

**ORLANDO, FLORIDA
August 27, 2002**

The School Board of Orange County, Florida, met in regular session on Tuesday, August 27, 2002, at 5:41 p.m. Present were: Susan Landis Arkin, chairman; Judge Richardson Roach (arrived at 6:20 p.m.), vice chairman; Barbara T. Rushing, Linda H. Sutherland, Karen Ardaman, Kathleen B. Gordon and school board members; Henry R. Boekhoff, chief financial officer; Frank C. Kruppenbacher and Andrew B. Thomas, school board attorneys; and Ronald Blocker, superintendent.

The Pledge of Allegiance followed the moment of silence.

The chairman announced that any individual who would like to address an item on the agenda could do so by completing the appropriate form at the board table.

Recognitions: Arlene Bridges, director of curriculum services, introduced Amanda Lakraj and Jennifer Blocker, Level III winners of the Modern Woodmen of America Civic Oration Contest. Amanda competed as a student at Arbor Ridge School and Jennifer is a student at Chain of Lakes Middle. Amanda has placed third nationally in the competition and Jennifer is the first place winner in the nation. Both students delivered their award-winning orations and received Awards of Excellence.

Mrs. Bridges introduced Modern Woodmen representative Al Craig, who presented each student with a plaque, ribbon and savings bonds. Each school received a plaque.

Javier Melendez, senior director of recruitment and retention, introduced Pat Engfer, general manager of the Hyatt Regency Hotel and the 2002 chairman of the Central Florida Hotel and Lodging Association. Currently, 24 members of the association provide free lodging to teachers who are new to the district. The total contribution over four years has totaled \$280,000. Mr. Blocker presented a plaque to the association and Mrs. Arkin a Certificate of Appreciation to Mrs. Engfer.

Mrs. Arkin commented that the Central Florida Hotel and Lodging Association is also a partner with Oak Ridge High School's magnet program and is presently working on another partnership, in which their members will adopt schools.

Ms. Engfer reported that over 30 hotels were signed up to adopt schools in the tri-county area and that many teachers had spent a week working in the hotels to learn about the industry. She added that the association supported the half-cent sales tax and had held 24 voter registrations throughout the hotels.

Mr. Blocker introduced the following newly appointed administrators to be approved on the consent agenda: Rhonda Hunt, assistant principal, MetroWest Elementary; Jonathan Meyers, assistant principal, Three Points Elementary; Kathy Long White, assistant principal, Magnolia School; Richard Rizzo, assistant principal, Columbia Elementary; and Leander Brooks, assistant principal, Howard Middle.

Adoption of Agenda: Mr. Blocker requested the following changes to the agenda: changes to 1.1 (August 13, 2002 Board Meeting Minutes); an addendum to 2.1 (Request Approval of Personnel Agenda Dated August 27, 2002, Including the Designation/Creation of Positions to be Filled, the Minimum Job Qualifications for the Positions, Salary Schedules, Appointments and Terminations of Select Personnel) including the teacher termination/suspension for FP; changes to 9.7 (Request Approval to Provide Meals to El Bethel Christian Academy, Future Hope School of Promise and Nehemiah-Sheriff's Faith Based Academy); and the move of 4.5 (Request Acceptance of the State Board of Education's Recommendation to Uphold the Decision to Terminate the Charter for Cyber High Charter School, Inc.) to Nonconsent #1.

The chairman found good cause to amend the agenda as requested.

It was moved Mrs. Sutherland and seconded by Mr. Carrier that the agenda as amended be approved.

The motion passed 6-0 (with Mr. Roach out of the room).

Adoption of Consent Agenda: It was moved by Mr. Carrier and seconded by Mrs. Gordon that the consent agenda as requested be approved.

- Approve Minutes *(Legally Required Board Action)*
1.1 August 13, 2002 – Board Meeting
Human Resources and Operation Issues *(Legally Required Board Action)*
2.1 Request Approval of Personnel Agenda Dated August 27, 2002, Including the Designation/Creation of Positions to be Filled, the Minimum Job Qualifications for the Positions, Salary Schedules, Appointments, and Terminations of Select Personnel as Shown Thereon
Approve Student Expulsions (None) *(Legally Required Board Action)*
Approve Grant Applications *(Legally Required Board Action)*
4.1 Request Approval of Grant Application to Extend the Centers for Disease Control and Prevention (CDC) HIV Prevention Cooperative Agreement
4.2 Request Approval of Contract With the Center for Civic Education to Fund a School Violence Prevention Demonstration Program
4.3 Request Approval to Partner With University of Central Florida on Grant Application for an Area Centers for Educational Enhancement (ACEE) K-12 Partnership
4.4 Request Approval of the Permanent Location of MESTA Charter School at 5370 Silver Star Road
4.5 Request Acceptance of the State Board of Education's Recommendation to Uphold the Decision to Terminate the Charter for Cyber High Charter School, Inc.
(Moved to Nonconsent #1)
Approve Education Services Related Items (None) *(Legally Required Board Action)*
Approve Work Force Education Issues (None) *(Legally Required Board Action)*
6.1 Request Renewal of the Cooperative Agreement With Home Builders Institute
Approve Curriculum/Program Services Issues (None) *(Legally Required Board Action)*
Approve Real Estate Issues (None) *(Board Policy EL6)*
Approve Business and Finance Functions *(Legally Required Board Action)*
9.1 Request Approval of Bids to be Awarded – August 27, 2002
9.2 Request Approval to Renew the Agreement With Employers Mutual, Inc.

- 9.3 Request Approval of Agreement With Florida Hospital Healthcare System, Inc.
- 9.4 Request Approval to Renew the Agreement With Horizon Behavioral Services
- 9.5 Request Approval of Contract Renewal With Albert C. Bailey for Professional Services Involved in Monitoring and Enforcing of the Orange County Public Schools Safety and Loss Prevention Program for School Construction
- 9.6 Request Approval to Renew the Contract With Orange County Government to Provide Food Service for the Headstart Program in Various Locations
- 9.7 Request Approval to Provide Meals to El Bethel Christian Academy, Future Hope School of Promise and Nehemiah-Sheriff's Faith Based Academy
- 9.8 Request Approval of the 2002-2003 Board of Directors of the Foundation for Orange County Public Schools
- 9.9 Request Approval of Public Education Agreement and School Agreement Avalon Associates
- Approve Construction Related Issues *(Legally Required By Law)*
- 10.1 Request Approval of the Certificate of Final Inspection for the Immediate Needs Project at Carver Middle School
- 10.2 Request Approval of the Certificate of Final Inspection for the Immediate Needs Project at Silver Star Center
- 10.4 Request Approval of Facilities and Environmental Services Report to the Board for the Month of July 2002
- Approve Change Orders *(None) (Board Policy EL11/Legally Require Board Action)*
- Approve Legal Issues
- Accept Superintendent's Monitoring Reports *(None)*

The motion passed 6-0, (with Mr. Roach out of the room).

Mr. Blocker stated that the board approved a contract with the Center for Civic Education to fund the School Violence Prevention Demonstration Program. The focus of the Orange County training for the upcoming year will be on eighth grade American History teachers using instructional materials dealing with the Constitution, foundations of democracy and citizenship. He added that this initiative addressed the board's ENDS policy dealing with students having the knowledge of current events in the context of American and World History.

He also stated that the board approved a partnership with the University of Central Florida on a grant application for an area Centers for Educational Enhancement. Since their inception in 1987, Florida's six centers for educational enhancement have offered districts, schools and other institutions throughout the state technical assistance and professional development related to the implementation of the Sunshine Standards and the accountability system. He added that funding from this grant goes directly to the area center, but the district receives the resources and services provided by the Center, which is at UCF.

Mrs. Gordon highlighted 10.1 (Request Approval of the Certificate of Final Inspection for the Immediate Needs Project at Carver Middle School) and 10.2 (Request Approval of the Certificate of Final Inspection for the Immediate Needs Project at Silver Star Center) stating that there appeared to be a one million dollar savings to the district for Carver Middle School and asked whether that was correct.

Mr. Blocker stated that it was correct. He added that this was a team effort by facilities. He commended Bill Kivler and Eric Houston, acting senior facilities director.

Mrs. Gordon asked where the savings from projects were directed.

Mr. Blocker stated that the savings were reinvested into other facilities projects.

Mrs. Sutherland highlighted 9.9. (Request Approval of Public Education Agreement and School Agreement Avalon Associates) stating that Mr. Beat Kahli had been more than generous to the school district.

Beat Kahli, 3909 Cassia Drive, Orlando, Florida, 33328, addressed the board regarding 9.9 (Request Approval of Public Education Agreement and School Agreement Avalon Associates) and stated that he was investing into the community of Avalon Park as well as the schools. He added that the developer would donate land for an additional school in Avalon Park and additional monies in the form of impact fees. He stated that it was very easy working with governmental agencies and none of eleven partnerships he has been involved in had failed. He also stated that the district deserved a yes vote on September 10 for the sales tax referendum in order to improve and maintain the schools.

Mr. Blocker stated that Mr. Kahli had not only met the requirement of the district's policy regarding development and school capacity, but he had also added a little extra by donating the land and sharing in the cost of building the school. He added that Mr. Kahli took a very positive step and hoped that other developers would take responsibility.

Mrs. Sutherland commented that besides being financially generous, Mr. Kahli also dedicated his time and talent to the schools.

Nonconsent #1 – Request Acceptance of the State Board of Education's Recommendation to Uphold the Decision to Terminate the Charter for Cyber High Charter School, Inc.:

Mr. Kruppenbacher stated the Florida Cabinet voted unanimously to deny the Cyber High Charter School appeal and supported the board's decision. He recommended that the board approve this item and updated the board on the latest happenings. He stated that the Seminole County School Board was considering closing Seminole's Cyber High Charter School tonight. He added that OCPS had subpoenaed and requested the records from Alan Friedland and his company regarding what was represented as the purchase, with public dollars, of computer equipment on behalf of the students from Orange County who attended Cyber High Charter School. Mr. Friedland and his company, First Wave Network, through his attorney, objected to the district's request for all information on the grounds that it violates some right to privacy. However, as part of the discovery process the district did receive a piece of paper reflecting a September 6, 2001 invoice to First Wave Network, Alan Friedland's company, from George's Music of Fern Park for the purchase of an amp and mixer for a total cost of \$679.87. Three days later, there was an invoice from Mr. Friedland's First Wave Network to Cyber High for the purchase of that equipment to be paid by the school to his company of \$838.89--or a three day profit of 23%.

Mr. Kruppenbacher stated that the district was advised by the attorney for the Seminole County School Board that Mr. Friedland contacted the vendor for Seminole Cyber High, NovaNet, and

requested that they change the past due balance due to be a bill due from the Orange County Cyber High Charter School and not the Seminole County Cyber High Charter School. NovaNet refused to do this.

Mr. Kruppenbacher added that the district learned that Mr. Friedland filed an affidavit in Orange County court stating that the sales of the computers to Seminole County were in fact approved by Mr. Palvochik, who is Dr. Boekhoff's counterpart in Seminole County. Dr. Palvochik has advised the attorney for Seminole County that he never approved this sale, had refused to sign an affidavit that Mr. Friedland had requested, and that the representation in the affidavit was untrue. He added that he would forward this information to the state attorney and inspector general.

Mrs. Sutherland asked whether it was possible for the district to proceed and file criminal charges.

Mr. Kruppenbacher responded that the matter had been forwarded to the state attorney and inspector general for review. He added that as the district is obtaining information, it would be forwarded to them for review.

Mrs. Rushing stated that there was an article in the newspaper that Mr. Friedland was still trying to get Cyber High Charter School opened in Orange County and asked for clarification on what the district was doing in reference to the cabinet's decision.

Mr. Kruppenbacher responded that the board and Florida Cabinet had competent evidence and the law supported the decision.

It was moved by Mrs. Rushing and seconded by Mrs. Gordon that the approval of the acceptance of the State Board of Education's recommendation to uphold the decision to terminate the charter for Cyber High Charter School, Inc. be approved.

The motion passed unanimously.

Statement of Policy Level Issues the Board Would like to Agenda for Subsequent Meetings or Work Sessions: Mrs. Gordon stated that several of the statements quoted in articles in the newspaper were statements made were at least a month old and she did not know that these statements would be held onto. She read the following: "I want the people in my district and throughout the county to know is how important the half-cent sales tax is to our community.

It's important to our students, who deserve facilities that will help them learn and succeed in school.

And it's important for our neighborhoods, which need strong schools to succeed.

I know many citizens already recognize this, because so many individuals and organizations are supporting the referendum, including elected officials (Homer Hartage, Daisy Lynum, Ernest Page, and Congresswoman Corrine Brown), and organizations like the Classroom Teachers Association, local chambers of commerce, including the African American Chamber of Board

Commerce, and the Superintendent's African American Advisory Committee.

I'm committed to making sure that all schools in my district and throughout the county get the attention they deserve when the sales tax passes.

Since 1999, 43% of the money the district has spent on renovations and repairs has gone to schools where the student population is predominantly African-American - proof that the district is committed to those schools.

Two of the schools in my district, District 5, have already had major renovations--that includes Jones High School and Palmetto Elementary, which is really a brand new school.

The number one school on the project list is Meadowbrook Middle, which is not in my district, but where 73% of the students are black.

Two other schools that are in District 5, Catalina and Sadler, are in the top 15 of the list of projects to be done - but if the sales tax doesn't pass, I'm afraid they won't get done.

The development of the project list was objective - the goal was to take politics out of it. The criteria used to create the list were applied in the same way to all schools in the district, and I support those criteria. I also know that the list is a living document, and it can change, but those changes will still be based on fair, objective criteria.

Obviously I'd like all schools in my district and everywhere in Orange County to be done tomorrow. But what we all have to recognize is that without the sales tax, most of them will get nothing.

Our schools will continue to deteriorate, and our students, our employees and our communities will pay the price.

As always, I want to encourage my constituents to contact me if they have any questions or concerns about the sales tax or any other issue. They can reach me through the School Board at 407.317.3236.

Most of all, I encourage all of my constituents to let their voices be heard by voting on September 10."

Mrs. Rushing requested that the board discuss in the future board meetings being televised from beginning to end.

Mrs. Rushing also stated that she had been out in the community and was getting a positive response to the sales tax. She added that there were a couple of questions people were asking regarding the lottery and if the district really needed the sales tax.

She expressed that she was very proud that the board took the initiative to fix the immediate needs to make sure the schools were safe. She also stated that there was a lack of opportunity for students in older schools and the sales tax would equalize educational opportunities across the county. She added that Congressman Ric Keller announced that he had voted yes for the

sales tax, joining his colleague Congresswoman Corrine Brown.

Mrs. Rushing also requested information on Seminole County School Board's policy regarding cell phones for students.

Mrs. Arkin stated that the information had been in the board update.

Mr. Carrier stated that he was very impressed with how smoothly the opening of school went this year. He added that the district had a lot of programs in place to make sure that students who are beginning to lag behind keep up. He requested information on some of these innovative programs.

Mrs. Arkin requested that on a regular basis, Mr. Blocker include on the board agenda a brief highlight that illustrates the kinds of innovations that are being put into place.

Mrs. Rushing requested that the superintendent's cabinet look at Seminole County School Board's student cell phone policy and find out if they were having any problems.

Mrs. Arkin requested that Mr. Blocker have staff obtain a copy of the Seminole's student cell phone policy and find information about why they initiated it and what the ramifications of it have been.

Mr. Blocker stated that staff would talk with Seminole County and get the information.

Special Order: Ray Bazzi withdrew his request to address the board.

Special Order: Louis Roeder, president, Orange Tree Estate Homes HOA, 7414 Sparkling Lake Road, Orlando, Florida, 32819, addressed the board on the homeowner's appeal of the Universal/DeLucca rezoning and recent, relevant developments since the appeal. He requested that whatever the position of the court might be as to the number of density enhancements Universal is asking for, that the school board go on record as saying the projects should be treated the same when it comes to addressing their individual impacts on local schools. He added that the projects originally had no impact on local schools, but with rezoning, both projects would tremendously impact on already overcrowded schools in the Dr. Phillips area.

Mrs. Arkin stated that the board would be provided more information.

Mrs. Ardaman thanked Mr. Roeder for all of the attention, time and money he had put into this issue. She stated that she, along with the superintendent and Mr. Kruppenbacher, have been carefully monitoring the Universal/DeLucca rezoning. She expressed that she believed that this was very important to the district not only because of the immediate impact it has on schools educationally and financially, but also because of the long term implications on planning. She added that the superintendent had instructed the school board attorney to send a letter to the city to ask for clarification on some of the issues that have been raised as a result of the lawsuit by the Orange Tree Estates HOA. She requested that the board join the superintendent in asking the City of Orlando for clarification.

Mr. Kruppenbacher stated given the ramifications of this issue, it would be prudent to have the

letter reflect that the board and superintendent have asked him to inquire and get answers to certain questions. He added that the district has been receiving different answers which are the reason why the superintendent has requested that the answers be obtained in writing.

Mrs. Arkin requested that Mr. Kruppenbacher, on behalf of the board and superintendent, request written answers from the City of Orlando.

Information and Future Meeting Dates – Superintendent: Mr. Blocker announced that the Government Finance Officers Association sent notification that they were awarding Orange County Public Schools a Certificate of Achievement for Excellence in financial reporting because of the district's sound financial practices. This is the highest form of recognition in the governmental accounting and financial reporting arena, and its attainment represents a significant accomplishment by a government and its management. In their letter they stated that they hoped the district's example would encourage other governmental officials in their efforts to achieve and maintain an appropriate standard of excellence in financial reporting. He added that the Government Finance Officers Association is a non-profit professional association serving approximately 14,000 government and finance officials with offices in Chicago and Washington, D.C.

Mr. Blocker announced the following upcoming meetings:

September 10, 2002	3:30 p.m.	Work Session (cancelled)
September 10, 2002	5:30 p.m.	Board Meeting (cancelled)
September 17, 2002	6:00 p.m.	Board Meeting
September 17, 2002	7:00 p.m.	Final Public Hearing on Budget
September 24, 2002	3:30 p.m.	Work Session
September 24, 2002	5:30 p.m.	Board Meeting
October 8, 2002	3:30 p.m.	Work Session
October 8, 2002	5:30 p.m.	Board Meeting
October 22, 2002	3:30 p.m.	Work Session
October 22, 2002	5:30 p.m.	Board Meeting

Mr. Blocker also distributed the 2001-2002 SAT results.

Reports by Attorneys: Mr. Kruppenbacher announced that the district received a lawsuit filed by Doug Guetzloe. He advised that the board members speak to no one regarding this issue.

Mr. Carrier requested that the superintendent explain about overcrowded classrooms and buses.

Mr. Blocker stated that the district could not predict with total accuracy how many students will show up from any given neighborhood at any given school in the first two weeks of school. Therefore, the district makes necessary adjustments to both bus routes and classrooms after the 10th day recalculations.

The meeting adjourned at 7:45 p.m.

Chairman

Secretary

dmm