in an effort to improve retention and participation, to all new and existing Diversity Committee members. 3. That there be a joint workshop between the **Board** and the **Committee** to discuss issues. 4. That there be a serious discussion with the **Committee** about participation and commitment.

(The **Committee** agreed to extend the meeting, with no time limit given.)

Mr. Jabouin stated the **Board** members should advise their prospective appointees that this is a working committee that requires a level of commitment. They should explain what the CCC is about and what the appointee is expected to do.

Ms. Zahniser suggested that the **Chair** propose that the joint workshop take place within the next three months to address outstanding issues. The attorneys present at this meeting could be invited to

participate. The purpose would be to identify issues and prioritize what needs to be done to ensure compliance with the Settlement Agreement.

The **Chair** asked the attorneys, “You said the outcome of this work is on our shoulders. What happens if we failed to achieve what we are supposed to do? Will there be another law... and failed maybe not because of anything done by the people, or not done, by the people around this table, because we’re, after all, appointed by **School Board** members. So, it’s really going to fall on their heads, and the staff. So, what can we look forward to if we’re unable to achieve what we’re supposed to achieve?” **Mr. Fertig** responded, “For those of you who were here about a year ago when there was some commotion going on over an issue where the **School Board** tried to disband this **Committee**, we were there. We were there in force. And we told the **School Board**, in public meeting, that if they attempt to dismember, dismantle, change, alter, amend this **Committee**, we will see them in court. And we are still there. And we are still watching. On the other hand, if you all just drop the ball, and that’s a sad thing to say, but then there’s no one to carry the torch. And, you know, it’s really frustrating, as **Mrs. Price** said, for us to be out there carrying the torch if there’s no one behind us. And this is community-oriented. You are the gatekeepers. If you drop the torch, and you find there’s no utility anymore in this, there’s nothing for us to go back into the courtroom and fight. You’ve just given up.” He added that, “We’re here to support you. We can’t tell you what to do, and we don’t want to. That’s not how it was designed. But, if anybody externally tries to frustrate you, won’t give you the information, the **Superintendent** won’t respond, and you come to us, we’ll do what we can back in the court to make sure it works.”

Ms. Luster noted that there is a large population of handicapped and disabled students. There is a lot of disparity there. She said she hopes the language in the Settlement is not “watered down.” Some things might need to be changed, but most should remain the way they are. The **School Board** needs to be more supportive. She said if they have the power, they need to be able to use it. **Mr. Foulkes** commented that there is a saying similar to, “Power concedes nothing. You have to take it by force.” He said it is a year of new beginnings: A new **School Board**, a new **Superintendent**, renewed vigor, and new leadership on the Committee, to take it where it should go.

The Chair recognized **Mr. Collins**, an original member of the Superintendent’s Desegregation Task Force. His response to the question about not getting the job done on this Committee is that you fail the children. He said some people serve on the Committee to build up their resumes. He added that the children won’t wait for you; you need to act now. He said that, after all this time, nothing has been done.

Mr. Foulkes said that sometimes appointments are made deliberately to hijack, to disrupt, and to prevent the Committee from doing what it is supposed to be doing. He noted that, because they are all volunteers, they meet two hours once a month. He noted that the Sunshine Law limits their ability to communicate. Discussions must take place during Committee or Subcommittee meetings, which have to be advertised. He asked, “Why create a committee that is appointed by the very **School Board** members we are supposed to be monitoring?” He wondered if there shouldn’t be an independently created community group that is outside the confines of the **School District** that would monitor the **District**. He said that, as the new **Chair**, his goal is to refocus the members and bring them back to what they are supposed to be doing.

The **Chair** recognized **Ms. Lidonici**, who said the **Diversity Committee** “is not the only vehicle that can exist to hold the **School Board of Broward County** accountable. There are things you do within the system, and hence, we have this **Committee** to which the **School Board** ceded power. The fact that the **School Board** has ceded power to this **Committee**, does that mean that the citizens of **Broward County** don’t have the other powers guaranteed to them by the Constitution and the laws of the State to redress their concerns with their elected officials and seek information? The CCC was not a governmental entity. This **Committee** has been created as part of a settlement. The **Board** has ceded power to work with, because you’re supposed to be an example of their committed commitment to equity. But, it doesn’t mean there can’t be other people out there doing what you’re raising.”

Ms. Yach said she would be “highly remiss to let the comments be made, let the forgotten work be done, that the **Diversity Department**, their hard work, their dedication and their support that they have given to this Committee over the years. And we would be highly remiss not to honor and respect, and I’ve been involved now for eight years. Okay. Yes, I see empty chairs. Yes, there’s a need for an appointment. However, tremendous work has been done by this **Diversity Committee** in the past. Many site visitations have taken place. Beautiful reports on those site visitations have been written. And a tremendous amount of work has been done, both by the **Diversity Department** and by prior Diversity members. Yes, there’s an ebb and flow to the Committee. Yes, this may be a down time. However, a great deal of work has been done in the past. Are we where we should be? No, we’ll probably never be where we should be. The only thing we can be sure of is change. And there are going to be ups and downs and setbacks...A great deal of work has already been accomplished and has come out of the efforts of the people on this Committee and what has come forth from the CCC Agreement. We can’t forget that.”

Ms. Fertig said members of the Committee probably know people in the community who would like to serve on the Committee. She suggested those names be given to **School Board** members who still have openings.

Mr. Badran suggested that members who miss four meetings in a year, or three in a row, be limited to the number of times they can be reappointed by the **School Board** members. He suggested the limit be set at one time only.

Ms. Price asked if a citizen not appointed by a **Board** member can work on a subcommittee? **Mr. Foulkes** said that, when he was chairing the Suspension Subcommittee, he was told that community members were not allowed to have a vote. **Ms. Fertig** said, in her opinion, community members should be allowed to serve and have a vote. She said this is too big a job for the number of people the Committee now has. **Mr. Badran** asked if this is something the Committee can legally do. **Mr. Fertig** said there is “absolutely nothing” to prohibit the Committee from involving the community on subcommittees. They may not be able to vote on the Diversity Committee, but there is nothing prohibiting them from participating or voting on subcommittees. A Committee member presents subcommittee work to the Committee for a vote.

The **Chair** closed discussion on this topic and referred to a comment made by **Chris McGuire** during **BECON’s** presentation to the Committee in November, 2007. He quoted **Mr. McGuire** as saying, “One of the reasons **BECON** is able to serve so many students is that, through the CCC Settlement, my Department receives \$200,000.” When **Mr. Foulkes** asked for clarification, the response indicated

that the money is for Distance Learning, to help provide equity in programming. **Mr. Fertig** said that Paragraph 5 of the Agreement covers distance learning and “*equal access and availability for all students in all schools.*”

Mr. Foulkes raised the question of talking to students during site visits. **Ms. Lidonici** advised that there is nothing in the Settlement or Agreement that prohibits the members from talking to students. She said that if there are administrative rules that limit such interaction, the Committee would have to find that out from the attorneys or administration. However, the Committee does have input into the surveys and the kind of information that is needed. **Mr. Fertig** suggested requesting to meet with groups of students during the site visits.

Mr. Joseph said he has a problem with Policy 5000, which limits what the Committee can do. **Mr. Fertig** said, “Just tell us what it is the **Institution** has prevented you from doing, and if the **Institution** continues to refuse to follow it, then if they will not follow a moral ... , a nice gentle discussion with them, then we will go back and we will ask the Court to mandate it.” **Mr. Collins** said, if the information the Committee gets is filtered, they should “worry about that.” He added that if members keep wondering if something is legal, just do it. Members should “get outside the box” and not limit themselves through the filter the school system is giving them. He said the Committee has gotten into form and not substance.

The **Chair** invited comments from **Dr. Smiley**. She reminded the members about the process for developing the protocols. She suggested the members revisit the protocols; that some of the answers may be there.

Mr. Foulkes announced that the last site visit for the year would take place the following day, 9 a.m., Boyd Anderson High School, and invited the members to participate.

Mr. Badran stated that, with a few exceptions, the Committee does get the information it requests from staff. He said, “We should always strive for perfection, even though perfection is not attainable, because through our pursuit of perfection, we just might achieve excellence.” This discussion ended on that note.

Ms. Luster asked if **Joel Smith**, Director, Middle Schools, could address the Committee at its meeting in March. **Dr. Watts** said he will be scheduled for a future presentation. **ESOL** has been requested to present at the March meeting. **Ms. Luster** asked that **ESE Services** be invited back. She would like to talk to them about transitioning high school students to higher education and to talk about all levels of students.

SUBCOMMITTEES

Members were asked to sign up for Subcommittees and District Committees. The following indicates member preferences.

HIRING PRACTICES

George Pedlar, Joe Badran, Patrick Jabouin

SITE VISITS

George Pedlar, Jeanne Jusevic, Patrick Jabouin, Phoebee Francois, Ernestine Price, Barbara Williamson, Bapthol Joseph, Marguerite Luster

SCHOOL BOUNDARIES

George Pedlar, Jeanne Jusevic

STUDENT ACHIEVEMENT

Ernestine Price, Jeanne Jusevic, Phoebee Francois, Suzanne Yach, Marguerite Luster

STUDENT SUSPENSION

George Pedlar, Ernestine Price, Phoebee Francois, Alyce Zahniser, Barbara Williamson, Marguerite Luster

TECHNOLOGY

None

**DISTRICT COMMITTEES:
POSITIVE SCHOOL CULTURE**

NOVA POLICY REVIEW

POLICY 5000

Jeanne Jusevic

POLICY REVIEW

Julian Gazzano

SITE SELECTION

STUDENT CODE OF CONDUCT

Jeanne Jusevic

TECHNOLOGY ADVISORY COMMITTEE

NEW BUSINESS

None

Workshop was adjourned at 9:19 p.m.

**The next meeting is scheduled for March 10, 2008 at 6:30 p.m.,
in the Board Room of the KCW Administration Building.**

These minutes are summarized and were recorded at the February 7, 2008 Diversity Committee meeting. If any Committee member or other interested party would like more detailed information as to the contents of this summary, contact the Diversity & Cultural Outreach Department at 754-321-2090.