

**NON CONSENT
ITEM 3**

**ORLANDO, FLORIDA
April 13, 2004**

The School Board of Orange County, Florida, met in regular meeting on Tuesday, April 13, 2004 at 5:37 pm. Present were: Berton R. Carrier, chairman Timothy Shea, vice chairman, Joie Cadle, Judge Richardson Roach, Karen Ardaman and Kathleen B. Gordon school board members; Henry Boekhoff, chief financial officer, Frank Kruppenbacher and Andrew B. Thomas, school board attorneys and Ronald Blocker, superintendent.

Susan Landis Arkin, school board member, was out of town and participated via telephone from 5:37 p.m. to 7:00 p.m.

At 5:00 p.m., the board entertained Delia Jervier, executive director, American Diabetes Association, 1101 North Lake Road, Suite 415, Maitland, Florida, 32751, who shared parents concerns regarding the care their diabetic children receive from Orange County Public Schools.

There was discussion by board members and the superintendent.

Mr. Blocker referred Ms. Jervier to Deborah Manuel, deputy superintendent, instruction and curriculum services, for follow-up on the parents' concerns.

The meeting adjourned at 5:15 p.m.

The chairman called the board meeting to order at 5:37 pm.

The Pledge of Allegiance followed a 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.

Board members recognized the Edgewater High School Boys Basketball Team for an outstanding season and presented each of them with a Certificate of Appreciation for outstanding achievement in athletics.

Mrs. Gordon and Mrs. Ardaman announced the Jones High Girls Basketball Team and the Olympia High Boys Golf Team would be recognized at the April 27th board meeting.

Adoption of Agenda: Mr. Blocker requested the following changes to the agenda: an addendum to 1.1 (Request Approval of Personnel Agenda Dated April 13, 2004, 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 withdrawal of Sue Schuman; a correction to 8.4 (Request Approval of Payment to Listed Vendors for Specified Amounts); and revisions to 9.3 (Request Approval of the Purchase, in Lieu of Condemnation, of Parcels Owned by Beck Grove Care and Purchase b Eminent Domain of a Parcel Owned b Beck Trustees as a Site for One of Three High Schools to Serve Horizon West and the South Winter Garden Area of West Orange County and, Subject to Completion of all Normal Due Diligence and Procedures for Eminent Domain Matters, Authorize the

Superintendent to Close on the Site) and 11.1 (Request Approval of Rescission of February 24, 2004, Approval of Construction Managers at Risk for Comprehensive, Replacement and New School Needs Projects, District Wide; and Rejection of All Proposals).

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

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

The motion passed 7-0.

Adoption of Consent Agenda: It was moved by Mrs. Cadle and seconded by Mrs. Ardaman that the consent agenda be approved.

1. Human Resources and Labor Relations *(Legally Required Board Action)*
 - 1.1 Request Approval of the Personnel Agenda Dated April 13, 2004, 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 **(Addendum)**
 - 1.2 Request Approval of Settlement of Workers' Compensation Claim: Richard A. Dill v. Orange County School Board
 - 1.3 Request Approval of the Technology Opportunities Program Grant Application Funded by the National Telecommunications and Information Administration, Department of Commerce
2. Approve Student Expulsions *(Legally Required Board Action)*
 - 2.1 Request Approval of the Expulsion of a Student for the Remainder of the 2003-2004 School Year, Including Summer School, and the First Semester of the 2004-2005 School Year/BR Edgewater High School
 - 2.2 Request Approval of the Expulsion of a Student for the Remainder of the 2003-2004 School Year, Including Summer School, and the Entire 2004-2005 School Year, Including Summer School/TW Meadowbrook Middle School
 - 2.3 Request Approval of the Expulsion of Students in Conjunction With the Waivers of Out-of-School Student Expulsion and The District Behavior Contracts
3. Approve Grant Applications *(Legally Required Board Action)*
 - 3.1 Request Approval of Contract for Provision of Funds and Services for an Early Education Program in the City of Orlando
 - 3.2 Request Approval of Submission of Application to the Florida Department of Education for a Middle School Reading Coach Grant
 - 3.3 Request Approval of Submission of Application to the Florida Department of Education for a High School Reading Coach Grant
 - 3.4 Request Approval of the Purchase of Curriculum Materials and Professional Development From Sole Provider, Teachers' Curriculum Institute, to Continue Project Relevant Experiences for American History Learners (REAL)
 - 3.5 Request Approval of the Purchase of Registrations From Sole Provider, Williamsburg Teacher Institute, to Continue Project Relevant Experiences for American History Learners (REAL)
 - 3.6 Request Approval of the Purchase of Services From Sole Provider, Orange County Regional History Center, to Continue Project Relevant Experiences for American History Learners (REAL)

- 3.7 Request Approval of the Submission of a Grant Application to the Teammates for Kids Foundation
- 3.8 Request Approval of Submission of Application to the Florida Department of Education for an Elementary Reading Coach Grant
- 4. Approve Education Services Related Items *(Legally Required Board Action)*
 - 4.1 Request Approval of Purchase of Dynamic Indicators of Basic Early Literacy Skills (DIBELS) Materials
- 5. Approve Work Force Education Issues *(Legally Required Board Action)*
 - 5.1 Request Approval of the Health Science Training Agreements With Various Agencies for Clinical Experience
- 6. Approve Curriculum, ESE & Multilingual Services *(Legally Required Board Action)*
 - 6.1 Request Approval for Amendment to the Existing Agreement With Threshold, Inc.
 - 6.2 Request Approval of Affiliation Agreement Between the University of Central Florida and The School Board of Orange County
 - 6.3 Request Approval of Contract Amendment #1 Between Orange County, Florida and the School Board of Orange County, Florida for Head Start Services
 - 6.4 Request Approval of the Interinstitutional Articulation Agreement Between Orange County Public Schools and Valencia Community College
 - 6.5 Request Approval of Proclamation Endorsing School Library Media Month
- 7. Approve Operations Issues *(Legally Required Board Action)*
 - 7.1 Request Approval of Bids to be Awarded – April 13, 2004
 - 7.2 Request Approval to Renew the Contract With In-Team Associates, Inc., Until April 1, 2005
 - 7.3 Request Approval for Purchase of Hitachi Storage Area Network Upgrade From Agilysys, Inc.
 - 7.4 Request Approval to Accept a Community Oriented Policing Services (COPS) Secure Our Schools Act Grant Award
- 8. Approve Business and Finance Functions *(Legally Required Board Action)*
 - 8.1 Request Approval for Payment of 2004-2005 Florida Association of District School Superintendents/Florida Association of School Administrators/American Association of School Administrators (FADSS/ FASA/AASA) Dues
 - 8.2 Request Approval of Agreement With Cuthill & Eddy LLP, Certified Public Accountants to Perform a Review of the Validity of the Inventory of Fixed Assets
 - 8.3 Request Approval of the Fixed Asset Deletion and Restoration Report
 - 8.4 Request Approval of Payment to Listed Vendors for Specified Amounts **(Correction)**
 - 8.5 Request Approval of Budget Amendment #5 to the Capital Outlay Budget
 - 8.6 Request Approval to Extend Contract With Wittner National Group for one Year, From September 30, 2004 to September 30, 2005
- 9. Approve Construction Related Issues *(Legally Required By Law)*
 - 9.1 Request Approval of the Certificate of Final Inspection for the Immediate Needs Project at Cheney Elementary School
 - 9.2 Request Approval of the Certificate of Final Inspection for the Immediate Needs Project at Lake Silver Elementary School

- 9.3 Request Approval of the Purchase, in Lieu of Condemnation, of Parcels Owned by Beck Grove Care and as a Site for one of Three High Schools to Serve Horizon West and the South Winter Garden Area of West Orange County and, Subject to Completion of all Normal Due Diligence Matters, Authorize the Superintendent to Close on the Site **(Revision)**
- 10. Approve Change Orders *(Board Policy EL11/Legally Require Board Action)*
 - 10.1 Request Approval of Change Order No. 11 to Walker & Company Construction Inc., at New Dillard Street Elementary School
- 11. Approve Legal/Audit Issues
 - 11.1 Request Approval of Rescission of February 24, 2004, Approval of Construction Managers at Risk for Comprehensive, Replacement and New School Needs Projects, District Wide; and Rejection of All Proposals **(Revision)**
- 12. Accept Superintendent's Monitoring Reports

In regard to 1.1 (Request Approval of the Personnel Agenda Dated April 13, 2004, 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), Laura J. Kozak, 14268 Canarias Drive, Orlando, Florida, 34787, addressed the board regarding the recommendation for her termination.

Frank Kruppenbacher, general counsel, presented background information on the case.

In regard to 7.1 (Request Approval of Bids to be Awarded), Tony Rossi, 580 Majestic Oak Drive, Apopka, FL 32712, addressed the board regarding the bid for furniture.

Joseph Basgall, chief operations officer, presented background information.

There was discussion by board members and staff.

Mr. Carrier stated that the board had requested additional information regarding Sue Schuman and the issue will be brought back to the board at a later date.

In regard to 8.3 (Request Approval of the Fixed Asset Deletion and Restoration Report), Mrs. Gordon requested that staff provide an explanation of the monthly Fixed Asset Deletion and Restoration Report.

Mr. Blocker and Dr. Boekhoff explained procedures for property inventory control.

There was discussion by board members.

In regard to 8.3 (Request Approval of the Fixed Asset Deletion and Restoration Report), Mr. Shea suggested that the item should be reworded to reflect the board's acceptance of the report rather than its approval.

Mr. Carrier addressed 8.6 (Request Approval to Extend Contract With Wittner National Group for one Year, From September 30, 2004 to September 30, 2005), stating that this was only an extension for one year as the district continues to work to provide quality, affordable health care to all employees.

The motion passed 7-0, with the following exceptions: Mr. Roach opposing 7.1, (Request Approval of Bids to be Awarded – April 13, 2004) and Mrs. Gordon opposing 7.1 (Request Approval of Bids to be Awarded – April 13, 2004) and 8.3 (Request Approval of the Fixed Asset Deletion and Restoration Report).

Mr. Blocker introduced the following newly appointed administrator, Brenda Whitmore, assistant principal, Orange Center Elementary.

Approval of Minutes: It was moved by Mr. Shea and seconded by Mrs. Cadle that the following minutes be approved with a correction to Nonconsent #3 (Approve Minutes – March 9, 2004 – Board Meeting), reflecting that Mrs. Ardaman had obtained board consensus for a letter to the City of Orlando, stressing the district’s opposition to allowing development to take place without a capacity enhancement agreement:

- Nonconsent #1 – March 8, 2004 – Work Session
- Nonconsent #2 – March 9, 2004 – Agenda Review
- Nonconsent #3 – March 9, 2004 – Board Meeting
- Nonconsent #4 – March 29, 2004 – Work Session

The motion passed 7-0.

There was discussion among board members regarding the district’s plan to disseminate sales tax dollars.

Nonconsent #5 (Request Approval of the Naming of the Media Center at Blankner School the “Eileen Johnson Media Center”): Mr. Roach presented background information on the request from citizens to name the media center at Blankner School after former principal Eileen Johnson.

It was moved by Mrs. Gordon and seconded by Mr. Shea that the naming of the media center at Blankner School the “Eileen Johnson Media Center” be approved.

The following individuals addressed the board:

- Wanda Hullett, 9200 Bentley Circle, Orlando, FL 32819
- Wayne Groover, 4416 South Ferncreek, Orlando, FL 32806
- Janice Angel Buffington, 4386 Lake Underhill Road, Orlando, FL 32803
- Alice Burden, 1611 South Summerlin Avenue, Orlando, FL 32806

There were comments by board members.

The motion passed 7-0.

School Board Committee Reports: Mrs. Gordon provided an update on the accomplishments of the Florida School Boards Association “Rally in Tally” held on March 17, 2004 in Tallahassee.

Mr. Roach reported that he was continuing to work with the Central Florida Public School Boards Coalition and would be the Coalition representative at the upcoming Educational Summit.

Mrs. Cadle announced that she represented the board at the Department of Education public hearing on class size. She commended Patrick Herron, chief facilities officer and Bob Ottesen, facilities director, strategic planning, for the information they provided to her.

Information Shared By Board Members: Mr. Carrier stated that in regard to the upcoming vote on the naming of Citrus Elementary Relief School, an additional option will be the Kattie J. Adams Elementary School.

Mrs. Ardaman asked the chairman to find cause that an emergency exists, due to the statute of limitations on actions relating to the Universal/Pulte rezoning to allow public comment and board action.

The following individuals addressed the board in regard to the Universal/Pulte rezoning:

Joanne Tucker, 7633 Bay Port Road, Orlando, FL 32819
Scott Justice, 9117 Ridge Pine Trail, Orlando, FL 32819
Roy Messinger, 10005 Oakside Court, Orlando, FL 32836
Louis L. Roeder, 7414 Sparkling Lake Road, Orlando, FL 32819

There was discussion by board members.

It was moved by Mrs. Ardaman and seconded by Mrs. Cadle that the superintendent prepare and present to the board at the next regularly scheduled board meeting, a capacity analysis of the schools in the vicinity of Dr. Phillips Elementary School, Southwest Middle School and Dr. Phillips High School, so that the Orange County School Board may redistrict the vacant parcel of land recently rezoned from commercial to residential by the Orlando City Commission without a capacity agreement, without regard to the already overcrowded schools impacted, and including any other non-residential properties in those zones which may be at risk of future rezoning without a capacity enhancement agreement.

There was discussion by board members.

The motion passed 6-0 (with Mrs. Arkin no longer participating via telephone).

It was moved by Mrs. Ardaman and seconded by Mr. Shea that the Orange County School Board grant authority to Frank Kruppenbacher, general counsel, to file the appropriate legal action necessary to appeal the decision of the Orlando City Commission with regard to the Universal/Pulte rezoning, including within that the authority to have any other named plaintiff who would further the school board's efforts, with the understanding that those named plaintiffs would agree to be bound by the judgment of the school board as it relates to the litigation.

There was discussion by board members and general counsel.

The motion passed 6-0.

Mr. Kruppenbacher reported staff had worked diligently with developers over the last eighteen months, and, as result, a modified capacity enhancement process has been developed. The superintendent has directed all developers to complete the appropriate application and supply all requested information. Upon completion, the application will be deemed complete and an answer as to whether a capacity enhancement is feasible (and therefore whether the school district will

entertain a capacity enhancement agreement) will be provided to the developer no later than 90 days from that date.

There was discussion by board members.

Mr. Kruppenbacher reported, based on confidential information shared with him, he had recommended that Mr. Basgall pull the current RFP for approximately 1000 computers and that, Mr. Basgall complied. Mr. Kruppenbacher requested authority from the board to initiate an investigation of this matter and continue to work with Mr. Roach on behalf of the board.

Information and Future Meeting Dates: Mr. Blocker highlighted consent item 6.5 (Request Approval of Proclamation Endorsing School Library Media Month).

Mr. Blocker announced the following upcoming meetings:

April 27, 2004	5:30 pm	School Board Meeting
May 11, 2004	5:30 pm	School Board Meeting
May 24, 2004	4:00 pm	Work Session
May 24, 2004	5:30 pm	School Board Meeting

The meeting adjourned to Conference Rooms A & B at 8:10 p.m. for a debriefing session.

Chairman

Secretary

dmm