

**NON CONSENT
ITEM 3**

**ORLANDO, FLORIDA
August 1, 2006**

The School Board of Orange County, Florida, met in public hearing and regular meeting on Tuesday, August 1, 2006, at 5:37 p.m. Present were: Karen Ardaman, Chairman; Jim Martin, Vice Chairman; Joie Cadle, Timothy Shea, Judge Richardson Roach, Kathleen B. Gordon and Anne Geiger, School Board Members; Henry R. Boekhoff, Chief Financial Officer; Frank Kruppenbacher, General Counsel and Ronald Blocker, Superintendent.

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

Prior to the regularly scheduled board meeting at 5:00 p.m., the board entertained Kimberly Cornett, 313 Turkey Run, Winter Park, Florida, 32789, who shared information on the Orange County Public Schools Foundation Count Me In initiative.

Mrs. Ardaman stated that a work session would be scheduled with the Count Me In Steering Committee so they could have a dialogue with the board members.

The meeting adjourned at 5:07 p.m.

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

Adoption of Agenda: Mr. Blocker discussed the following change to the agenda: an addendum to item 1.1 (Request Approval of Personnel Agenda Dated August 1, 2006, 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 removal of employee SL from the classified agenda.

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

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

The motion passed 7-0.

Public Hearing - Request Approval to Rezone the Students in The Pulte Home Corporation Development of Wallace Road, The Vistas at Phillips Commons, From Dr. Phillips Elementary School, Southwest Middle School and Dr. Phillips High School to Eccleston Elementary School, Memorial Middle School and Jones High School: Mr. Blocker presented background information on this rezoning. He stated that an agreement was made with the developer that the students assigned to this particular area would be zoned to the nearest schools with capacity that could handle the growth within the area. These schools are Eccleston Elementary, Memorial Middle and Jones High.

The chairman opened the floor for public input and Bud Benington, Esquire, Shutts & Bowen, LLP, P.O. Box 4956, Orlando, Florida, 32801, read the position on behalf of his client, Pulte Homes, Inc., which objected the rezoning of students from Dr. Phillips High School to Jones

High School and requested that the board modify its proposed resolution to exclude the rezoning of Phillips Commons to Jones High School.

Sandy Simpson, Director, Pupil Assignment, stated that the decision was made based on the number of students that are enrolled in Dr. Phillips High. She added that Dr. Phillips High was one of the largest high schools and there are portables on the campus. Since there is vested property in the area, the decision was made that Dr. Phillips High would be added to this rezoning.

Frank Kruppenbacher, General Counsel, stated that the property was a part of the Universal dispute between the City of Orlando and the school board and it was agreed that until capacity existed, students would attend Eccleston Elementary and Memorial Middle Schools. He added that staff made the decision to move the high school students to Jones High as a result of the size of Dr. Phillips High.

Mrs. Simpson stated that this rezoning was run through the normal procedures and advertised.

Gregg Wiederer, 6530 Swissco Drive, Orlando, Florida, 32822 also addressed the board.

There was discussion by board members and Mr. Kruppenbacher.

Mrs. Gordon requested that this item be moved further down on the agenda.

It was moved by Mr. Shea and seconded by Mrs. Cadle to recess the public hearing until the conclusion of the consent agenda.

The motion passed 7-0.

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

1. Human Resources & Executive Services *(Legally Required Board Action)*
 - 1.1 Request Approval of the Personnel Agenda Dated August 1, 2006, 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 Endorsement of Count Me In! Community Agreement Coordinated by the Foundation for OCPS, Inc. **Pulled for Future Consideration**
2. Approve Student Expulsions *(Legally Required Board Action)*
 - 2.1 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 an Application for a Communications Equipment/Technology Grant
 - 3.2 Request Approval of a Contract With the Early Learning Coalition of Orange County, Inc. to Provide Florida First Start and Migrant School Readiness Services
 - 3.3 Request Approval to Continue Partnership With Winter Park Health Foundation for the School Nursing Initiative

- 3.4 Request Approval to Continue Partnership With the Winter Park Health Foundation for a Licensed Pediatric Nurse Practitioner at Glenridge Middle and Winter Park High School
4. Approve Education Services Related Items *(Legally Required Board Action)*
 - 4.1 Request Approval of Agreement With the West Orange Healthcare District to Provide Nursing Services to Schools in West Orange County
 - 4.2 Request Approval of Purchase of Materials and Services to Continue the DIBELS Palm Assessment
 - 4.3 Request Approval of Contract With Edusoft for Assessment Management System Expansion for 2006-07
5. Approve Career and Technical Education Issues *(None)* *(Legally Required Board Action)*
6. Approve ESE and Multilingual Services Issues *(None)*
7. Approve Operations Issues *(Legally Required Board Action)*
 - 7.1 Request Approval of Bids to be Awarded – August 1, 2006
 - 7.2 Request Approval of the Contract to Provide Meals for Charter Schools in Orange County
 - 7.3 Request Approval of the Contract to Provide Meals for the Head Start Program in Orange County
 - 7.4 Request Approval of the Contract to Provide Meals for Contracted Schools in Orange County
 - 7.5 Request Approval to Remove and Dispose of Portable RL# 71-8-67 at Cypress Creek High
 - 7.6 Request Approval of Purchase of Hardware Materials and Services to Implement the Student Information System Plan Phase 2006-2007
8. Approve Business and Finance Functions *(Legally Required Board Action)*
 - 8.1 Request Approval of the Renewal of Actuarial Services by Charles F. Larimer, FSA, MAAA From July 1, 2006 Through June 30, 2007
 - 8.2 Request Approval for the Renewal of Contract Services With Ernst & Young, LLP, to Calculate the Annual Arbitrage Rebate for the Orange County School Board Certificates of Participation, Series 2001A, 2002A, 2002B, 2002 QZAB, 2003, 2004, 2005A and 2005B
 - 8.3 Request Approval to Develop a Financial Proposal by Certain Developers to Move Forward the Construction of an Elementary, Middle and High School in Southeast Orange County and to Authorize the Necessary Capital Budget Amendment
 - 8.4 Request Approval of Revisions to the Employee Benefits Trust
9. Approve Construction Related Issues *(Legally Required By Law)*
 - 9.1 Request Approval of Utility Easement Agreement With the Traditions at Wekiva Homeowners Association, Inc. in Order for the School Board to Connect to and use the City of Apopka's Lift Station
10. Approve Change Orders *(None)* *(Board Policy EL11/Legally Require Board Action)*
11. Approve Legal/Audit Issues
 - 11.1 Request Approval of the Interlocal Agreement Between Orange County Public School and the Office of the Orange County Property Appraiser
12. Accept Superintendent's Monitoring Reports *(None)*

In regard to item 4.2 (Request Approval of Purchase of Materials and Services to Continue the DIBELS Palm Assessment), Mr. Roach expressed concern regarding the investment of \$790,000 for DIBELS.

Mr. Blocker stated that the assessment was required by the State of Florida.

Janice Pratt, Deputy Superintendent, Instructional and Curriculum Services, added that the state required this to measure the progress of students and to facilitate assessment.

The motion passed 7-0.

Mr. Blocker introduced the following newly appointed administrators: Jeffrey Barfield, Assistant Principal, Piedmont Lakes Middle School; Brett Jedrzejak, Assistant Principal, Carver Middle; Jhunu Mohapatra, Assistant Principal, Jackson Middle; and Kari Sperre, Assistant Principal, Walker Middle.

Mr. Blocker also commented that John Rowland would be returning to Lake Sybelia Elementary as the principal.

Mrs. Cadle congratulated Serena Wright on her new position and Dr. Boekhoff on his retirement.

Highlights: Mrs. Cadle highlighted items 3.3 (Request Approval to Continue Partnership With Winter Park Health Foundation for the School Nursing Initiative) and 3.4 (Request Approval to Continue Partnership With the Winter Park Health Foundation for a Licensed Pediatric Nurse Practitioner at Glenridge Middle and Winter Park High School) commending the Winter Park Health Foundation for their committed support in providing school nurses and nurse practitioners in Winter Park Schools.

Mrs. Cadle also highlighted item 11.1 (Request Approval of the Interlocal Agreement Between Orange County Public School and the Office of the Orange County Property Appraiser), commending district staff and Orange County Property Appraiser Bill Donegan for their efforts on the Geographic Information System (GIS).

Mr. Shea highlighted item 8.3 (Request Approval to Develop a Financial Proposal by Certain Developers to Move Forward the Construction of an Elementary, Middle and High School in Southeast Orange County and to Authorize the Necessary Capital Budget Amendment), stating that approval of this item moved up the construction of some schools and commended the board members for their support.

Mrs. Gordon highlighted items 7.2 (Request Approval of the Contract to Provide Meals for Charter Schools in Orange County), 7.3 (Request Approval of the Contract to Provide Meals for the Head Start Program in Orange County) and 7.4 (Request Approval of the Contract to Provide Meals for Contracted Schools in Orange County) commended the superintendent and staff for extending food service contracts for over 14 years.

Mrs. Ardaman highlighted item 4.1 (Request Approval of Agreement With the West Orange Healthcare District to Provide Nursing Services to Schools in West Orange County) stating that Health Central had partnered with the district to provide supplement money to have nursing care in West Orange County schools upgraded to LPNs or RNs.

Approval of Minutes: It was moved by Mr. Shea and seconded by Mr. Roach that the following minutes be approved: Non consent #1 – Minutes – June 12, 2006, Work Session; Non consent #2 – Minutes – June 19, 2006, Work Session and Non consent #3 - Minutes – June 20, 2006, Work Session.

The motion passed 7-0.

The meeting was recessed at 6:24 p.m. and reconvened at 6:37 p.m.

Non consent #4 - Public Hearing - Request Approval to Rezone the Students in The Pulte Home Corporation Development of Wallace Road, The Vistas at Phillips Commons, From Dr. Phillips Elementary School, Southwest Middle School and Dr. Phillips High School to Eccleston Elementary School, Memorial Middle School and Jones High School: Mr. Kruppenbacher stated that it was the superintendent's recommendation, supported by legal, that the district revise the current request as follows: request approval to rezone the students in The Pulte Home Corporation Development of Wallace Road, The Vistas at Phillips Commons, From Dr. Phillips Elementary and Southwest Middle School to Eccleston Elementary School and Memorial Middle School, deleting both Dr. Phillips High School and Jones High School from the resolution. He added that this would enable the legal and superintendent's offices to have time to further look at the issues.

Mr. Kruppenbacher further stated that it would not be the intent of the superintendent to come back to the board with a recommendation in the future to rezone any residents who currently purchased property and are planning to attend Dr. Phillips High.

Mr. Blocker stated that in recognizing the fact that school starts Monday, August 7, and while staff was in the process of further investigation, he did not want to delay someone's ability to enroll their child in school.

Mrs. Ardaman emphasized that the board did want to retain the right to rezone children as needed and was not wavering that right or granting any special rights or privileges to this particular development. She added that if the board determines that there was a need for rezoning, it would retain the right to do so.

Mr. Kruppenbacher affirmed that Mrs. Ardaman was correct. He also requested that staff needed the board's authorization to confirm the dates in the resolution to correspond with the capacity enhancement agreements on the property that the district entered into.

It was moved by Mr. Shea and seconded by Mrs. Gordon that the resolution as described and as corrected by Mr. Kruppenbacher be approved.

There was discussion by board members, the superintendent and Mr. Kruppenbacher.

The motion passed 7-0.

Statement of Policy Level Issues the Board Would Like to Agenda for Subsequent Meeting or Work Sessions: Mr. Kruppenbacher suggested that the board scheduled a work session to discuss the legal issues for rezoning.

Mrs. Ardaman stated that a joint work session would be scheduled with the Count Me In Steering Committee.

Committee Reports: Mrs. Cadle commended Scott Howat, Director, Legislative & Congressional Relations, for his efforts and assistance to the Legislative Committee. She added that the goal of the committee was to have the draft language to the board prior to its August 22 board meeting.

Mrs. Geiger reported that the Communications Committee met today to discuss the building program. She added that a wrap up meeting was scheduled for August 2, 2006.

Mrs. Ardaman reported that policy language would be drafted to fit in language value positions and build in a waiver in the superintendent's document.

Information by Board Members: At the request of Mrs. Gordon, Patrick Herron, Chief Facilities Officer, explained the purpose of using swing schools like the Sadler/ Shingle Creek Relief School.

Mrs. Gordon also announced that goals have been set for District 5 and a parental involvement meeting will be held on Thursday, August 3, 6:30 p.m. at Jones High School.

Mrs. Cadle commended staff, Turner Construction and the board on a major high school renovation was a success and was delivered on time.

Mrs. Geiger reported that she met with former state representative Bill Sublette and he proposed that she and Mrs. Cadle, any combination or all board members could meet in a work session type venue with the Blue Ribbon Panel (BRP) committee chairs or full committees, along with the superintendent's staff for support, information and explanation. She stated to him that she would propose that to the full board, but under the three following conditions:

1. The elected school board chairman issue would not be discussed. The BRP Recommendation #9 under Education Management was to have two of the seven board members at large which was the consensus recommendation of the BRP.
2. The school board and the superintendent's staff would be able to go through the recommendations and assign priority within realistic timeframes and within strategic plans, both current and proposed. She stated that Mr. Sublette agreed that it was not the expectation by the BRP that every recommendation could be addressed in one year.
3. The form of the assessment used by the BRP committees would be on the table to ensure accuracy and objectivity.

Mrs. Geiger also proposed that Mr. Sublette should be asked to step down as acting chair of any future work done by the remaining active BRP members. She added that she felt that it had become too personal and too political for him to effectively lead the Panel. Secondly, she requested that the board consider asking any panel members who felt that they had become single issue-oriented or had a conflict of interest to step down from the panel.

Mrs. Ardaman stated that she met with Mr. Sublette and shared with him that the board had embraced the panel's recommendations and moved forward on the ones the district could afford to do which was an excess for \$300 million dollars.

There was discussion by board members.

There was consensus by the board that Mrs. Geiger's proposal would be discussed at the board retreat.

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

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| August 2, 2006 | 4:30 p.m. | Work Session – Elected School Board Chairman (HB 2221) |
| August 8, 2006 | 4:30 p.m. | Work Session – Tentative Capital Budget |

Report by Attorneys: Mrs. Kruppenbacher discussed the issue of foreign exchange students.

The meeting adjourned at 8:24 p.m.

Chairman

Secretary

dmm