

ORLANDO, FLORIDA
October 9, 2001

The School Board of Orange County, Florida, met in regular session and public hearing on Tuesday, October 9, 2001 at p.m. Present were: Linda H. Sutherland, vice chairman; Barbara Trovillion Rushing, Judge Richardson Roach, Karen Ardaman; Kathleen B. Gordon and Berton R. Carrier (left at 7:30 pm.), school board members; Henry R. Boekhoff, chief financial officer; Frank C. Kruppenbacher and Andrew B. Thomas, school board attorneys; and Ronald Blocker, superintendent.

Susan Landis Arkin, chairman, was out of town.

The Pledge of Allegiance followed the moment of silence.

Mrs. Sutherland 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.

Recognition for Outstanding Achievement: Mrs. Sutherland introduced William Gordon, principal, Winter Park, High School, who shared that Winter Park High School has been recognized by the Florida High School Activities Association as the "Best 6A Athletic Program in the State" for the 2000-2001 school year. The school also received the *Orlando Sentinel's* with "Super Six Most Outstanding Athletic Program Award" and was presented the Bob Berry Metro Conference All-Sports Award. Mr. Gordon introduced the following coaches: Matt Arnold, Johnny Rouse, Dave Boone and Barry Creighton.

Mrs. Rushing commented that Winter Park High School excelled in sports as well as academics. She added that the first time that state grades were given to the schools, Winter Park High School was the only high school in the state to receive an "A". Mrs. Rushing presented a Certificate of Appreciation to Mr. Gordon for Winter Park High School.

Mr. Gordon recognized Johnny Rouse, a former teacher and coach at Winter Park High School. Mr. Rouse was inducted into the National Wrestling Hall of Fame. Mr. Rouse was the third Florida coach in the state to be inducted into the Hall of Fame.

Mr. Rouse expressed his appreciation for the honor.

Mrs. Rushing presented a Certificate of Appreciation to Mr. Rouse.

Next, Joe Joyner, area superintendent, North Learning Community, recognized a representative from Sheriff Kevin Beary's office and briefly explained that a \$50,000 grant had been awarded by the Sheriff's Department to the North Learning Community for the past two years to fund an out-of-school suspension center. He also recognized Jeffrey Templeton, who is the grant manager for the Sheriff's Department; Margaret Gentile, senior director, support services; Calvin Lang, area administrator, student support services and Reverend Beacham from New Church of Faith on Silver Star Road where the center is located.

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Mr. Carrier commended Sheriff Beary and his department for their support to Orange County Public Schools.

Mrs. Sutherland, Mrs. Gordon and Mr. Carrier presented a Certificate of Appreciation to Sheriff Beary for the Orange County Sheriff's Department. The Pine Hills Consortium of Principals presented Sheriff Beary a plaque.

Mr. Templeton and Reverend Beacham expressed their appreciation.

Jackie Johnson, acting director of Community Relations and president of the Sunshine State School Public Relations Association, gave a brief overview of the statewide "Silence Hurts" campaign developed by Florida's top school public relations professionals. The campaign is designed to create an environment and culture where students feel free to speak up should they hear about someone with a weapon or impending act of violence on campus.

Special Order: Mark Williams, 2622 Cheaton Stone Run, Orlando, Florida, 32808, requested that the board grant a waiver of the 2-mile limit for the students residing in the Stoneybrook subdivision in East Orange County and continue bus service for the students.

Special Order: Frank Dolan, US Homes Corporation, Route 436, Casselberry, Florida, addressed the board regarding the concept of a gated community and expressed support for the homeowners.

Mr. Blocker responded that several years ago the district asked the Florida Department of Education attorney for assistance in interpreting the law as it relates to providing transportation for students who live within gated communities. He added that there were various forms of gated communities and the issue is the standard of public roads meeting private roads. The analysis provided by the Florida Department of Education attorney basically determined where a public road met the private road. The private road is the road owned by the development and the homes in a gated community.

Mr. Blocker proposed that staff take the information provided by Mr. Williams as well as additional information that had recently come to the district's attention and do an analysis to be ready for the board's transportation work session on October 29. He added that the district would continue what they are doing until that time.

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Mrs. Ardaman asked for clarification as to whether this was a local rule enacted by the district's transportation department or one enacted by the legislature or an administrative entity in Tallahassee.

Mr. Blocker stated that this was both, but basically it was a local response to what the district thought was the state law.

Mr. Kruppenbacher stated that this was a little bit of the state statute, state rule, administrative law judge's opinion and the district's effort to apply all of this. The Florida Department of Education came up with a generic statement of the rule where the public right-of-way meets the public property.

Mr. Kruppenbacher stated that it would be helpful if Mr. Williams provided the information to him in the format of an opinion (the facts). He then would do a supplemental request to the Department of Education.

Mr. Carrier expressed concern with Mr. Williams' statement that some of the students in the Stoneybrook subdivision could be four miles from the school and requested that this issue be addressed at the board's transportation work session.

Mrs. Sutherland stated that bus service will be continued as it is now for the Stoneybrook subdivision.

Mrs. Sutherland acknowledged the presence of Sheriff Kevin Beary.

Sheriff Beary commended the superintendent and the school board on their efforts and expressed that it was a pleasure to work with the school board.

On behalf of the board and the community, Mrs. Sutherland thanked Sheriff Beary for all that he does for Orange County Public Schools.

Adoption of Agenda: Mr. Blocker requested the following changes to the agenda: revisions to Request Approval of Revisions to Board Documents – Public Hearing; an addendum to #2

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Request Approval of Personnel Agenda Dated October 9, 2001, 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 status change of employee CE to relief of duty without pay; a revision to #3.3 (Request Approval of Students in Conjunction With the Waivers of Out-of School Student Expulsion and the District Behavior Contracts) including the move of student MB – Edgewater High School to Nonconsent #3; the addition of 5.4 (Request Approval to Deny all 2001-2002 Student Field Trips Out of the United States); a revision to 8.1 (Request Approval of Contract for Purchase of an Improved 17.8-Acre Compound for Bus Parking and Maintenance) in which language is added under the fiscal impact statement to read “to be funded from an appropriate funding source in the 2001-2002 operating budget”; and the withdrawals of #11.3 (Request Approval of Change Order No. 4 Turner Construction at Lovell Elementary School), #11.5 (Request Approval of Change Order No. 4 to Beers/S.L. at Howard Middle School) and #11.6 (Request Approval of Change Order No. 4 at Beers/S.L. at Winegard Elementary School).

Mrs. Sutherland found good cause to amend the agenda as requested.

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

The motion passed unanimously with all board members voting on it (6-0, with Mrs. Arkin absent).

Public Hearing – Request Approval of Revisions to School Board Documents: Mrs. Sutherland stated that the changes to the board documents were suggested by Mrs. Arkin.

Mrs. Sutherland opened the floor for public input. There was none.

Mr. Carrier stated that board had been working on these documents for about two years and they would be revised, as necessary, on a regular basis.

It was moved by Mr. Carrier and seconded by Mrs. Rushing that the revisions of the following board documents: Global Governance Commitment (GP-1), Governance Style (GP-2); Board Job Description (GP-3); Monitoring Board Governance Process and Board-Superintendent Linkage Policies (GP-4); Chairperson’s Role (GP-5), Board Committee Principles (GP-6), Annual Agenda Planning (GP-8), Board Members’ Code of Conduct (GP-9), Board Members’

Conflict of Interest (GP-10), Process for Addressing Board Member Violations (GP-11), Unity of Control (B/SL-2), Accountability of the Superintendent (B/SL-3), Delegation to the Superintendent (B/SL-4), Monitoring Superintendent Performance (B/SL-5), Annual Summative Evaluation of the Superintendent (B/SL-5E), and Communication and Support of the Board (EL3) be approved.

The motion passed unanimously.

Mr. Blocker stated that he would provide the board with dates for the monitoring calendar.

Mrs. Gordon requested that the school board documents be placed on the website.

Mrs. Sutherland stated that the board had approved governance policies for the board and how the board deals with the superintendent including his evaluation. She added that the superintendent is held accountable for the board's goals and objectives so it can be documented that the district is increasing student achievement and lowering the dropout rate.

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

Approve Minutes *(Legally Required Board Action)*

- 1.1 Board Meeting – September 18, 2001
- 1.2 Board Meeting – September 25, 2001

Human Resources and Operation Issues *(Legally Required Board Action)*

- 2.1 Request Approval of Personnel Agenda Dated October 9, 2001, 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
- 2.2 Approval of a Purchase Order for Maintenance With E-School Solutions, Inc., for the Substitute Employee Management System (SEMS) for July 1, 2001 – June 30, 2002
- 2.3 Request Approval of Resolution to Endorse the 'Silence Hurts' Campaign

Approve Student Expulsions

(Legally Required Board Action)

- 3.1 Request Approval of the Expulsion of a Student for the Remainder of 2001-2002 School Year, Including Summer School and the 2002-2003 School Year (JF/University High School)
- 3.2 Request Approval of the Expulsion of a Student for the Remainder of 2001-2002 School Year, Including Summer School (RD/Olympia High School)
- 3.3 Request Approval of the Expulsion of Students in Conjunction With the Waivers of Out-of-School Student Expulsion and The District Behavior Contracts **(Student MB-Edgewater High School moved to Nonconsent #3)**

Approve Grant Applications

(Legally Required Board Action)

- 4.1 Request Approval of Continuation Application for the Shared Services Network
Mr. Roach applauded Dr. Joe Joyner for his efforts and stated that it was important to stay connected to community resources.
- 4.2 Request Approval of the Tobacco Prevention and Intervention Teacher Training Project Grant Application for Corner Lake Middle School
- 4.3 Request Approval of the Submission of an Application to the Florida Department of Education for Second Year Funding for Westminster Charter School
- 4.4 Request Approval of the Submission of an Application to the Florida Department of Education for 2001-2002 Dissemination Grant Program for the Lake Eola Charter School, Inc.
- 4.5 Request Renewal of the Grant Proposal for Jobs for Florida's Graduates at Oak Ridge High School

Mr. Roach stated that he was impressed with this program and requested data on the success of the program.

Dr. Nicholas Gledich, associate superintendent, education services, stated that the program was in its fourth year. Last year, the program served approximately 500 students at four schools, but due to a cut in state funding, this year's program will serve approximately 120 students at Oak Ridge only. Out of the 500 students served last year, approximately 85 to 87% of the students are still in school. There is follow up and support provided to students after graduation.

Mrs. Gordon invited Mr. Roach to join her on her next visit to Oakridge High School.

- 4.6 Request Approval of the USGA "For the Good Of The Game" Grant Application for Ventura Elementary School

Mr. Carrier expressed that he was very glad to see that the United States Golf Association has put forth their program "For the Good Of The Game" to be implemented through a grant. He added that this was an opportunity to expose students and it would teach them life's lessons. This program also meets the physical education requirement.

Mr. Roach commented that children would have the opportunity to play golf and that it was a lifetime sport.

- 4.7 Request Approval of the Submission of an Application to the Florida Department of Education for 2001-2002 Dissemination Grant Program for the Princeton Charter School

Mr. Roach commended the district on the work it does with charter schools. He added that he has visited Westminster, Lake Eola and Princeton Charter Schools and was impressed with what they do.

- 4.8 Request Approval of Grant Contract for Victims of Crime Act (VOCA) Grant With the Florida Attorney General to Continue Funding for the Rapid Response Program

Approve Education Services Related Items *(Legally Required Board Action)*

- 5.1 Request Approval of the Agreement With United Arts of Central Florida, Inc.
- 5.2 Request Approval of Agreement to Educational Development Association (ACALETICS) for the 2001-2002 School Year for Title I Federal Programs
- 5.3 Request Approval of the 2001-02 School Improvement Plan

5.4 Request Approval to Deny all 2001-2002 Student Field Trips Out of the United States

Linda Gartley, 7878 Toledo Street, Orlando, Florida, 32822, requested that the board allow domestic field trips to continue because the Colonial High School Band has a trip scheduled to California.

Mrs. Rushing asked for clarification whether this item dealt with international travel only.

Mr. Blocker responded yes. He added that the policy basically took into consideration all the information staff could gather after the September 11 tragedy. Also included in the research was the advisory information provided by the Department of State as it related to international travel. The request to the board is to deny all school sponsored international travel retroactive to July 1. This would not preclude parents from working independently or privately on their own to provide experiences for their students and assuming whatever necessary risks.

In regard to domestic travel, there was a good policy in place and principals must determine the academic worth of the program, which then it must be approved by the area superintendent.

Debra Howard, 5804 Wayt Court, Orlando, Florida, 32810, addressed the board regarding the Apopka High School trip to Paris, France.

John Miles, 14624 Braddock Oak Drive, Orlando, Florida, 32837, expressed that he was very pleased with the board's efforts.

Mr. Carrier stated that the approval of this item would indicate that the board was not endorsing out of the country trips, but this did not prevent parents from planning privately sponsored trips. Therefore, the responsibility would fall on the shoulders of the parents.

Mr. Blocker stated that following the board's approval, a memo would be sent to all the schools to let them know and it will include a list of questions to help guide principals in making a decision about approving a trip.

In response to the reimbursement if a trip was cancelled, Mr. Carrier stated that the trips were not school board funded, but privately funded by the parents.

Mrs. Gordon asked for legal clarification of students wearing uniforms when they were on the trips and what kind of repercussions would this have on the school board.

Mr. Kruppenbacher responded that the district will be officially notifying parents that in this particular case they were not telling students that they couldn't wear their band uniforms. If they wear the uniform, they would not be wearing it as a part of an official Orange County School Board function. The Department of State has warned Americans about wearing clothing in a foreign country that would identify them as Americans. The superintendent has been advised legally that if a student goes on an out of the country and wears a band uniform, he or she would not be officially representing the district.

Mr. Kruppenbacher stated that if the students decided to go, they could wear OCPs clothing, but they would not be representing the district.

Approve Curriculum/Program Services Issues *(Legally Required Board Action)*

- 7.1 Request Approval of the Agreement With the School Board of Lake County for the Provisions of Programs and Services to Exceptional Education Students Attending Private/Parochial Schools
- 7.2 Request Approval of Continuation Agreement With Orange County, Florida for Head Start Services

Approve Real Estate Issues *(Board Policy EL6)*

- 8.1 Request Approval of Contract for Purchase of an Improved 17.8-Acre Compound for Bus Parking and Maintenance
- 8.2 Request Approval of First Amendment to Real Estate Purchase Agreement for West Orange High School Addition
- 8.3 Request Approval of Request for Right of Way on Lokanatosa Trail at Riverdale Elementary
- 8.4 Request Approval to Authorize Superintendent to Execute Deed Donating Right of Way to City of Winter Park for Traffic Improvements Benefiting Glenridge Middle School
- 8.5 Request Approval of Preparation of Option Agreement for City of Winter Park to Acquire Campus of Glenridge Middle School

Approve Business and Finance Functions *(Legally Required Board Action)*

- 9.1 Request Approval of Bids to be Awarded – October 9, 2001

Approve Construction Related Issues (None) *(Legally Required By Law)*

Approve Change Orders *(Board Policy EL11/Legally Required Board Action)*

- 11.1 Request Approval of Change Order No. 14 to Hardin Construction Company LLC at Stonewall Jackson Middle School
- 11.2 Request Approval of Change Order No. 15 to Hardin Construction Company LLC at Stonewall Jackson Middle School

Mr. Roach commented that he was glad that the board was being good stewards of the taxpayers' dollars in regard to construction. He asked what happens when the contractor does not perform satisfactorily and whether the district could get the money back.

Mr. Blocker responded that the district was trying to carefully manage and monitor contractors. The contractors are held accountable and contracts will be terminated for those who do not perform. The district has standards for performance and enforces them.

For point of clarification, Mrs. Rushing asked whether Mr. Roach was inquiring about change orders. She added that in new construction, it is easy to have a guaranteed maximum price. However, in a renovation unacceptable but unforeseen conditions are often discovered once the work has started. That creates the need for change orders and additional costs.

Mr. Roach stated that he was referring to poor workmanship of contractors.

Mr. Kruppenbacher stated that the superintendent with the Construction Oversight Value Engineering Committee was working out quality steps.

- 11.3 Request Approval of Change Order No. 4 to Turner Construction at Lovell Elementary School **(Withdrawn)**
- 11.4 Request Approval of Change Order No. 2 to McCree, Inc. at Dover Shores Elementary School

- 11.5 Request Approval of Change Order No. 4 to Beers/S.L. at Howard Middle School **(Withdrawn)**
 - 11.6 Request Approval of Change Order No. 4 to Beers/S.L. at Winegard Elementary School **(Withdrawn)**
 - 11.7 Request Approval of Change Order No. 4 to General Mechanical, Inc. at Conway Middle School
 - 11.8 Request Approval of Change Order No. 4 to Turner Construction Company at Gateway School
- Approve Legal Issues (None)

Accept Superintendent's Monitoring Reports

- 13.1 Request Acceptance of the Superintendent's ENDS Policy Monitoring Report

The motion passed unanimously.

Mr. Blocker highlighted from the consent agenda that the board approved the School Improvement plans. He reported that included in the School Improvement Plans were the supporting conditions that emanated from the Graduation Rate Study. He added that the School Improvement Plans were available in School Board Services for the board members' perusal.

Mrs. Rushing thanked the board for approving the Glenridge Middle School project and the following for their efforts: Dr. Daniel Buckman, associate superintendent, governmental relations; Vertis Lane, principal of Glenridge; Beth Provancha, former principal of Glenridge; Dr. Jenny Reeves, area superintendent, Central Learning Community; Jon Martin, senior manager, real property; and Frank Kruppenbacher. She also stated that the project was for the good of the community.

Nonconsent #1 - Request Approval of a Resolution Authorizing the Sale of \$25,000,000

Series 2001 Tax Anticipation Notes: At the request of the superintendent, Dr. Henry Boekhoff, chief financial officer, explained that the district was borrowing funds on a short term basis because anticipated tax revenues aren't dispersed in December. Meanwhile, salaries must be paid now. This enables the district to manage its cash-flow, not gain extra revenue.

It was moved by Mr. Carrier and seconded by Mr. Roach that the resolution authorizing the sales of \$25,000,000 Series 2001 Tax Anticipation Notes be approved.

Mr. Carrier asked whether the instability of the market would affect the district.

Dr. Boekhoff responded that the district would not be affected since this was short term.

The motion passed unanimously.

Nonconsent #2 - Request Approval of a Resolution Authorizing Execution of a Third Amended and Restated Schedule 1997A-2, an Amended and Restated Schedule 2000A-1 and an Amended and Restated Schedule 2000A-2 to the Master Lease, an Escrow Deposit Agreement and a Certificate Purchase Contract and Providing Approval of the Sale of Refunding Certificates of Participation, Series 2001A, in an Aggregate Principal Amount not Exceeding \$80,000,000: Dr. Boekhoff explained that the was refinancing a

portion of the mortgage in the term of the Certificates of Participation. He added that the long-term financing market was in currently in disarray and staff would move forward when the market was right.

Mrs. Rushing moved and Mrs. Gordon seconded approval of the resolution authorizing execution of a Third Amended and Restated Schedule 1997A-2, an Amended and Restated Schedule 2000A-1 and an Amended and Restated Schedule 2000A-2 to the Master Lease, an Escrow Deposit Agreement and a Certificate Purchase Contract and providing approval of the sale of Refunding Certificates of Participation, Series 2001A, in an Aggregate Principal Amount not exceeding \$80,000,000.

The motion passed unanimously.

Nonconsent #3 – Request Approval of the Expulsion of Student MB in Conjunction with the Waivers of Out-of-School Student Expulsion and the District Behavior Contracts:

Mirrian Bryant, 3008 Messina Avenue, Orlando, Florida, 32811, addressed the board regarding the recommendation for expulsion of student MB.

Mr. Blocker stated that the district has a zero tolerance towards weapons in schools because of the obvious consequences that could occur if it is not consistently and rigidly enforced. The student does not have a history of serious behavioral problems, but the fact remains that staff was able to determine that the student did possess a weapon inappropriately.

At the request of Mr. Blocker, Dr. Jenny Reeves, area superintendent, Central Learning Community, presented background information on the case.

Mrs. Rushing asked whether the student had the option of Virtual High School and if he would need the permission of the board to do so.

Mr. Blocker responded that it was his understanding that the Virtual High School would have to make the determination and if the student receives an education from the Virtual High School during the period of his expulsion, it would not be a problem.

Mrs. Gordon expressed concern that the majority of the recommendations for expulsions are Black and/or Hispanic males and that certain procedures were overlooked.

It was moved Mrs. Ardaman and seconded by Mr. Carrier that the expulsion of student MB in conjunction with the waivers of out-of-school student expulsion and the district behavior contracts be approved.

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The motion passed unanimously 5-1 (with Mrs. Gordon voting no).

Special Session – Orange County School Board Leasing Corporation: Mrs. Sutherland recessed the meeting at 7:30 p.m. to convene the Orange County Leasing Corporation meeting.

Mr. Blocker introduced Mr. Bob Gang, Greenberg Traurig, and P.A., who presented the agenda for the meeting.

Mrs. Sutherland called the Orange County School Board Leasing Corporation to order and declared a quorum.

It was moved by Mrs. Gordon and seconded by Mr. Roach that the following list of officers be duly elected to serve until their successors are duly elected: Susan Landis Arkin, president; Linda Sutherland, vice president; Dr. Henry Boekhoff, treasurer; and Ronald Blocker, secretary.

The motion passed unanimously (5-0, with Mr. Carrier absent).

It was moved by Mrs. Gordon and seconded by Mr. Roach that the authorizing resolution be approved.

The motion passed unanimously (5-0, with Mr. Carrier absent).

Mrs. Sutherland adjourned the Orange County School Board Leasing Corporation at 7:40 pm. and reconvened the Orange County School Board meeting at 7:40 p.m.

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

October 22, 2001	4:00 p.m.	Work Session – Instructional Incentive Pay
October 23, 2001	3:30 p.m.	Linkage Session with parents
October 23, 2001	5:30 p.m.	Board Meeting
October 29, 2001	4:30 p.m.	Work Session – Transportation
October 30, 2001	3:15 p.m.	Work Session – Charter Schools
November 1, 2001	3:15 p.m.	Work Session – Charter Schools
November 5, 2001	8-4:00 p.m.	Work Session – Aspen Group
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November 6, 2001	8-4:00 p.m.	Work Session – Aspen Group
November 11, 2001	4:00 p.m.	Work Session – Data Training
November 20, 2001	3:30 p.m.	Linkage Session – Higher Education
November 20, 2001	5:30 p.m.	Board Meeting
November 20, 2001	7:00 p.m.	Reorganization

Mr. Blocker stated that the Governor was calling a special session to take emergency actions. He added that the district had a freeze on hiring with the exception of positions related directly to delivering services to students such as teachers and bus drivers. Also, all out of district travel for employees has been frozen and managers have been given basic guidelines to follow as employees apply for travel.

Statement of Policy Level Issues the Board Would like to Agenda for Subsequent Meetings or Work Sessions: Mrs. Sutherland stated that board members had received the wording that Mrs. Ardaman has requested for consideration in the student learning environment policy.

Information Shared by Board Members: Mrs. Gordon shared with the board that she attended the Congressional Black Caucus and the Black Women's Agenda Conference in Washington, D.C. On behalf of Marian Wright Edelman, she asked board members to support the Children's Defense Fund.

Mrs. Gordon shared that she also attended an outstanding workshop on charter schools presented Reginald Felton, director of Federal Relations for the National School Boards Association, and will have information mailed to each board member.

Mr. Roach mentioned the crisis plan the district has in place.

Mrs. Sutherland thanked board members for their participation at the Winter Park Chamber Luncheon. She added that she had received positive feedback.

Mrs. Sutherland asked whether the board would like for staff to prepare a response to the article in the *Orlando Sentinel* on Saturday.

Mr. Blocker responded that staff would prepare a response and send it to the board members along with a copy of the article.

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There was discussion by board members about getting the word out to parents about space available busing.

Reports by Attorneys: Mr. Kruppenbacher requested that the board have a special session next week to take action on the Moss Park proposal.

The meeting adjourned at 7:55 p.m.

Chairman

Secretary

dmm