

**NON CONSENT
ITEM 2**

**ORLANDO, FLORIDA
October 26, 2004**

The School Board of Orange County, Florida, met for an agenda review session on Tuesday, October 26, 2004, at 4:40 p.m. Present were: Timothy Shea, vice chairman; Joie Cadle, Judge Richardson Roach, Karen Ardaman, Kathleen B. Gordon, and Susan Landis Arkin, school board members; Ronald Blocker, superintendent; as well as members of the staff, public and media.

Berton R. Carrier, chairman, was ill.

Mr. Blocker discussed the following changes to the October 26, 2004 agenda: an addendum to 1.1 (Request Approval of Personnel Agenda Dated October 26, 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); the addition of 1.6 (Request Approval of the Tentative Agreements Reached Through Negotiations with the Orange Education Support Professional Association on Contract Language for 2004-2005) and 1.7 (Request Approval of the Tentative Salary Agreement Reached Through Negotiations with the Orange County Classroom Teachers Association for 2004-2005); the withdrawal of 8.5 (Request Approval of the Capacity Enhancement Agreement Subject to the Provisions of Sunsetting, Assurance of Site Availability, and Limitations on Receipt of Building Permits-Pulte Home Corporation (Cypress Creek Golf Course) and 8.7 (Request Approval of the Capacity Enhancement Agreement Subject to the Provisions of Sunsetting and Limitations on Receipt of Building Permits – The Wilder Companies, Ltd., Inc. (The Rialto); and the withdrawal of 11.1 (Proposed Settlement of Litigation Involving the School Board of Orange County, et al vs. City of Orlando, et al (More Commonly Known as the Pulte Matter) and Non Consent #4 (Request Denial of the Charter School Application for the MACH 4 Academy) with board approval and resubmit on November 9, 2004.

In regard to items 1.6 (Request Approval of the Tentative Agreements Reached Through Negotiations with the Orange Education Support Professional Association on Contract Language for 2004-2005) and 1.7, Emma Newton, chief human resource officer, explained that these were being submitted to the board tonight in order to make sure that all employees are paid before the winter break.

Mr. Blocker explained that items 8.5 (Request Approval of the Capacity Enhancement Agreement Subject to the Provisions of Sunsetting, Assurance of Site Availability, and Limitations on Receipt of Building Permits-Pulte Home Corporation (Cypress Creek Golf Course) and 8.7 (Request Approval of the Capacity Enhancement Agreement Subject to the Provisions of Sunsetting and Limitations on Receipt of Building Permits – The Wilder Companies, Ltd., Inc. (The Rialto) were being withdrawn for further study.

He added that Frank Kruppenbacher, general counsel, would work out when item 11.1 (Proposed Settlement of Litigation Involving the School Board of Orange County, et al vs. City of Orlando, et al (More Commonly Known as the Pulte Matter) would come back to the board for approval. The board requested a closed session before this item comes back for approval.

Mr. Blocker explained that Non Consent #4 (Request Denial of the Charter School Application for the MACH 4 Academy) was being withdrawn tonight to be resubmitted on November 9, 2004, at the request of the applicants' attorney and with permission of OCPS staff.

Mr. Shea stated that the board supported Charter Amendment #6 and he would be encouraging voters to vote yes.

In regard to Charter Amendment #6, Mrs. Ardaman shared with the board that she would be co-hosting a rally with Commissioner Teresa Jacobs on Saturday, October 20, 1:00 p.m. at Gotha Park. The rally will help citizens understand the ballot language.

Mrs. Arkin stated that she would be discussing Amendment #4 at the board meeting.

There was consensus by the board to hold the closed session for the Pulte matter on Tuesday, November 9, 2004, at 4:00 p.m.

The meeting adjourned at 4:55 p.m.

Chairman

Secretary

dmm

**NON CONSENT
ITEM 3**

**ORLANDO, FLORIDA
October 26 2004**

The School Board of Orange County, Florida, met in regular meeting on Tuesday, October 12, 2004, at 5:35 pm. Present were: Berton R. Carrier, chairman Timothy Shea, vice chairman; Joie Cadle, Judge Richardson Roach, Karen Ardaman, Kathleen B. Gordon and Susan Landis Arkin, school board members; Janice Pratt, interim deputy superintendent, instruction and curriculum services; Frank Kruppenbacher and Andrew B. Thomas (left at 6:41 p.m.), school board attorneys and Ronald Blocker, superintendent.

A moment of silence was followed by the Pledge of Allegiance.

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.

Adoption of Agenda: Mr. Blocker requested the following changes to the agenda: an addendum to 1.1 (Request Approval of Personnel Agenda Dated October 26, 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); the additions of 1.6 (Request Approval of the Tentative Agreements Reached Through Negotiations With the Orange Education Support Professional Association on Contract Language for 2004-2005) and 1.7 (Request Approval of Tentative Salary Agreement Reached through Negotiations With the Orange County Classroom Teachers Association for 2004-2005); the withdrawals of 8.5 (Request Approval of the Capacity Enhancement Agreement Subject to the Provisions of Sunsetting, Assurance of Site Availability, and Limitations on Receipt of Building Permits – Pulte Home Corporation (Cypress Creek Golf Course), 8.7 (Request Approval of the Capacity Enhancement Agreement Subject to the Provisions of Sunsetting and Limitations on Receipt of Building Permits – The Wilder Companies, Ltd., Inc. (The Rialto) and 11.1 (Proposed Settlement of Litigation Involving the School Board of Orange County, et al vs. City of Orlando, et al (More Commonly Known as the Pulte Matter); and the resubmission, by stipulation of the school board and the applicant, on November 9, 2004 of Non Consent #4 (Request Denial of the Charter School Application for the MACH 4 Academy).

Mr. Carrier announced that there will be an executive session on November 9, 2004 at 4:00 p.m. to discuss 11.1 (Proposed Settlement of Litigation Involving the School Board of Orange County, et al vs. City of Orlando, et al (More Commonly Known as the Pulte Matter). At the request of Mr. Carrier, Mr. Kruppenbacher stated that the following persons would be in attendance: the seven school board members, the superintendent, school board attorneys Marcos Marchena and Keith Graham, a court reporter and himself. He added that the only issues to be discussed will be those related to the litigation strategies or proposed settlement of the matter.

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

It was moved by Mrs. Ardaman 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. Gordon 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 October 26, 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 Modified Work Schedule During Winter Break
 - 1.3 Request Approval of a Continued Contract With Mariann Schumde for Services as Evaluator for the Transition to Teaching Grant
 - 1.4 Request Approval to Continue a Contract for Service With Performance Learning Systems for the 2004-2005 School Year
 - 1.5 Request Approval of the 2004-2005 Administrative/Technical, Executive Management, Professional Instructional and School Food Service Managers Salary Increase Budget
 - 1.6 Request Approval of the Tentative Agreements Reached Through Negotiations With the Orange Education Support Professional Association on Contract Language for 2004-2005 **Addition**
 - 1.7 Request Approval of Tentative Salary Agreement Reached Through Negotiations With the Orange County Classroom Teachers Association for 2004-2005 **Addition**
2. Approve Student Expulsions *(Legally Required Board Action)*
 - 2.1 Request Approval of the Expulsion of a Student for the Remainder of the 2004-2005 School Year, Including Summer School and the Entire 2005-2006 School Year, Including Summer School/TM Cypress Creek High School
 - 2.2 Request Approval of the Expulsion of Students in Conjunction With the Waivers of Out-of-School Student Expulsion and The District Behavior Contracts **Student MF moved to Non Consent #7**
3. Approve Grant Applications *(Legally Required Board Action)*
 - 3.1 Request Approval to Submit Grant Applications to the Nickelodeon "Let's Just Play" Program at Ocoee Elementary School and Cherokee School for FY 2004-2005
 - 3.2 Request Approval to Submit an Assistance Plus Reading and Mathematics Coach Grant to the Florida Department of Education
 - 3.3 Request Approval of Application for Jobs for Florida's Future School Districts Grant Initiative
 - 3.4 Request Approval of Application for the Comprehensive Program Fund for the Improvement of Postsecondary Education Grant
4. Approve Education Services Related Items *(Legally Required Board Action)*
 - 4.1 Request Approval of Agreement With Keys to Learning Consulting for 2004-2005 School Year
 - 4.2 Request Approval to Renew the Agreement to Hire Dr. M. Jan Mickler as Reading Consultant for West Orange High School for the 2004-05 School Year
 - 4.3 Request Approval to Renew the Agreement to Hire Dr. Darian Walker as Language Arts Consultant for West Orange High School for the 2004-05 School Year

- 4.4 Request Approval to Hire Dr. Martha Hopkins, UCF Interim Department Chair for Education Research, Technology and Leadership for the North, Central, West and East Learning Communities
- 4.5 Request Approval to Hire Write Track Consultants for Schools in the North, South, East, and West Learning Communities
- 4.6 Request Approval to Hire Grayson H. Wheatley Consulting for the 2004-2005 School Year
- 4.7 Request Approval to Establish an Agreement With Performance Learning Systems for Materials and Copyright Fees to Continue Comprehensive District-Wide Reading Strategies Training at All School-Based Work Locations
- 4.8 Request Approval of Purchase of Membership Renewal in Strategic Listening Institute and Increased Technology Support for Capacity Enhancement Along With a Department Support Budget
- 5. Approve Work Force Education Issues *(None) (Legally Required Board Action)*
- 6. Approve Curriculum, ESE and Multilingual Services Issues *(Legally Required Board Action)*
 - 6.1 Request Approval to Continue Cooperative Agreement With The Princeton Review Organization
 - 6.2 Request Approval of an Addendum to the Interagency Agreement With the Florida Department of Children and Families
- 7. Approve Operations Issues *(Legally Required Board Action)*
 - 7.1 Approval of Bids to be Awarded – October 26, 2004
 - 7.2 Approval to Negotiate With Central Florida Regional Transportation Authority (d/b/a LYNX) for 5,800 Square Feet of Office Space on the Third Floor of the Educational Leadership Center
- 8. Approve Business and Finance Functions *(Legally Required Board Action)*
 - 8.1 Request Approval of the Monthly Financial Statements for Year to Date Ending July 2004
 - 8.2 Request Approval of the Monthly Financial Statements for Year to Date Ending August 2004
 - 8.3 Request Approval of the Fixed Asset Deletion and Restoration Report
 - 8.4 Request Approval of the Capacity Enhancement Agreement Subject to the Provisions of Sunsetting – David Pearlman Trust (Berkeley Place)
 - 8.5 Request Approval of the Capacity Enhancement Agreement Subject to the Provisions of Sunsetting, Assurance of Site Availability, and Limitations on Receipt of Building Permits – Pulte Home Corporation (Cypress Creek Golf Course) **Withdrawn**
 - 8.6 Request Approval of the Capacity Enhancement Agreement Subject to the Provision of Sunsetting – Heritage American Homes, Inc., (Reserve at Park Manor Estate)
 - 8.7 Request Approval of the Capacity Enhancement Agreement Subject to the Provisions of Sunsetting and Limitations on Receipt of Building Permits – The Wilder Companies, Ltd., Inc. (The Rialto) **Withdrawn**
 - 8.8 Request Approval of the Capacity Enhancement Agreement Subject to the Provisions of Sunsetting and Limitations on Receipt of Building Permits – MI Homes (Thompson Road Subdivision)
- 9. Approve Construction Related Issues *(Legally Required By Law)*
 - 9.1 Request Approval of the Certificate of Final Inspection for New Dillard Street Elementary School Replacement

- 9.2 Request Approval of Right of Entry for FDOT at McCoy Elementary School for the Purpose of Emergency Temporary Construction to Relocate Sewer Lines Serving the School
- 9.3 Request Approval of Quit Claim Deed to Stoneybrook West Community Development District for Retention Pond at Tildenville/Lake Whitney Relief Elementary School Site
- 9.4 Request Approval of Acquisition of 12.3 Acres and Right to Off-Site Retention and Access for Sadler/Shingle Creek Relief Elementary School and Subject to Completion of all Normal Due Diligence Matters, Authorize the Superintendent to Close on the Site
- 10. Approve Change Orders *(Board Policy EL11/Legally Require Board Action)*
 - 10.1 Request Approval of Change Order No. 4 to Walker & Company, Inc. at New Discovery Middle School Relief
- 11. Approve Legal/Audit Issues
 - 11.1 Proposed Settlement of Litigation Involving the School Board of Orange County, et al vs. City of Orlando, et al (More Commonly Known as the Pulte Matter) **Withdrawn**
- 12. Accept Superintendent's Monitoring Reports

In regard to 1.1 (Request Approval of the Personnel Agenda Dated October 26, 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), the following individuals addressed the board regarding the recommendation for termination of Barbara Ogletree:

Carolise Sutton, 4680 North Lane, Orlando, FL 32808
 Earline Scott, 6312 Powers Pointe Circle, Orlando, FL 32808
 Samuel Davis, 3327 Jujube Drive, Orlando, FL 32810
 Carol Buxton, 231 East Colonial Drive, Orlando, FL 32801

At the request of the superintendent, Mr. Kruppenbacher presented background information on the case.

In regard to 2.2 (Request Approval of the Expulsion of Students in Conjunction With the Waivers of Out-of-School Student Expulsion and The District Behavior Contracts), Kathy Taylor, 6602 Merriewood Drive, Orlando, FL 32818 and Ronnie Taylor, Sr., 6602 Merriewood Drive, Orlando, FL 32818 addressed the board regarding the recommendation for expulsion of their daughter.

At the request of the superintendent, Ruth Perez-Christian, area superintendent, North Learning Community, presented background information on the case.

There was discussion among board members and staff.

At the prerogative of the chairman, this item was moved to Non Consent #7 agenda for further discussion.

The motion passed 7-0.

Highlights: Mr. Blocker introduced the following newly appointed administrators: Matthew Arnold, assistant principal, Silver Star Center and Daniel Sussman, assistant principal, Tildenville Elementary.

Mr. Blocker announced that Red Ribbon Week will be held October 27 - Nov 3, 2004. He explained this was a national effort to reduce the demand for drugs in our communities and is led in the district each year by Marge LaBarge, senior administrator, student assistant services.

Approval of Minutes: It was moved by Mrs. Cadle and seconded by Mr. Roach that the following minutes be approved: Non Consent #1 (Minutes – October 11, 2004, Work Session), Non Consent #2 (Minutes – October 12, 2004, Agenda Review) and Non Consent #3 (Minutes – October 12, 2004, Board Meeting).

The motion passed 7-0.

Non Consent #4 (Request Denial of the Charter School Application for the MACH 4 Academy: Mr. Carrier stated this item was pulled and will be brought back at the November 9, 2004 school board meeting.

Non Consent #5 (Request Approval of the Charter School Application for the Einstein Montessori School Orlando East): Dr. Evelyn Chandler, director, school choice services, summarized the charter school application process, highlighting the requirements for consideration. Dr. Chandler reported that after staff review of the Einstein Montessori School Orlando East Charter School application, there was sufficient reason to believe that it would be capable of successfully implementing and operating its program.

It was moved by Mrs. Arkin and seconded by Mrs. Ardaman that the Einstein Montessori School Orlando East Charter School application be approved.

The motion passed 7-0.

Non Consent #6 (Request Approval of the Charter School Application for Legacy High School): Dr. Chandler reported that after staff review of the Legacy High School Charter School Application, there was sufficient reason to believe that it would be capable of successfully implementing and operating its program.

It was moved by Mrs. Arkin and seconded by Mrs. Ardaman that the Legacy High School Charter School application be approved.

The motion passed 7-0.

Mrs. Gordon requested that the board receive an update on the progress of the charter schools.

Non Consent #7 (Request Approval of the Expulsion of Students in Conjunction With the Waivers of Out-of-School Student Expulsion and The District Behavior Contracts – Student MF): Board members and staff resumed discussion on the recommendation for expulsion of student MF. At the request of the superintendent, Ruth Perez-Christian provided additional background information on the case.

It was moved by Mrs. Cadle and seconded by Mrs. Ardaman that the request for expulsion of student MF in conjunction with the Waivers of Out-of-School Student Expulsion and the District Behavior Contracts be approved.

The motion passed 5-2 (with Mr. Roach and Mr. Shea voting no).

Statement of Policy Level Issues the Board Would Like to Agenda for Subsequent Meetings or Work Sessions: Mrs. Cadle reported that the clearing of the Glenridge Middle School site is scheduled to be completed by the end of October. She added that the schedule for the reconstruction of the Brookshire Cafeteria Roof, destroyed in Hurricane Charley, was as follows: the design completion date is October 27, 2004; the bid completion date is November 9, 2004; and the final inspection is January 20, 2005.

Mrs. Cadle requested authorization from the board to work with the board clerk and coordinate a joint work session between the City of Winter Park Commission and the School Board of Orange County, after the new board is seated, to discuss future plans for Glenridge Middle School and the Winter Park Vo-Tech site. She also requested authorization for the board chair, superintendent and school board attorney to meet with the mayor of Winter Park, the city manager and the city attorney to develop a framework for the aforementioned meeting to insure productivity for everyone involved.

It was moved by Mr. Carrier and seconded by Mr. Shea that the requests to authorize Mrs. Cadle coordinate a joint work session with the City of Winter Park and to authorize the chair, superintendent and school board attorney to meet with the mayor of Winter Park, the city manager and the city attorney be approved.

The motion passed 7-0.

Mr. Roach requested that district personnel study the use of K12 Planet. At the request of, Mrs. Cadle, Dr. Nick Gledich, chief operations officer, provided information on the implementation of the SMS Pilot System and integration to K12 Planet. He added that results of the current survey being conducted at all pilot middle schools, as well as some high schools, for the extent of their usage of K12 Planet will be shared with board members within the next few weeks.

Information and Future Meeting Dates: Mr. Blocker announced the following upcoming meetings:

| | | |
|-------------------|---------|-----------------------------|
| November 09, 2004 | 5:30 pm | School Board Meeting |
| November 16, 2004 | 5:30 pm | School Board Reorganization |

Mr. Shea reported that he and Mrs. Cadle attended a press conference earlier in the day at the County Commission building to discuss Charter Amendment #6, which addresses school overcrowding, and he encouraged everyone to remember to vote yes on November 2, 2004.

Mrs. Gordon reported that the Florida School Board Association was requesting the suspension of the FCAT testing for accountability purposes this year due to the severe impact of recent hurricanes on thousands of students throughout the state of Florida.

Mrs. Gordon reported she recently took a group of over 50 of her constituents, named "Kat's Krew", to the election office to cast their votes early, and she encouraged her fellow board members to encourage early voting within their districts.

Mrs. Arkin expressed her support of Amendment #6. She added that she believed that Amendment #4, which is being marketed as a way to add significant dollars to school systems, would be of as much help as the state lottery has been to education. She stated that she would not be supporting it.

Mrs. Ardaman reported she will be co-hosting a rally with Commissioner Teresa Jacobs on Saturday, October 30, 2004, at Gotha Park to support Amendment #6. She invited board members and community members to attend.

In regard to the Facilities Environmental Services Contract Administration Board Report for September 2004, Item 3, the following individual addressed the board: Peter Parenti, 927 Jadestowe Circle, Orlando, FL 32828.

The meeting adjourned at 7:35 pm.

Chairman

Secretary

dmm