

Approved in Open Board Meeting, September 17, 2013

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

August 20, 2013
Tuesday, 10:15 a.m.

MINUTES OF REGULAR MEETING

The School Board of Broward County, Florida, met in regular session at 10:45 a.m., Tuesday, August 20, 2013, in the Board Room of the Kathleen C. Wright Administrative Center, 600 Southeast Third Avenue, Fort Lauderdale, Florida. Present were: Chair Laurie Rich Levinson; Vice Chair Patricia Good; Members Robin Bartleman, (Abby M. Freedman appeared telephonically), Donna P. Korn, Katherine M. Leach, Ann Murray, Dr. Rosalind Osgood, Nora Rupert; Superintendent Robert W. Runcie; and J. Paul Carland, II., Esq.

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

Minutes for Approval Motion was made by Mrs. Good, seconded by Mrs. Bartleman and carried, to approve the official minutes for the following Board Meeting: (9-0 vote)

July 23, 2013 - Regular School Board Meeting

Close Agenda Upon motion by Mrs. Good, seconded by Mrs. Rupert and carried, the Agenda was approved and declared closed. (9-0 vote)

Opening Remarks (Dr. Osgood and Superintendent Runcie)

Following approval of the Consent Agenda, **Dr. Osgood** spoke about the process of repurposing five District 5 schools that had been failing for the past 10 years, through the Student Success Opportunity Schools initiative. As a part of the initiative, the Children Have a Need to Grow Every Day (CHANGE) logo was adopted; if the culture of Broward County can be changed through the CHANGE initiative to make educating children the first priority, it will help everyone in various capacities to focus on decision making and attention on creating opportunities for children to grow.

Dr. Osgood informed that over 85,000 adults took a child to school on the opening day of the school year. She invited everyone to participate in the CHANGE movement.

Superintendent Runcie welcomed students, families, and teachers and staff back to the start of the beginning of a great school year. Mr. Runcie reflected on last year's challenging start to the school year, primarily around transportation issues, stating that he takes full responsibility and it was a good learning experience. The Superintendent stated that he reflected on how to improve the opening of school and he is committed to ensuring that a better experience occurs this year.

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Mr. Runcie thanked the Student Transportation and Fleet Services department, under the leadership of Patricia Snell, Director; Eric Chisem, Task Assigned administrator, and to all hard-working staff to make yesterday a significant improvement over last year. The Superintendent praised the hard work and efforts of bus drivers in transporting approximately 85,000 students to and from school, which is a critical function for the district.

Mr. Runcie spoke of his opening day throughout the district, riding on an ESE route with two dedicated employees; Joni Bixson, Relief Operator, Central West Terminal, and Shelia Chance, Bus Operator. The Superintendent spoke of the factors leading to the turnaround of the transportation department; working on continuous recruiting and job fairs to ensure there was adequate staff; efficient routing; transportation information cards sent out earlier than in the past (two weeks); and a new leadership team. Mr. Runcie commended and thanked bus drivers who work every day and the value that they bring to the school system.

Superintendent stated that CHANGE is a renaissance in creating new opportunities for student success and community success in a number of district schools. Lauderhill Middle School has been transformed into a 6-12 grade college academy, focused on Science, Technology, Engineering and Math (STEM). Sunland Park Elementary is now an early learning focus on Kindergarten to 3rd Grade; Lauderdale Manors is now a family resource center which provides a variety of services and supports. Arthur Ashe Middle School is now an extension of one of the premier technical centers - Atlantic Tech, and in the future there will be career options in the medical field and technology, career options that are in great demand.

Mr. Runcie also spoke of the Digital 5 initiative, implementing technology-rich classrooms in 27 elementary schools, impacting 3,200 students and their teachers. The focus will be on leveraging technology to do personalized learning, engaging students and helping teachers to be more effective in this area.

Mr. Runcie further informed that the LEEO program, Linking Education and Employment Opportunities, in partnership with Citrix, Broward College and a few schools. The focus is to give students an opportunity to develop skills that they need to be successful in the workplace and secure industry-based certification so they are college and career ready upon graduation.

The Superintendent also spoke of the internal initiative regarding issues with students that have been arrested with misdemeanors, suspensions at high levels, in partnership with the Sheriff's Office, NAACP, and the Department of Juvenile Justice to develop a series of alternatives whereby students are given a second chance to recover from behavior incidents.

In conclusion, the Superintendent informed that an ESE Steering Committee has been formed with many stakeholders in an effort to conduct a comprehensive review of ESE operations and services, and creating a series of recommendations on how to improve services to ESE students.

Mr. Runcie welcomed everyone to the new school year.

Mrs. Rich Levinson thanked Ms. Snell and transportation staff for an outstanding school year opening.

Maurice Woods, Chief Strategy & Operations Officer, applauded the transportation leadership team and hard-working staff. Mr. Woods recognized the Superintendent and the School Board for the guidance and support given throughout the year. Mr. Woods spoke of the plan that was put in place to re-brand the transportation department, which resulted in a successful opening. He stated that a new slogan was developed as part of the plan, On the Road to Success - Our Future is On Board.

Ms. Snell, praised her staff and other employees for providing 110% of their efforts, and introduced Kim Hesky, bus driver, who came up with the slogan.

Ms. Murray stated she was elated about the opening of the school year, and the district has reinstated the security and the trust to the general public that bus drivers and attendants do the job every day and are outstanding in the job that they do. Congratulating Ms. Snell and her staff for a job well done, Ms. Murray noted that the district has the best state record and will continue to perform at that high expectation.

Mr. Chisem thanked the School Board for their support and presented them with the On the Road to Success T-shirts.

On behalf of the School Board, Mrs. Rich Levinson thanked all bus drivers, attendants and transportation staff for a smooth opening school day. She relayed that she attended several trainings last week and noted the enthusiasm and collaboration this school year.

Opening Remarks (Technology)

Ms. Tracy Clark, Public Information Officer, and Tony Hunter, Chief Information Officer, provided highlights of the launch of The School Board of Broward County Florida's new website and online presence on the Web. The new website will be launched on September 9, 2013.

Ms. Clark, through a slide presentation, illustrated the design concepts which will provide a more user-friendly, intuitive and a better online experience for the Broward County community. Ms. Clark stated that the website will be a redesign of the Home page and secondary pages, and all departments will provide content within this frame work. Users will be able to connect via social media and a lot of "real estate" is devoted to celebrate the district's successes.

Mr. Hunter informed that a mobile app will also be distributed districtwide, and will be available on iPhones and Android phones, the Android Play Store, and the iTunes Store. Mr. Hunter illustrated the functionality of the app, and stated that news stories will be picked up directly from the school's district. Every school in the district will be a part of this app, and individuals and parents will be able to select the schools that they would like to follow. Other features will include the school calendar and events and the ability to add information to the user's calendar; sporting event scores, school websites, Superintendent's page, and school directory.

Mrs. Rich Levinson thanked Ms. Clark and Mr. Hunter for their efforts on this exciting endeavor, and stated that the Parent Community Task Force did a lot of work on this and had requested a change to the level of communication. Mrs. Rich Levinson stated that the schools already have their own apps running and the district is in a position where people can use their devices and computers to access district information.

Mrs. Bartleman inquired whether Virtual Counselor will be accessed through the mobile app.

Mr. Hunter responded that as part of phase two, towards the end of the year, staff will be looking at integrating Virtual Counselor and parents will be able to access student attendance and grades. In addition, this will be the only app that will be supported at the district level.

Mr. Hunter recognized the Information Technology staff for their diligence and hard work.

SPECIAL PRESENTATIONS

Recognition of Concussion Management Protocols Including Neurocognitive Testing for High School Student Athletes

Mrs. Rich Levinson reported on the Concussion Management initiative that began last year and what has occurred since its inception.

Mrs. Rich Levinson introduced Dr. Stephen Russo, Associate Professor, Center for Psychological Studies; Director of Sport Psychology, College of Osteopathic Medicine; and Faculty Athletics Representative, Nova-Southeastern University. Also introduced were Dr. Frank Walters, Director, Sports Medicine and Wellness Programs, Broward Health Medical Center; Tony Milian, Director, Sports Medicine, Joe DiMaggio Children's Hospital & MRI Center, Coral Springs; Diana Pilar Brett, Founder of The Daniel Brett Foundation, Inc., the inspiration for the district moving forward with a comprehensive Concussion Management program; and Damian Huttenhoff, Director, Athletics & Student Activities.

Mr. Huttenhoff spoke of the collaborative three-year partnership effort behind the program between the entities and the school district.

Dr. Russo thanked the School Board and the Superintendent, and health providers for the collaboration of the Concussion Management program. Dr. Russo informed that the medical providers are to educate Certified Athletic Trainers that serve high school athletes about appropriate management procedures with sports related concussion. These individuals provide care to ensure the safety of athletes. Dr. Russo commended Mrs. Brett for creating a task force around this issue in 2011; she has been unwavering and dedicated to this particularly unique injury, and taking this personal family tragedy and using it as a call to service to benefit every student athlete in Broward County.

Dr. Russo spoke about the tests for athletes prior to suffering a concussion, a baseline that will help clinicians properly assess the limitations that follow brain injury; and the state of Florida enacting concussion legislation in July 2012. Dr. Russo stated that since enactment of the resolution in March 2012 by the School Board, over 17,000 high school athletes in Broward County has taken a baseline test; presently, there are over 21,000 athletes in Broward County that have completed the baseline testing process. Dr. Russo stated that Broward County is head and shoulders above anyone else in the state when it comes to this injury and being in compliance with the legislation for concussions, and is at the forefront nationally in the manner in which this injury is being managed. He thanked his colleagues and the School Board.

Mrs. Rich Levinson thanked Dr. Russo, Dr. Walters, Mr. Milian, and all the trainers at the schools for administering the baseline testing for all high school athletes.

Mrs. Brett stated she was honored and grateful to appear before the School Board and partnering with these individuals. She offered her hope for the School Board to be able to continue what The Daniel Brett Foundation can bring to the table and bring it full force. Mrs. Brett extended her gratitude to the individuals present today for all they have done, and stated that the legacy of her son Daniel lives on in all the high schools in Broward County. Mrs. Brett invited everyone to the March 8, 2013, 2nd Annual Daniel's Dash for Concussion Awareness.

Audit Committee's Annual Report

Dr. Henry W. Mack, stated that he was appointed by Superintendent Robert Runcie and was Chair of the Audit Committee during the 2012-13 fiscal year, and has served as Chair of the Audit Committees of Broward County School District and Dade County, the third largest school district in the nation, over the past 33 years.

Dr. Mack stated that the purpose of the Audit Committee is to assist and advise the School Board of Broward County, Florida, and the Superintendent, in matters pertaining to the fiscal management of the school district. The Audit Committee is advisory in nature and its recommendations are provided in writing to the School Board and to the Superintendent.

Dr. Mack introduced the current members of the Audit Committee:

Andrew Medvin appointed by Mrs. Rich Levinson; Mary Fertig appointed by Mrs. Good; Charlotte Greenberg, Vice-Chair, appointed by Ms. Murray; Moses Barnes, appointed by Dr. Osgood; Ken Evans, appointed by Mrs. Rupert; John Herbst, appointed by Mrs. Korn; Jeanne Jusevic, appointed by the Parent Teachers' Association; Robert Mayersohn, appointed by the District Advisory Council; Alexandra Mores, appointed by Mrs. Freedman; Nick Sakhnovsky, appointed by Mrs. Leach; and Duane Wolter, appointed by Mrs. Bartleman.

Dr. Mack also recognized and gave special thanks from the Audit Committee to Patrick Reilly, Chief Auditor, and the staff of the Office of the Chief Auditor for their continued dedication and hard work, and consistent performance at the highest professional level.

Dr. Mack provided the School Board with the Annual Report of the activities of the Audit Committee for the 2012-2013 fiscal year. (Report provided to the Board).

The Audit Department completed twenty-two internal audit reports that were brought before the Audit Committee. These reports included Facility, Internal Funds, Property & Inventory, Operational, Payroll, and Grant Audits, plus FTE reviews. These reports are listed in the Auditor's Summary of Activities for the 2012-2013 Fiscal Year and the Proposed Audit Plan for the 2013-2014 Fiscal Year that was reviewed by the Audit Committee on June 20, 2013, and approved by the Board at the July 23, 2013 Regular School Board Meeting.

Some of the significant reports reviewed by the Audit Committee included: A current status review of the January 2011 Grand Jury Report, which identified multiple findings, for which management has taken corrective action to implement procedures to improve internal controls over operations, accountability, and ethics training requirements.

A review of U.S. Security Associates, Inc. report pertaining to security guard services that identified overpayments and non-compliance with contract terms. A review of Varsity Football Game Ticket Sales that identified weaknesses in proper cash handling, accounting for ticket sales and the need to obtain inspections for food service operations at the events. Management implemented improved procedures and internal controls at all athletic events.

A current status of the PPO Zone 4 Maintenance Facility, which identified questionable practices related to the close-out and termination of the project; review of the Cooper City High School Design Build Project that identified issues related to Performance and Payment Bonds. That review resulted in reimbursable dollars to the district when the contractor self-performed work and modified subcontractor bonding requirements.

The committee is delighted to see a significant number of Internal Funds and Property Inventory audits that show compliance with all policies, procedures, rules and regulations. The committee reviewed the Comprehensive Annual Financial Report, referred to as the "CAFR," which included the District's audited financial statements, and Management Letter, that was performed by McGladrey, LLP, our external auditors. They found the CAFR to fairly state the financial condition of the School Board of Broward County, Florida. The Management Letter contained a prior year finding where corrective action had not yet been completed. That finding dealt with the need for a system to monitor and track Level 2 FBI screenings related to fingerprinting of employees.

There were four new findings related to payroll approvals, capital asset inventory controls, depreciation and deferred revenue that management is currently addressing.

The committee reviewed the State Auditor General's Financial, Operational, and Federal Single Audit Report that contained sixteen findings that provided recommendations for improvement. All of them were addressed by the District with a written response stating the corrective action plans. The committee commends the District for implementing a fraud policy that clearly defines the communications process for reporting suspected fraud.

The committee works closely with the administration to ensure that they follow through with the execution of their action plans, as outlined in the management responses to audit exceptions. In doing so, the committee requests follow-up reports to track and ensure accountability and corrective action. We transmit the audit findings with management responses to the Board and the Superintendent, so that the necessary support and resources are made available. We hold the administration accountable for achieving the agreed to results.

Dr. Mack spoke of the issues concerning the Audit Committee. This year, the committee would like to see some resolution to the 2009 audit of Ashbritt, Inc. and C&B Services Invoices for District Portable Repairs Related to Hurricane Wilma, in which the internal auditors recommended seeking reimbursement of \$765,000 in cost recoveries. This process has been ongoing for four years.

The committee would like to see a settlement with the Zone 4 Maintenance Facility Project that was terminated, payments were made for work not in place at the jobsite, design services not provided, and the District did not receive a permitted set of architectural plans. This process has been going on for almost two years.

The committee recommends strengthening the payroll and timekeeping practices in order to validate the payroll information and ensure accurate reporting and documentation of employees' attendance. Documentation of employees' attendance is a fundamental necessity in the district's payroll and timekeeping system. The committee recommends that the district develop and implement an auditable timekeeping system as a high priority.

There is a need to strengthen security controls related to software management, user authentication, and monitoring of application data changes, to ensure the continued confidentiality, integrity and availability of district data and IT resources. This observation was also made in the State of Florida Auditor General's report.

Several audit reports in the construction and operational areas, performed by both internal and external auditors, disclosed the need for better monitoring and management of projects, in accordance with contract terms. We would like to thank the Superintendent for initiating the changes and improvements made to many of the construction contracts, which were recommended by McGladrey, LLP, the district's external audit firm. There is a need to review other vendor contracts to clarify terms and requirements that will allow for better management and accountability by staff.

This year, based on the physical inventories performed by the auditors, assets valued at over \$10 million have been added to the District's locations by the Accounting & Financial Reporting/Capital Assets Department. Adherence to property and inventory procedures has been improved, due to the work and training provided by the audit department, their monitoring functions and implementation of a Business Practice Bulletin.

Accountability for assets purchased with a unit value of below \$1,000 is necessary even though they are not maintained on the district's Property & Inventory Master Inventory Records database. They should be monitored and maintained on a secondary, site-based tracking database and documented, to be made available to the district's Property Auditor, upon request.

Dr. Mack encouraged everyone to read the comprehensive minutes of each Audit Committee meeting and consult with designated representatives to keep up to date on the work being done for the school district.

In conclusion, Dr. Mack stated that he and his colleagues will continue to serve the School Board faithfully and diligently to promote efficiency and accountability in the district.

Mrs. Rich Levinson thanked Dr. Mack and the Audit Committee for their hard work and the important service they provide to the district.

REPORTS

The following reports were presented:

Broward County Council PTAs/PTSAs - Jeanne Jusevic

Employee Unions – Sharon Glickman, Broward Teachers Union

Broward County Association of Student Councils and Student Advisor to the Board –
Kirsten Zeiser and Sarah Park

In response to the report by the BTU, Superintendent Runcie recognized that teachers need to be compensated for their hard work. Mr. Runcie noted that the district needs to be compliant with state law (Class Size), and there is a need to invest in the classroom and the significant reductions in pupil funding at the state level.

The Superintendent discussed the reallocation of district funds, reducing health care costs, implementing an early retirement option for veteran teachers, and to be fiscally responsible as a district. Mr. Runcie stated that he is focused on doing what is in the best interest of the entire district; his administration is working with the union and cares about teachers and students.

BOARD MEMBERS

Board Reports were not presented.

Ms. Murray noted that Evelyn Schwartz, Oakridge Elementary School, was recognized as the Governor's Shine Award Teacher of the Year in the state of Florida.

Mrs. Bartleman requested a moment of silence for Marjorie Cyrile, student at Blanche Ely High School, who passed away recently due to leukemia. (A moment of silence was observed)

Speakers

Rhonda Ward

Sharon Lewis (read statement by Chair)

Camille Lopez

Michael Sirbola

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

CONSENT ITEMS

A. RESOLUTIONS

- A-1. Miscellaneous Annual Recurring Board Resolutions for 2013-2014 – Resolutions #14-04 through #14-55 (Adopted)

Motion was made by Mrs. Rupert, seconded by Mrs. Korn and carried, to adopt annual Resolutions as presented to the Board. Mrs. Freedman was absent for the vote. Mrs. Rupert voted "no." (7-1 vote)

To assist schools with planning for their school year and to allow schools the opportunity to incorporate Resolutions into their daily curriculum, it was determined that most Resolutions should be approved at the August Board meeting. The Board will continue to acknowledge the Resolutions during the month they actually occur.

There is no financial impact to the district.

Mrs. Rich Levinson informed that a new procedure involves presenting all the resolutions at the beginning of the school year; additional resolutions will be presented at another meeting. This process will allow access to the resolutions and a data base is being developed that will identify each resolution. Mrs. Rich Levinson recognized Resolution numbers and titles for 14-04, 14-05, 14-06, 14-07, 14-08, 14-09, and 14-10, as indicated in the Executive Summary.

Sharon Airaghi, Chief Service Quality Officer, informed that 51 resolutions are being presented and other resolutions will be sent monthly. Staff is working on how to identify them in their appropriate month.

Mrs. Rich Levinson stated that she will read the resolutions that are celebrated at the beginning of the month (indicated in the agenda item), and this will provide schools the flexibility to implement the resolutions into their curriculum.

Mrs. Good stated that this process was developed to assist the schools in planning but it is meant to be as feasible; they are not mandated.

Mrs. Airaghi informed that the committee has presented before all executive boards, and staff will be presenting to the level meetings and will continue to take this process to principals at all levels and the centers.

Mrs. Good stated that nothing would preclude an individual Board Member to have the opportunity to bring some type of recognition forward. She said it is hopeful that this process will assist the schools in better planning.

Mrs. Korn stated that the community has voiced concern that there is a lot of information that teachers and administration are tasked to share with students. Mrs. Korn requested a list that specifically highlights the resolutions that are state mandated and those that are at the discretion of the schools.

Mrs. Leach stated this process will provide schools with lead time so they can appropriately implement the resolutions.

Mrs. Rupert requested that the Board Member's name be included on the database for resolutions sponsored by individual Board Members.

Mrs. Bartleman stated she opposed the process because the list could have been presented to the principals for planning purposes, with or without approval by the Board. Regarding the time savings, Mrs. Bartleman stated that other resolutions that are not on the list will be presented anyway.

Mrs. Bartleman voiced concern that a Board Member would not be able to comment and highlight a particular resolution, such as Autism or School Psychology Month, unless she brings forward a Special Presentation. Mrs. Bartleman further stated that some resolutions from the Office of Prevention are not state mandated but they are mandated by the Board, through the policy, for implementation.

Jeffrey Moquin, Chief of Staff, stated that staff is working with Official School Board Records to amend the e-Agenda that identifies the resolutions for that particular month and there will be links to those resolutions. The Chair will read from this list of resolutions at the first Board meeting of the month.

Dr. Osgood stated that an initiative may be important to any Board Member that wishes to elaborate, as a professional courtesy.

Mrs. Rich Levinson concurred, that anyone can comment in the usual manner. The resolutions that are not listed in this agenda item will be presented once they are received by staff.

Concurring, Mrs. Airaghi stated that every resolution that comes before the Board will be in the data base and the information will be captured.

Responding to Mrs. Good's inquiry, Mrs. Airaghi stated that the 51 resolutions being brought forward give the schools the ability to plan and integrate into their curriculum and not teach them as "stand alones" when the Board approves them.

Mrs. Good stated that a list decimated amongst the principals is not a formal list because it has not been acted upon by the Board. All the resolutions are now being presented for Board approval so the principals can present to their schools. Mrs. Good further stated that the Board will still have the ability to comment and also have a Special Presentation on the initiative.

Mrs. Rich Levinson reiterated that the Board Member can use the designated resolution of the month in whatever manner is desired. Any Board Member can comment when the resolution is mentioned.

Mrs. Bartleman noted that some of the resolutions come out a week before it occurs, and it is not true that principals are waiting for the approvals to plan their activities. A good principal has already incorporated what they will do for their activities, such as Anti-Bullying Week and Red Ribbon Week. She was of the opinion that a tentative list would have served the same purpose for administrators.

A-2. Resolution Authorizing the Committed Fund Balance Reserves
(Approved)

Motion was made by Mrs. Rupert, seconded by Dr. Osgood and carried, to approve Authorize Resolution #14-56, approving the Committed Fund Balance Reserves. Mrs. Freedman was absent for the vote.
(8-0 vote)

It is recommended that the School Board approve Resolution #14-56, authorizing to reserve the General Fund's fund balance in accordance with Governmental Accounting and Financial Standards Board's Statement No. 54, Fund Balance Reporting and Governmental Fund Type Definitions, by an estimated total of \$53 million for the following: \$25 million estimated reserve for health insurance and \$28 million estimated reserve for workers compensation and general liability. These committed reserves cannot be used for any other purpose unless the Board removes or changes the specific use through the same type of formal action taken that established the commitment. By committing these reserves, the assigned and unassigned percent will remain similar to last year.

There is no financial impact. The Resolution authorizes the Committed Fund Balance Reserves.

I. Benjamin Leong, Chief Financial Officer, concurred with Mrs. Bartleman's statement, that the item entails combining the fund balances into one fund balance line and earmarking how much is being placed on those lines. Mr. Leong stated the reason for the resolution is because the government accounting standard requires that in order to commit the fund balance for any particular purpose, the Board needs to pass a resolution. In order to reserve the fund for health insurance and worker's compensation, a resolution is needed as an accounting standard requirement.

Mr. Leong further stated, by passing the resolution the 6% is not the calculation; the state required the calculation to maintain the portion of the fund balance before the resolution; last year it was 3.9%.

Mrs. Bartleman inquired whether there will be confusion when people refer to the fund balance, since the bottom line number will incorporate all three numbers.

Mr. Leong responded that these numbers will be separated in every item. The budget book may not be in this manner because they are state required forms. Mr. Leong reiterated that it is a state mandate to maintain the minimum of 3% and that will not change.

Mrs. Bartleman voiced concern that an explanation would not be provided on a published item with the total numbers with a 6% fund balance.

Mr. Leong stated it will not happen. By passing the resolution, there will not be the 6%.

B. BOARD MEMBERS

E. OFFICE OF STRATEGY & OPERATIONS

***E-1. Pre-Qualification of Contractors – Approval of Application and Issuance of Certification (Approved)**

Approved the recommendations of the Superintendent indicated in Exhibit 2.

The Pre-Qualification Application process is in accordance with State Requirements for Educational Facilities (SREF), F.S. 1013.46, and Board Policy 7003. *New Certification **Certified M/WBE

The Qualification Selection Evaluation Committee (QSEC) convened on July 31, 2013, to review Contractor Pre-Qualification Staff Application Review Executive Summaries and make recommendations to the Superintendent of Schools indicated in Exhibit 2. Contractor Pre-Qualification Staff Application Review Executive Summaries are available for review at the Supply Management & Logistics Department. Although the number of construction projects has been reduced in the Capital Plan, there is an appropriation of approximately \$16,550,000 in various categories including, Remodeling & Renovations, Indoor Air Quality, Safety, and ADA for fiscal year 2012-2013. Budgeted for fiscal year 2013-2014 is \$8,493,000 and for fiscal year 2014-2015 is \$4,083,000.

There is no financial impact. This item is not affecting the overall budget; therefore, it does not require a Collaboration Form from the Capital Budget Department.

F. OFFICE OF ACADEMICS

- *F-1. Agreement between The School Board of Broward County, Florida and Inverrary Medical Investors, LLC d/b/a Life Care Center at Inverrary
(Approved)

Approved the New Agreement between The School Board of Broward County, Florida and Inverrary Medical Investors, LLC d/b/a Life Care Center at Inverrary. The contract period is September 1, 2013 through August 31, 2014.

Currently there are 1,062 Career and Technical Education high school and adult postsecondary students district-wide that are enrolled in Health Science Education Programs that participate in clinical learning experiences through contractual agreements with hospitals, nursing homes, and other healthcare related facilities. The agreement with Inverrary Medical Investors, LLC d/b/a Life Care Center at Inverrary provides clinical experiences necessary to meet Florida Department of Education mandated student performance standards. This agreement also addresses the requirements of regulatory agencies for students to qualify for certification/licensure examinations upon program completion.

Inverrary Medical Investors, LLC d/b/a Life Care Center at Inverrary is fully licensed, accredited, and approved for Medicare/Medicaid patients. This nursing home received above average/average ratings, in accordance with the United States Government Medicare/Medicaid standards, in the areas of Health Inspections, Nursing Home Staffing, and Quality Measures.

In accordance with a School Board request, staff in the Career, Technical, Adult and Community Education Department developed a survey to measure the effectiveness of the clinical experience. When this agreement has been fully executed by Inverrary Medical Investors, LLC d/b/a Life Care Center at Inverrary and the School Board, clinical experiences will be scheduled. The survey will be completed by students, Health Science teachers, and selected staff of the facility after the completion of the clinical experience.

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

There is no financial impact to the district.

F-2. Amendment to Contract with State of Florida, Department of Health – Dating Matters Initiative (Approved)

Motion was made by Mrs. Rupert, seconded by Dr. Osgood and carried, to approve contract amendment – Dating Matters Initiative – with State of Florida, Department of Health. Mrs. Freedman was absent for the vote. (8-0 vote)

The purpose of the program, *Dating Matters: Strategies to Promote Healthy Teen Relationships*, is to build local public health capacity to establish a comprehensive community-wide teen dating violence prevention initiative that focuses on 11-14 year olds to promote respectful, non-violent dating relationships among youth in high-risk urban communities. This is year three of the five-year initiative.

Middle Schools participating in the initiative include: Attucks, Crystal Lake, Deerfield Beach, Gulfstream, Lauderdale Lakes, Lauderdale Hill, McNicol, Olsen, Pompano Beach, Rickards, Silver Lakes, and William Dandy.

High Schools participating in the initiative include: Blanche Ely, Boyd Anderson, Coconut Creek, Deerfield Beach, Dillard, Hollywood Hills, Northeast, Piper and South Broward.

This amendment's provisions will allow redirection of allocations between line items in the budget not to exceed 20% of the total contract budget, subject to written approval of Florida Department of Health in Broward County.

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

This amendment will be executed after School Board approval.

There is no additional financial impact to the district.

Mrs. Rupert discussed the feeder pattern for Margate Middle School and inquired why they are not participating in this initiative. She indicated that the need is there in this community.

Amalio Nieves, Director, Cultural Outreach & Prevention, responded that staff reached out to Margate and there were concerns with implementing the model there, getting the teachers trained in order to put the strategy forward.

Mrs. Rupert stated that she spoke with the community following her discussion with staff that Margate would be included in the initiative. She requested that in the future, the Board be provided with an update regarding these initiatives.

Mr. Nieves responded that staff will reach out to them again and offer the resources; it would not be under the level of the grant because the grant speaks only to the specified schools. Concurring with Mrs. Rupert that Margate was one of the specified schools last year, Mr. Nieves stated that sometimes schools will respond and work with staff and sometimes the schools will decline. At a minimum, Mr. Nieves stated that all schools are offered the Safe Dates curriculum.

Mr. Runcie stated that a commitment was expressed to deliver a certain service at the school and it happened for a number of valid reasons. The Superintendent stated the challenge is that he and Board Members are in the community communicating things that have changed. Mr. Runcie further stated it was not intentional by staff, but better communication is needed when this information changes.

G. OFFICE OF HUMAN RESOURCES

***G-1. Personnel Recommendations for Instructional Appointments and Leaves for 2013-2014 School Year (Approved)**

Approved the personnel recommendations for the 2013-2014 reappointments as listed in the Executive Summary and respective lists for instructional staff. All recommendations are made with the understanding that these individuals will comply with regulations/policies as set forth by the Florida Department of Education and The School Board of Broward County, Florida. The teacher approvals on this G-1 item are teachers in subject areas for which there is no surplus and/or layoff teacher in that certification area that could be placed in these positions.

The Personnel Recommendations for Instructional Employees include the following items:

1. Teacher Approvals
2. Instructional Leaves

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

*G-2. Personnel Recommendations for Instructional Separation of Employment or Discipline for the 2013-2014 School Year (Approved)

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

The Personnel Recommendations for Instructional Employees include the following items:

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

There will be no financial impact to the school district.

G-3. Personnel Recommendations for Non-Instructional Appointments and Leaves for the 2013-2014 School Year (Approved as Amended)

Motion was made by Mrs. Rupert, seconded by Mrs. Good and carried, to approve the personnel recommendations for appointments and reassignments as listed on the Executive Summary, respective lists and individual appointments for Non-Instructional Employees. All recommendations are made pending security clearance and with the understanding that these individuals will comply with regulations/policies as set forth by the Florida Department of Education and The School Board of Broward County, Florida. This item was amended to withdraw page 16 from Section 6; add pages 18-22 to Section 6; add pages 23-28 to Section 8. Mrs. Freedman voted "no." (8-1 vote)

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

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

10. School-Based/District Managerial/Professional/Technical Leave(s) – Layoff(s)
11. Salary Adjustment

Funding has been budgeted in the 2013-2014 school/fiscal year for all appointments through June 30, 2014.

Referring to page 11, Mrs. Rupert requested a rationale for the salary of the Medical Claims Manager position, \$62,400, a salary less than the Claims Adjuster, page 13, (\$83,370).

Amanda Bailey, Acting Chief Human Resources Officer, informed that it is based on what the candidate already possesses, including salary, and the candidate's skills and experience is then applied based on an analysis done of current positions. The internal analysis is being compared to all the new hires and the external analysis is based on the actual position compared to locality and nationally. The medium salary is used for the external analysis.

Mrs. Freedman stated that she will not be supporting the Worker's Compensation portion of this agenda item.

Mr. Moquin informed that the Board was concerned about the transition and that not all compensation hires were coming in at the same time. Mr. Moquin stated that all of the positions have been filled, with the exception of two, who have been sourced and identified and will be presented on September 3, 2013. Mr. Moquin further stated that the Board should be beyond the conversation of the risks associated with the transition and should be supporting these positions.

Remarking that the district is in a very good position to transition on October 1, 2013, Mr. Moquin stated that the projections and analysis was shown to the Board of transitioning to a self-administrated model and that it was going to be cost neutral. Today, the district is below cost neutral; currently, all the individuals have been hired at below the mid-point, with the exception of one individual, which is \$370,000 below projection.

Mr. Moquin further stated that while the positions and their pay bands represent the hierarchy of the organization, the district's guidelines were followed in hiring these individuals and are based on current salary, previous years of experience, and what can be afforded in terms of a pay increase. Mr. Moquin was pleased with the transition and recognized Mrs. Freedman's position on the business decision as a whole.

Responding to Mrs. Korn's inquiry about the 11 new hires, Mr. Moquin stated that as a whole there were 28 positions total; 23 above the line (Organizational Chart) and five that are below the chart. All of the 23 positions are before the Board, except for two, and those individuals have gone through additional interviews and additional candidates have been identified. One has accepted the position and could not be presented to this Board meeting, and in the other position, the compensation is being discussed and going through the process, and getting the Superintendent's approval. On September 3, 2013, the Board will have all the positions.

Regarding the below-the-line positions, Mr. Moquin stated that two were already in-house and transitioning to the unit, and the other three individuals have been interviewed and identified and they will begin on September 3, 2013, with the rest of the department.

Mrs. Korn stated there is a comfort level when the training begins that it is going to be successful, based on current hiring.

Mr. Moquin concurred.

The following individual addressed this item:

Robert Mayersohn

Following the vote on the item, newly appointed district personnel were congratulated and recognized by Mrs. Bartleman, Mrs. Rich Levinson (on behalf of Mrs. Freedman), Mrs. Leach, and Ms. Murray.

- *G-4. Personnel Recommendations for Non-Instructional Separation of Employment or Discipline(s) for the 2013-2014 School Year
(Approved as Amended)

Approved the personnel recommendations for separation of employment or discipline as listed on the respective lists for Non-Instructional staff. All recommendations are made with the understanding that these individuals will comply with regulations/policies as set forth by the Florida Department of Education and The School Board of Broward County, Florida. This item was amended to replace page 1 to Non-Instructional Resignations and page 4, Non-Instructional Terminations.

The Personnel Recommendations include the following items:

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

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

There is no financial impact to the school district.

*G-5. Supplemental Pay Positions – List #4 (Approved)

Approved the recommended supplemental pay positions of employees for the 2013-2014 school/ fiscal year.

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

The Supplemental Pay Positions include the following type of supplements: Secondary department chairpersons high school; secondary department chairpersons and/or team leaders middle school; elementary grade level chairpersons and/or team leaders; athletic supplements; general supplements; and special supplements for the 2013-2014 school year.

Individuals listed meet the requirements for the supplemental positions.

Funding has been budgeted in the 2013-2014 school/ fiscal year for all supplements through June 30, 2014.

H. OFFICE OF THE GENERAL COUNSEL

I. OFFICE OF THE SUPERINTENDENT

I-1. Request to Move the September 4, 2013 Special School Board Meeting for Expulsions and the Regular School Board Meeting to September 3, 2013
(Approved)

Motion was made by Mrs. Rupert, seconded by Mrs. Korn and carried, to approve the request to move the September 4, 2013 Special School Board Meeting for Expulsions and the Regular School Board Meeting to September 3, 2013. Mrs. Freedman was absent for the vote. (8-0 vote)

Offices and schools are closed in observance of Rosh Hashanah on September 5, 2013. This holiday will begin at sundown, September 4, 2013. Therefore, we are requesting to move the September 4, 2013 Special School Board Meeting for Expulsions and the Regular School Board Meeting to September 3, 2013.

The District will appropriately notice the date change for both meetings.

There is no financial impact to the district.

Mrs. Rich Levinson spoke about the item coming forward to request a change of the September 4, 2013 Board Meeting scheduled on the evening of Rosh Hashanah. This is a request to change the meeting to Tuesday, September 3, 2013, even though it is the day after a holiday. Mrs. Rich Levinson stated that having the meeting on Tuesday is a working and school day, and it will not get in the way of anyone's observances.

Mrs. Good requested that in the future, when changes are made, that the Board be polled ahead of time because plans are made for long holiday weekends.

Concurring, Mrs. Leach inquired whether there is another option to move the meeting to the following week since there is two holidays in one week.

Mrs. Bartleman suggested that Board Members submit their questions to staff prior to the meeting. She stated that this occurs every year with the Jewish holiday, regarding homework and schedules.

Following Board discussion regarding re-scheduling, Mr. Carland informed that a Special Meeting/Expulsions hearing is scheduled for the 4th and September 10, 2013 will be outside of the 90-day statutory requirement in entering a final order. Mr. Carland stated that the 3rd would also be an appropriate date.

Mrs. Rich Levinson concurred that staff review the calendar in order to avoid conflicts in the future.

J. **OFFICE OF FACILITIES & CONSTRUCTION**

K. **OFFICE OF FINANCIAL MANAGEMENT**

L. **OFFICE OF PORTFOLIO SERVICES**

*L-1. **Grant of Utility Easement to Florida Power and Light for South Broward High School** (Approved)

Approved the grant of a Utility Easement to Florida Power and Light (FP&L) to provide a new stand-alone electrical service at South Broward High School.

The proposed Utility Easement is required by FP&L to provide a stand-alone electrical service sufficient to feed the new Aquatic Center currently under construction at South Broward High School. This new electrical service takes into consideration future growth and will augment the service availability of the overall site.

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

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

- *L-2. Termination of Lease and Mutual Release Agreement between The School Board of Broward County, Florida, and the Town of Davie
(Approved)

Approved the Termination of Lease and Mutual Release Agreement between The School Board of Broward County, Florida (SBBC) and the Town of Davie.

SBBC and the Town of Davie entered into a Lease Agreement dated October 21, 2003, which relates to the certain premises in the building known as the Boys and Girls Club located at 6596 Nova Drive, Davie, Florida. SBBC and the Boys and Girls Club of Broward County, Inc., have entered into an agreement of Purchase and Sale for the 18,257 square foot building and improvements located at 6596 Nova Drive, Davie, Florida, which was approved at the April 23, 2013 SBBC Board Meeting. The termination of this lease is a condition which must be satisfied per the terms of the Purchase and Sale Agreement between SBBC and the Boys and Girls Club of Broward County, Inc. This lease shall be terminated as of the closing date of the sale of the subject property.

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

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

OPEN ITEMS

AA. RESOLUTIONS

BB. BOARD MEMBERS

CC. BOARD POLICIES

CC-1. Policy 6607 – Refund of Post Secondary/Adult Program Fees (Adopted)

Motion was made by Mrs. Bartleman, seconded by Mrs. Rupert and carried, to adopt revision of Policy 6607, at this final reading. Mrs. Freedman was absent for the vote. (8-0 vote)

A committee was created to revise the policy in an effort to align it with the District's current organizational structure and address recommendations from the Council on Occupational Education (COE) accreditation findings.

The revisions were discussed at the April 29, 2013 School Board Workshop, the May 30, 2013 Public Rule Development Meeting, and the June 26, 2013 School Board Workshop. First Reading of the Policy was approved at the July 23, 2013 Regular School Board Meeting.

There is no financial impact to the district.

No discussion was held on this item.

CC-2. Revised Job Description for the Position of Director, Minority Success (Approved as Amended)

Motion was made by Dr. Osgood, seconded by Mrs. Rupert and carried, to approve the proposed revision to the Director, Minority Success, job description. This is the first reading. Approval is requested to advertise for the position after the first reading. This motion was superseded by Motions to Amend (page 25). Mrs. Freedman was absent for the vote. Mrs. Rupert voted "no." (7-1 vote)

Revising the job description of the Director, Minority Success, will support the District's ability to obtain a greater number of qualified applicants during the hiring selection process. See Executive Summary.

There is no financial impact to the district.

Referring to the Job Description, Additional Qualification, Required, Mrs. Bartleman inquired about the removal of verbiage:

Certificate in educational administration of supervision to Preferred.

Mrs. Bartleman said she was surprised that the district cannot find anyone that is certified in educational leadership in the state of Florida.

Michaëlle Valbrun-Pope, Executive Director, Student Support Initiatives, responded that the position generated quite a bit of interest within the state and outside the state. It is not a requirement for the district's directors to have educational leadership, but it was placed in that section because she wanted that requirement. Mrs. Valbrun-Pope stated that the advertisement generated 72 applications and she noted there was potential for individuals who did not have educational leadership certification to be considered. It is inclusive of those individuals that have it as well as those who do not, who would qualify for the position.

Mrs. Valbrun-Pope further stated that the individuals will have a degree in education or in a related field, or area. This would include individuals with degrees in higher education, areas related to minority success.

Mrs. Bailey stated that qualified candidates were being sought who worked in urban environments, serving minority population of students, showing achievement, growth in a program that specifically served minority students. It was not limited to a specific area of study.

Mrs. Leach questioned the minimum requirement being a bachelor's degree without any degree required in education, with the yearly salary range of \$140,000. Mrs. Leach requested removing educational leadership and to have the minimum qualification be a master's degree.

Mrs. Bailey responded that staff tried to keep to a consistent format, as reflected by consensus by the Board; to have a combination of education and experience provided.

Motion to Amend (Failed)

Motion was made by Mrs. Leach, seconded by Mrs. Rupert, to include a master's degree as a minimum qualification. Mrs. Freedman was absent for the vote. Mrs. Leach and Mrs. Rupert voted "yes." Mrs. Bartleman, Mrs. Good, Mrs. Korn, Ms. Murray, Dr. Osgood and Mrs. Rich Levinson voted "no." (2-6 vote)

Mrs. Rich Levinson stated she was interested in broadening the applicant pool, as the goal is to find the best person, and not a degree.

Mrs. Rupert stated that she will not vote on the job description as presented. She stated that the district's curriculum is top notch and there are certain at-risk groups that need extra help. Mrs. Rupert further stated that educational challenges can be tied in with curriculum and securing the right person with a master's degree, with an emphasis in special education, would help the district in that capacity.

Concurring, Mrs. Valbrun-Pope stated she is responsible for bridging the achievement gap that is present with the district's sub-groups, and she wants someone in this position that can move minority students. It is about finding the right person, and of the 73 applicants it has been narrowed down to 25 candidates.

Dr. Osgood stated she is seeking an individual who will work collaboratively and bring in and identify those that have the expertise in the area, and someone that will engage the community. Dr. Osgood further stated that the district should be given the opportunity to find as many applicants as possible and not make an advanced degree mandatory. She does not want the focus so streamlined that perhaps someone might be overlooked as the right person.

Mr. Runcie spoke about Tim King, Founder and CEO of Urban Preparatory Academy in Chicago, a school that graduates 100% of black male students. Mr. King is an attorney and got an education job, and if he applied for the job he would be told he does not have the qualifications.

Mrs. Good stated that the district needs to have as much flexibility as possible, and what is critical is that the individual has experience working and serving with minority students, understanding their challenges and moving them in a positive manner.

Mrs. Good requested that the verbiage under Minimum Qualifications, Experience, successful work experience within urban environments serving minority students also appear under Preferred Qualifications, Experience.

Dr. Osgood suggested replacing the word "design" with implement under sentence 1, under the Job Description.

A vote was taken on the Motion to Amend.

Mrs. Rupert suggested the following motion:

Second Motion to Amend (Carried)

Motion was made by Mrs. Rupert, seconded by Dr. Osgood and carried, to amend Job Description - Essential Performance Responsibilities: replace the word "design" with implement under sentence 1. Mrs. Freedman was absent. (8-0 vote)

A vote was taken on the Second Motion to Amend.

The following individual addressed this item:

Rhonda Ward

A vote was taken on the item as amended.

CC-3. Policy 5.5: Attendance (Adopted)

Motion was made by Mrs. Rupert, seconded by Mrs. Korn and carried, to adopt the proposed revision to Policy 5.5: Attendance at this final reading, for 2013-14 implementation. Mrs. Freedman was absent for the vote. (8-0 vote)

Policy 5.5 was revised by the District Attendance Committee. The Legal Department provided direction on the shaping of the language for the proposed changes. Changes include clarifying language for excused absences and make-up work, definition of dependent student and responsibility to establish independence; and as directed by the Board, removed the 5-days notification required for excusal for special events. The revised section of the policy was presented at the School Board Workshop on June 10, 2013, and as a part of the Code of Student Conduct Workshop presentation on April 16, 2013, May 9, 2013, and May 28, 2013.

Policy 5.5 was approved by the Board at its first reading on August 6, 2013.

There is no financial impact to the District.

No discussion was held on this item.

DD. OFFICE OF THE CHIEF AUDITOR

EE. OFFICE OF STRATEGY & OPERATIONS

EE-1. Grant Applications – Post-submission (Approved)

Motion was made by Mrs. Korn, seconded by Mrs. Rupert and carried, to approve the submission of the following grant applications: Mrs. Freedman was absent for the vote. (8-0 vote)

- A. School Leadership Grant, \$2,880,022
- B. Title I, Part C Basic: Education of Migratory Children, \$150,622
- C. Title I, Part D: Neglected & Delinquent Youth, \$696,020

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

The positive potential financial impact, if funded, is \$3,726,664 from various sources. There is no additional financial impact to the district.

Mrs. Korn requested staff to provide the Board with the results of this grant following its completion, its success and challenges.

Mr. Woods noted that staff is in the process of filling the Grants Director position and once the position is filled, a review will be made of the grants process.

Mrs. Rupert recognized the opportunity for Markham Elementary School in the Title I, Part C Basic: Education of Migratory Children, \$150,622 grant.

Mrs. Rich Levinson thanked Sharon Moffit, Ph.D., Director, Leadership Development, and the Talent Development staff for applying for another grant that helps the district with leadership.

EE-2. Dairy Council of Florida Breakfast Expansion Program Grant
(Approved)

Motion was made by Mrs. Bartleman, seconded by Mrs. Rupert and carried, to approve the Letter of Agreement from the Dairy Council of Florida 2013/2014 Florida School Breakfast Expansion Program. Mrs. Freedman was absent for the vote. (8-0 vote)

The letter of agreement from the Dairy Council of Florida will award food service equipment totaling \$36,645 to be located at the following four (4) school sites: Blanche Ely High, Deerfield Beach Middle, Pompano Beach Middle, and Fairway Elementary School.

The goal of the Food and Nutrition Services Department is to encourage students to eat a healthy and nutritious breakfast meal. The breakfast expansion program provides an opportunity for the participating schools to create, enhance, and expand serving sites. These additional serving areas will provide students access to wholesome satisfying and affordable meals in a new and different way that promotes a healthy school environment.

The cost of the food service equipment will be funded by the Dairy Council of Florida and the equipment will become the property of The School Board of Broward County, Florida.

This contract will be executed after School Board approval.

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

The costs of the equipment will be funded by the Florida Dairy Council. There is no financial impact to the district.

Responding to Mrs. Bartleman's inquiry, Mary Mulder, Director, Food & Nutrition Services, stated there are 60.59% of children participating in the Free & Reduced Lunch program.

Mrs. Bartleman stated that of this percentage only 19% of students are actually taking advantage of the breakfast program. Speaking of the research and benefits of students eating breakfast, Mrs. Bartleman highlighted the existing programs, Grab and Go and the Breakfast in the Classroom pilot. Participating schools and principals were recognized, and principals and schools under this grant will be participating in the Grab and Go in the future.

Mrs. Bartleman, who praised the grant from the Dairy Council, stated that there are other grants available and principals who are interested in these grants can contact the Food & Nutrition department.

Mrs. Rupert congratulated the schools who were awarded this grant.

Dr. Osgood informed that 9th graders at the Lauderhill 6-12 Academy will be implementing pancake breakfasts on Fridays.

EE-3. Bid Recommendation \$1,000,000 or Greater – 14-006V – Portable Two-Way Radios, Repeater, and Accessories (Approved)

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

| <u>BID</u> | <u>TITLE</u> | <u>LOCATION</u> | <u>AMOUNT</u> |
|------------|---|-----------------|---------------|
| 14-006V | Portable Two-Way Radios Repeater, and Accessories | Various | \$2,000,000 |

The portable two-way radios covered by this contract are intended for use by all schools in routine administrative/utility type communication applications. These radios have been upgraded to meet the FCC digital requirements.

Board approval of this bid recommendation does not mean the amount shown will be spent. This amount represents the estimated contract value through the term of this contract and purchases may be made from available funds in various school and center budgets.

All expenditures for this contract will come from existing approved school and center budgets. Staff will provide a report to the School Board semi-annually detailing expenditures by contract.

No discussion was held on this item.

EE-4. Pre-Qualification of Contractors – Approval of Appeal and Issuance of Certification (Approved)

Motion was made by Mrs. Korn, seconded by Mrs. Rupert and carried, to approve the recommendations of the Superintendent indicated in Exhibit 2. Mrs. Freedman was absent for the vote. (8-0 vote)

The Pre-Qualification Application process is in accordance with State Requirements for Educational Facilities (SREF), F.S. 1013.46, and Board Policy 7003. This item approves the appeals of previous recommendations based upon the submission of additional documentation by the applicants. In accordance with Florida Statute and Board Policy, this must be expedited. Further explanation is provided in Exhibit 1.

The Qualification Selection Evaluation Committee (QSEC) convened on August 14, 2013, to review staff's recommendations in response to the applicants' appeals. Upon review of staff's recommendations, QSEC makes the recommendations to the Superintendent of Schools indicated in Exhibit 2.

Contractor Pre-Qualification Staff Application Review Executive Summaries are available for review at the Supply Management & Logistics Department.

There is no financial impact. This item is not affecting the overall budget; therefore, it does not require a Collaboration Form from the Capital Budget Department.

No discussion was held on this item.

FF. OFFICE OF ACADEMICS

- FF-1. Agreement between The School Board of Broward County, Florida and Helping Abused, Neglected, Disadvantaged Youth, Inc., (HANDY)
(Approved)

Motion was made by Mrs. Korn, seconded by Mrs. Rupert and carried, to approve the Continuation Agreement between The School Board of Broward County, Florida and Helping Abused, Neglected, Disadvantaged Youth, Inc., (HANDY). The contract period is September 1, 2013 through June 30, 2014. Mrs. Freedman was absent for the vote. (8-0 vote)

Helping Abused, Neglected, Disadvantaged Youth, Inc., (HANDY) has been awarded a partnership in the amount of \$13,600, to implement the Life Skills component of the Innovative Concepts (iCon) Program funded by the Workforce Investment Act Grant (WIA) through the Broward Workforce Development Board. The iCon Program operates at eight Broward County High Schools: Blanche Ely, Boyd Anderson, Deerfield Beach, Dillard, Hallandale, McArthur, Plantation, and Stranahan and serves at risk juniors and seniors. Life Skills instruction will be provided during the afterschool iCon Program for one hour per day, one day per week for 17 weeks at each of the iCon Program schools.

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

There is a financial impact of \$13,600 to the district. The source of funds is the Workforce Investment Act Grant. There is no additional financial impact to the district.

No discussion was held on this item.

- FF-2. Road to Child Outcomes Contract between the Early Learning Coalition (ELC) of Broward County, Florida and The School Board of Broward County, Florida (SBBC)
(Approved)

Motion was made by Mrs. Korn, seconded by Mrs. Rupert and carried, to approve the Road to Child Outcomes Contract between ELC of Broward County, Florida and SBBC. Mrs. Freedman was absent for the vote. (8-0 vote)

The Early Childhood Education (ECE) Department submitted a proposal in response to the ELC's Intent to Negotiate (ITN). The ELC awarded the District's ECE Department the grant to support external Childcare providers in the Southern Cluster of Broward County who serve children birth to five-years-old, not yet enrolled in kindergarten.

This is a new contract between the ELC of Broward County, Florida and SBBC. Through this Contract, SBBC will provide direct services to approximately 70 classrooms impacting over 900 children in the community. The major program goal of supporting high quality care and education will be implemented with a focus on the child, family, and teacher and learning environment.

This contract has been reviewed and approved as to form and legal content by the Office of the General Counsel. The ELC will sign this contract following the School Board approval.

The positive financial impact to the district is \$827,894. The source of funds is the ELC. There is no additional financial impact to the district.

Mrs. Korn stated this the first time the School Board is getting involved in this grant, and it puts the district closer to early learning education. She was pleased that the Early Learning Coalition sought value in the application submitted by staff.

GG. OFFICE OF HUMAN RESOURCES

HH. OFFICE OF THE GENERAL COUNSEL

HH-1. Settlement Agreement with U.S. Security Associates, Inc., Concerning Services Provided under the Contract Awarded under Bid 27-013T – Security Guard Services (Approved)

Motion was made by Mrs. Rupert, seconded by Dr. Osgood and carried, to approve the Settlement Agreement with U.S. Security Associates, Inc., concerning services provided under the contract awarded under Bid 27-013T – Security Guard Services and to authorize the Superintendent to execute any related settlement documents. Mrs. Freedman was absent for the vote. (8-0 vote)

U.S. Security Associates, Inc., (“U.S. Security”) contacted the Supply Management & Logistics Department demanding the payment of \$66,931.48 under pending invoices. A district internal audit determined that \$42,583.37 was due and owing under the invoices, but disputed \$24,348.11 of the pending charges. In addition, the audit suggested that \$129,043.55 in charges under invoices that had earlier been approved and paid were not in compliance with contract terms or were paid without supporting documentation furnished to SBBC worksites, such as security guard time logs, as required by contract.

The Office of the General Counsel sent a demand letter to U.S. Security (Exhibit 1) seeking a reduction in the amounts of the pending invoices and a net refund of \$86,460.18. U.S. Security has responded (Exhibit 2) stating that the earlier invoices had been approved and paid by the district and cited legal authority for a defense that the school district waived any claims under the prior invoices. It also cited district audit findings that the contract "was not properly managed by District Administration" and that the Board had "inadequate internal controls."

U.S. Security has offered to settle all disputes under the contract upon the payment by the school district to U.S. Security of \$42,583.37 (the amount found in the internal audit to be billable under the pending invoices) and an exchange of releases. Unlike current district bidding documents and contract templates, the contract was based upon earlier versions of bidding documents which permitted an award of attorney's fees upon default and did not preclude waiver defenses.

Approval of the Settlement Agreement (Exhibit 4) will reduce the sums payable upon the pending invoices by \$24,348.11 (36%), resolve all disputes pending between the parties, and eliminate a potential award of attorney's fees against the district if litigation were instituted by U.S. Security to recover upon the unpaid invoices. U.S. Security has agreed to extend through August 31, 2013 the period within which The School Board may accept the settlement proposal. If its settlement offer is not accepted, U.S. Security states that it will institute suit against The School Board for its full invoiced amount of \$66,931.48, pre-judgment interest and attorney's fees.

If approved, the settlement proposal would result in an expense to the school district in the amount of \$42,583.37.

No discussion was held on this item.

HH-2. Special Counsel Services Agreement by and Between The School Board of Broward County, Florida and Bryant Miller Olive, P.A. (Withdrawn)

Mr. Runcie requested the withdrawal of this item.

II. OFFICE OF THE SUPERINTENDENT

- II-1. Florida Atlantic University Cost-Reimbursable Research Agreement #SRJ07: Race to the Top Job-embedded Principal Preparation Program-FAU-BCPS Principal Rapid Orientation and Preparation in Educational Leadership (PROPEL) Program (Approved)

Motion was made by Mrs. Korn, seconded by Mrs. Rupert and carried, to approve to amend the original agreement (3/6/12) to: Approve Florida Atlantic University Cost-Reimbursable Research Agreement #SRJ07: Race to the Top Job-embedded Principal Preparation Program-FAU-BCPS Principal Rapid Orientation and Preparation in Educational Leadership (PROPEL) Program. Mrs. Freedman was absent for the vote. (8-0 vote)

Florida Atlantic University's College of Education Department of Educational Leadership and Research Methodology (ELRM), in partnership with Broward County Public Schools' Office of Talent Development, was awarded \$3,500,000 Race to the Top *Job-embedded Principal Preparation Program* grant from the Florida Department of Education. The grant is entitled *Principal Rapid Orientation and Preparation in Educational Leadership (PROPEL) Program*.

Over the term of the three-year agreement, each partner will receive 50 percent of the funds, equal to \$1,750,000. For the 2011-12 school year, \$439,990 was approved in the original subcontract as approved by The School Board on March 6, 2012. The first amendment was approved on August 21, 2012 and provided for Year #2 of the Grant. Amendment #2 allows for BCPS' 2013-14, Year #3, portion of funds totaling \$468,468. This completes the total allocation of \$1,750, 000.

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

The positive financial impact to the district: \$1,750,000. The three-year project is funded through a subcontract from FAU who is the fiscal agent for the Florida Department of Education's Race to the Top Fund.

No discussion was held on this item.

- II-2. Agreement between Florida International University and The School Board of Broward County, Florida (Approved)

Motion was made by Mrs. Rupert, seconded by Mrs. Leach and carried, to approve the Agreement between Florida International University and The School Board of Broward County, Florida, to enter into an inter-institutional agreement. Mrs. Bartleman was absent for the vote. Mrs. Freedman voted "no." (7-1 vote)

Florida International University will offer dual enrollment courses on the designated consortium campus for the following high schools: Piper, Coral Springs, and Plantation. This arrangement will provide an opportunity for students to complete university level courses necessary to complete a four-year degree, while also completing a high school diploma.

The financial impact to the district is \$43,000. Piper High School will supply funds from their operating budget. There is no additional financial impact to the district.

Enid Valdez, Principal, Piper High School, introduced Jorge Zumaeta, Director, University College Academic Affairs, Florida International University.

Dr. Zumaeta spoke about working in the dual-enrollment courses partnership with Piper High School.

Ms. Valdez introduced her leadership team who worked on this partnership; Assistant Principal Christine Cerbone and Assistant Principal Patrick Lowe. She thanked Cynthia Park, Director, College and Career Readiness, for working with her tirelessly on the institution of this contract.

Ms. Valdez spoke of the benefits and criteria of this partnership to students, and was hopeful that this innovation will expand throughout Broward schools.

Mrs. Bartleman thanked FIU for this exciting partnership being brought to the community, which will provide students with a rigorous and high quality initiative.

Mrs. Freedman stated that there are no requirements for the program other than the students having a 3.0 GPA, and voiced concern that students may not be adequately prepared to take a college level course. She also voiced concern over the cost of the courses (\$43,000).

Ms. Valdez responded that the criteria depends on the course; for certain upper level courses there are the same requirements as, perhaps, another dual enrollment program may require. There is the flexibility of offering numerous courses and, thereby, allowing certain courses at the level that they are being offered to allow that student with good standing academically to be able to enroll.

Ms. Valdez further stated that some schools are required to pay for the other types of dual-enrollment programs and it depends on the specific area that institution is servicing. Due to class size, there is also the requirement to pay for the courses through the teachers that "we" have to give the moneys to. Ms. Valdez stated that students need to be given the flexibility of courses and enrollment.

Mrs. Freedman praised the partnership with FIU and said she understood that the cost would be amongst the three schools. She stated that she would welcome the program being offered at District 4 (tape unintelligible).

Dr. Osgood stated that whatever initiative is presented at one school will lead to partnerships, so this initiative can be made available to the other schools, when looking at communities. She stated that dual enrollment is specific as to requirements and as the district focuses on students being college and career ready, college opportunities must be created at this time for children in the middle school and high school levels.

Mrs. Rich Levinson thanked Ms. Valdez, Mrs. Park, and FIU for bringing this opportunity to students.

The following individual addressed this item:

Rhonda Ward

JJ. OFFICE OF FACILITIES & CONSTRUCTION

- JJ-1. Termination of the Interlocal Agreement between Broward County and The School Board of Broward County, Florida, to Install a 10 KW Photovoltaic System at New Renaissance Middle School, Miramar – Project No. P.001416 (f.k.a.3911P001416) and Authorize Superintendent to Provide Written Notice (Withdrawn)

KK. OFFICE OF FINANCIAL MANAGEMENT

LL. OFFICE OF PORTFOLIO SERVICES

- LL-1. First Amendment to the Lease Agreement (Approved)

Motion was made by Dr. Osgood, seconded by Mrs. Rupert and carried, to approve the First Amendment to the Lease Agreement. Mrs. Freedman was absent for the vote. (8-0 vote)

The School Board of Broward County, Florida (SBBC) and N/S Sawgrass Office Associates, LLC entered into a Lease Agreement dated September 21, 2010 which enabled SBBC to lease approximately 114,928 square feet of office space at the Sawgrass Technology Park (STP).

The term of the Agreement was for three (3) years with an expiration date of December 31, 2013. Furthermore, the Agreement contained an option for an additional one-time three (3) year renewal term.

At the January 8, 2013 School Board Workshop, the Facility Planning & Real Estate (FP&RE) Department gave a comprehensive presentation on real properties leased by the School Board. The presentation recommended that the SBBC lease of the approximately 114,928 square feet of office space at the STP should not be renewed upon its expiration. There was no objection to this recommendation. Thereafter, at the April 23, 2013 School Board meeting, the Board approved funding for the relocation of departments from the STP site to other SBBC owned facilities.

Due to diligent planning and efforts by District staff, it has become evident that SBBC plans to vacate the STP site by October 15, 2013. The original December 31, 2013 expiration date remains as outlined in the Amendment to the Lease Agreement. Based on this earlier than anticipated departure date, staff negotiated certain mutual concessions between the new owners of the STP site, Fifteen Gap Sawgrass, LLC and the SBBC. The mutual concessions agreed to include partial rent abatements and reduced remediation work required by SBBC. In return SBBC will provide a demolition permit and inspections through the end of the lease term of 12/31/2013. These mutual concessions are further outlined in this First Amendment to the Lease Agreement between SBBC and N/S Sawgrass Office Associates, LLC.

The Fifteen Gap Sawgrass, LLC will execute this Agreement after approval by the Board.

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

There is a positive \$179,239.79 financial impact in rent abatement and additional cost savings to the District in reduced remediation and utility costs of approximately \$81,500. Therefore, this item does not require a Collaboration Form from the Capital Budget Department.

Mrs. Good referred to the First Amendment to Lease Agreement, page 3, (k), Force Majeure and inquired how the district would deal with any delays that occurred and whether there will be a cut off with the demolition permit issued to the landlord, as a result of acts of God.

Michael Marchetti, Project Manager, stated that unless there is an act of God, they would have to show some cause as to the delay and the district would have to fail to get out, or vacate the premises on time, in order to give them time to perform the demolition.

Mr. Marchetti further stated the actual demolition permit will go through the district's Building department; they would submit their own plans and be in conjunction with the code. It is the landlord's application.

Responding to Mrs. Good's inquiry about the application of a new permit, Mr. Marchetti stated if the district vacates and they are still not complete with the demolition, the permit will become void and they would have to go to the city of Sunrise in order to complete their permit. Beyond the termination date of December 31, 2013, the district has no further obligation with the landlord at that time. The clause in the agreement to assist them in that regard has been removed.

Mrs. Good stated that ending the lease is in the best interest of the district, with the amount of dollars being expended. She thanked staff for moving employees to other alternate locations, which was a team effort, including the Building department and their staff.

Mrs. Korn, noting that there will be a savings of up to \$260,000, stated she did not expect additional costs to the district. Mrs. Korn inquired about any risk that may occur.

Mr. Marchetti responded that in discussion with the owner there is a time when there is diminishing returns for both parties. If the deadline is not met by 45 days past the schedule, the district would pay approximately \$3,000. Mr. Marchetti stated that the team structure determined there was enough contingency, if things did not turn out as intended, getting out by December 1st. The risk factor after the 45 days is a remote possibility; the district's goal would have been to have vacated by December 1 so the space could be brought back to its original condition. Mr. Marchetti noted that staff is progressing as scheduled.

Mrs. Rich Levinson thanked the team for their hard work and for their forward thinking, as this project is ahead of schedule and under budget.

The following individual addressed this item:

Rhonda Ward

Adjournment This meeting was adjourned at 5:17 p.m.

RT