

**Board Meeting
Item 1-1.1**

**ORLANDO, FLORIDA
September 17, 2002**

The School Board of Orange County, Florida, met in regular session and public hearing on Tuesday, September 17, 2002 at 6:09 p.m. Present were: Susan Landis Arkin, chairman; Judge Richardson Roach, vice chairman; Barbara T. Rushing, Linda H. Sutherland, Karen Ardaman, Kathleen B. Gordon, school board members; Henry R. Boekhoff, chief financial officer; Frank C. Kruppenbacher and Andrew B. Thomas, school board attorneys; and Ronald Blocker, superintendent.

Berton R. Carrier, school board member, was out of town.

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.

Adoption of Agenda: Mr. Blocker requested the following changes to the agenda: an addendum to 2.1 (Request Approval of Personnel Agenda Dated September 7, 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); a change to 5.5 (Request Approval of Agreement with Educational and Leadership, Inc. for the 2002-2003 School Year); the withdrawal of 8.1 (Request Approval by Supermajority Vote of Real Estate Purchase Agreement for the Third Addition to West Orange High School) and 10.2 (Request Approval of the Certificate of Final Inspection for the Immediate Needs Project at Dream Lake Elementary School); and a change to Nonconsent #2 (Request Adoption of the 2002-03 Final Budget).

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

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

The motion passed 6-0 (with Mr. Carrier absent).

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

- Approve Minutes *(Legally Required Board Action)*
- 1.1 August 27, 2002, School Board Meeting
- Human Resources and Labor Relations Issues *(Legally Required Board Action)*
- 2.1 Request Approval of Personnel Agenda Dated September 17, 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
- 2.2 Request Approval of Modified Work Schedule During Winter and Spring Breaks
- 2.3 Request Approval of Donation of Surplus School bus to Orange County Sheriff's Office

- 2.4 Request Approval for Purchases in Excess of \$15,000 From An Angel's Helping Hand
- Approve Student Expulsions *(Legally Required Board Action)*
- 3.1 Request Approval of the Expulsion of Students in Conjunction With the Waivers of Out-of-School Expulsion and the District Behavior Contracts
- Approve Grant Applications *(Legally Required Board Action)*
- 4.1 Request Approval of Contract With the Central Florida Council Boy Scouts of America to Continue the Learning for Life Character Education Program in Selected Orange County Elementary Schools
- 4.2 Request Approval of Application to Continue the Adults With Disabilities and Senior Adult Learners Program
- 4.3 Request Approval of the Adult Vocational Education and Orange County Refugees Continuation Grant Application
- 4.4 Request Approval of Additional Grant Applications Submitted Under the Mayor's Educational Partnership Grant Program
- Approve Education Services Related Items *(Legally Required Board Action)*
- 5.1 Request Approval of Agreement With Mark Schroeder Consulting, for the 2002-2003 School Year
- 5.2 Request Approval of Agreement With Martha Jan Mickler Consulting, for the 2002-2003 School Year
- 5.3 Request Approval to Amend the Charter for the UCP Charter School
- 5.4 Request Approval of the Inter-District Agreement for the Enrollment of Lake County School Board Students in Hope Charter School
- 5.5 Request Approval of Agreement With Educational and Leadership, Inc. for the 2002-2003 School Year
- Approve Work Force Education Issues (None) *(Legally Required Board Action)*
- Approve Curriculum/Program Services Issues (None) *(Legally Required Board Action)*
- Approve Real Estate Issues *(Board Policy EL6)*
- 8.1 Request Approval by Supermajority Vote of Real Estate Purchase Agreement for the Third Addition to West Orange High School **(Withdrawn)**
- 8.2 Request Approval of School Facility Use Agreement for Jones High School and Lake Conway Athletic Association
- Approve Business and Finance Functions *(Legally Required Board Action)*
- 9.1 Request Approval of Bids to be Awarded – September 17, 2002
- 9.2 Request Approval of Settlement of Worker's Compensation Claim: Delores E. Addeo v Orange County School Board
- 9.3 Request Approval to Engage B Gold Consulting, Inc. to Perform Actuarial Services Required to Employee Benefit Trust
- 9.4 Request Authorization for the Superintendent to Participate With IBM to Maximize E-Rate Funding for OCPS
- 9.5 Request Approval of School Impact Fee Agreement Brentwood Club on Millenia Blvd. Partners, Ltd.
- 9.6 Request Approval of School Impact Fee Agreement Millenia Club Partners, Ltd.
- 9.7 Request Approval of School Impact Fee Agreement The Landings on Millenia Blvd. Partners, Ltd.
- Approve Construction Related Issues *(Legally Required By Law)*
- 10.1 Request Approval of Firm for Design/Build Services for Lake Nona Transportation Facility Expansion

- 10.2 Request Approval of the Certificate of Final Inspection for the Immediate Needs Project at Dream Lake Elementary School **(Withdrawn)**
 - 10.3 Request Approval of Final Payment for Phase A Work to Construct Two Group, Inc. at Jones High School
 - 10.4 Request Approval of the Appointment of Five new Members Listed in the Resolution to the Citizen's Construction Oversight and Value Engineering Committee (COVE)
- Approve Change Orders *(None) (Board Policy EL11/Legally Require Board Action)*
Approve Legal Issues
Accept Superintendent's Monitoring Reports

The motion passed unanimously.

Mr. Roach highlighted 8.2 (Request Approval of School Facility Use Agreement for Jones High School and Lake Conway Athletic Association) stating that he was impressed with joint facilities use agreements between the schools and communities.

Mrs. Sutherland highlighted 10.4 (Request Approval of the Appointment of Five new Members Listed in the Resolution to the Citizen's Construction Oversight and Value Engineering Committee (COVE), thanking the new members for agreeing to serve. She shared that a week ago she spoke to a group at Westgate Properties and that Mr. Siegel expressed that he would be interested in being a member of COVE.

Mr. Blocker highlighted 2.2 (Request Approval of Modified Work Schedule During Winter and Spring Breaks) stating that this was one of the cost saving ideas used last year which allowed the district to apply the monies toward raises. He added that he appreciated the support of the board as the district tries to make responsible and prudent moves and shift resources.

He also highlighted 4.4 (Request Approval of Additional Grant Applications Submitted Under the Mayor's Educational Partnership Grant Program), stating that seven schools had applied for this grant through the City of Orlando. The schools that receive the grant will be able to provide a variety of services such as tutoring, college preparation and literacy training, all of which are in alignment with the board's ENDS policies. These programs will be available for students after school and/or on the weekend.

Mrs. Ardaman highlighted 2.4 (Request Approval for Purchases in Excess of \$15,000 From An Angel's Helping Hand), stating that this was an excellent opportunity for the district. A school would be able to purchase 20 computers for less than \$4,000 using this matching grant program. The computers had been leased by local businesses and now will be purchased by the school at a reduced price.

At the prerogative of the chairman, the special order speakers were moved to this portion of the agenda.

Mrs. Arkin stated that special order speakers requested in writing to speak to the board. She added that they each had five minutes to address the board on any topic of their choosing. The board would listen, direct issues to staff, if appropriate, and, if a board level issue was raised, discuss it at a time when the board could effectively do so with all necessary information.

Special Order: Hector M. Vidal, 1962 River Park Boulevard, Orlando, Florida, 32817, addressed the board regarding his dismissal as a project manager with the Design & Construction Program Management Teams.

Mrs. Arkin requested that Mr. Blocker look at all the information Mr. Vidal shared with the board.

Mr. Blocker clarified that Mr. Vidal was not an Orange County Public Schools employee. He added that Mr. Vidal was working for the program manager that handled some of the districts construction projects. He stated that he would look into the situation.

Special Order: Ray Bazzi did not address the board.

Special Order: Suzanne Tibbs did not address the board.

Special Order: Ed Musgrave, 2078 Gatlin Avenue, Orlando, Florida, 32806, congratulated the board on its victory for the half-cent sales tax referendum. He added that the board had been granted over \$2 billion for the next 13 years for repairing, renovating, and building new schools, which was an awesome responsibility.

Mr. Roach commended Mr. Musgrave for the positive campaign he ran.

Special Order: Judith Hope, 2654 Smithfield Drive, Orlando, Florida, 32837, addressed the board regarding problems her son was encountering at Cypress Creek High School.

Mr. Blocker stated that he would get a summary of Ms. Hope's concerns from Dr. Roy Brooks, area superintendent, South Learning Community.

Mr. Blocker stated that he would get provide information for the board regarding band programs.

Mrs. Sutherland requested that the superintendent provide the board with a list of the various sports activities in which students participate and what they have to pay.

Special Order: Elizabeth Delgado, representing the residents of Winding Creek, 1003 Old Barn Road, Orlando, Florida, 32825, addressed the board regarding the discontinuation of bus service for Cypress Springs Elementary School.

Mrs. Arkin stated that there was a discrepancy in the distances measured by the district and the community members. She requested that the superintendent have the transportation department recheck the distance.

Mr. Blocker stated that he would have the measurement rechecked. He added that the public needed to understand that it would be in the best interest of the district to find out that the distance was more than two miles because then the district would be funded by the state to provide transportation.

At the request of Mr. Blocker, Ryburn Merriam, senior director, transportation and support services, addressed the issue. Mr. Merriam stated that Ms. Delgado's measurement was probably correct, based on the route shown on the map Ms. Delgado had handed out. He added that he sent a letter to Ms. Delgado on September 12 explaining how the district measured the distance. The district measured from the second entrance and Ms. Delgado measured from the first entrance, which is two miles.

At the request of Mr. Roach, Ms. Delgado explained how her community measured the distance. Mrs. Arkin suggested that Ms. Delgado or someone from her community could accompany staff when they re-measured.

Mrs. Ardaman stated that she would like the board to continue working on its transportation

policy since there were many concerns in the community. She added that Orange County was going to be adding transportation to their legislative lobbying efforts.

Special Order: Dr. James Fadigan withdrew his request to address the board.

Special Order: Paul Hampton withdrew his request to address the board.

The meeting recessed at 7:07 p.m. and reconvened at 7:14 p.m.

Nonconsent #1 – Request Adoption of Millage to Support 2002-03 Final Budget: Mr. Blocker stated that this past July, the board had approved a tentative millage to support the 2002-2003 tentative budget. Since that time, the majority of the community had supported the half-cent sales tax referendum on September 10, the ballot language included a reduction in millage. He added that the millage resolution before the board tonight reflected this millage rollback.

At the request of Mr. Blocker, Dr. Henry Boekhoff, chief financial officer, explained the rollback rate the board must calculate every year. It is the percentage change in revenues resulting from the proposed millage compared to the previous year's property tax revenue. With the passage of the sales tax referendum, the recalculated rollback rate equates to a reduction in school taxes.

Dr. Boekhoff stated that the district had been able to maintain lower class sizes in the elementary schools and reasonable sizes in the secondary schools despite of the school funding situation and the continued increase in health insurance costs. He added that the board had allowed the superintendent the flexibility to craft a budget that would provide a significant salary increase to all personnel, maintain health insurance benefits this year, maintain class sizes and assist at-risk schools by adding resources.

At the request of Mrs. Sutherland, Dr. Boekhoff stated that the lottery would run the schools for less than three days.

Mr. Roach commented that he was impressed that the district had continued to keep the class sizes down and provide extra training and money for teachers in the urban cohort schools, administrative raises and a performance incentive.

Mrs. Gordon requested that Dr. Boekhoff explain that the reduction of millage for capital expenses as a result of the sales tax did not have anything to do with the operating dollars that came from Tallahassee.

Dr. Boekhoff stated that the ballot language specified, and state law clearly articulated, that the only use of the sales tax funds was for the construction, remodeling and renovation of schools. It could not be used for any other purpose. It is from local funds; thus the state could not attach it. He added that the state did get involved with the property tax and the amount of funds that came with it, but that was in regard to the operating budget, not the capital budget. There is no required local effort attached to the capital budget or capital millage.

Mrs. Rushing requested that Dr. Boekhoff briefly explain the double counts in the budget.

Dr. Boekhoff stated that because of governmental accounting regulations, the budget was comprised of five different funds, and because of the way the district had to account for revenues and expenses, at least three of the funds involved double counting. For example, the funds for the internal service budget primarily come from the operating budget, with a small amount from the special revenue fund. Thus, the funds in the internal service budget also appear in the operating and special revenue budgets. He added the real revenues in the capital budget were approximately \$200 million because capital projects took more than one fiscal year to complete. Therefore, funds that had not been raised in one year but had not been paid to the

contractor are carried over to the next fiscal year. Similarly, if schools did not spend all their dollars in any one year, the school could carry those dollars over to the next year. However, these would not be new revenues, so the same monies would be budgeted twice—first in one year and then in the next.

Mrs. Rushing asked Dr. Boekhoff to share what the actual revenue was.

Dr. Boekhoff responded that the actual revenue was \$1.1 billion, which included the food services fund and the capital fund.

Mrs. Arkin opened the floor for public input and there was none.

It was moved by Mrs. Rushing and seconded by Mr. Roach that

WHEREAS Section 200.065(2)(f)(1), Florida Statutes, requires that the School Board adopt a total millage to support the final budget, and notify the Property Appraiser of its action; and

WHEREAS the 2002-03 final budget is based upon a total millage of 7.878 mills, which represents a decrease in the rolled-back rate by 5.36% as computed pursuant to Section 200.065(1), Florida Statutes;

NOW, THEREFORE, BE IT RESOLVED by the School Board of Orange County, Florida, that the Board does hereby adopt the following total millage to support the final budget for the 2002-03 fiscal year:

Local Required Effort	5.724
Basic Discretionary	.510
Supplemental Discretionary	.144
Capital Improvement	<u>1.500</u>
Total	<u>7.878</u>

BE IT FURTHER RESOLVED that the Superintendent immediately inform the Orange County Property Appraiser of the action of the School Board in the manner prescribed by law.

Mrs. Rushing commented that she was very happy with this budget and mentioned that the district had the lowest administrative costs per pupil in the state--almost \$100.00 below the state average per child. She added that she was proud that the district was able to move the dollars away from administration and into the classroom.

Mrs. Sutherland highlighted that the district allocated a little over a million dollars in non-recurring dollars for investment in the PreK program. She added that this was an investment in the future and would have a long term payoff. She also commended the superintendent for making this a priority.

Mrs. Arkin commended the superintendent for a well done job in terms of putting the budget together.

The motion passed unanimously.

Nonconsent #2 – Request Adoption of the 2002 -03 Final Budget: It was moved by Mrs. Sutherland and seconded by Mrs. Ardaman that the 2002-03 Budget for the General Fund in the amount of \$982,165,755 be approved.

The motion passed unanimously.

It was moved by Mr. Roach and seconded by Mrs. Gordon that the 2002-03 Budget for the Special Revenue Fund in the amount of \$48,109,197 be approved.

The motion passed unanimously.

It was moved by Mrs. Rushing and seconded by Mrs. Sutherland that the 2002-03 Budget for the Debt Service Fund in the amount of \$72,456,714 be approved.

The motion passed unanimously.

It was moved by Mrs. Gordon and seconded by Mrs. Ardaman that the 2002-03 Budget for the Capital Projects Fund in the amount of \$706,991,002.

It was moved by Mrs. Sutherland and seconded by Mr. Roach that 2002-03 Budget for the Internal Service Fund in the amount of \$116,416,376.

At the prerogative of the chairman, "Reports by Attorneys" was moved to this portion of the agenda.

Reports by Attorneys: Mr. Kruppenbacher stated that he received a letter from the City of Orlando in response to the query sent them at the request of the superintendent and board regarding the Universal/DeLucca property. He requested that the board review the letter and contact him if they had questions.

Mr. Kruppenbacher added that the letter referred to the ability to convert a timeshare development to multi-family use without potentially any approval processes taking place. If many time-share projects were to convert, there could be a large group of children, for whom the district had not planned, entering schools.

Mrs. Arkin distributed a letter that would be sent to the mayors and the county chairman asking that the issue of timeshares be something they discuss as a part of looking at school capacity and growth. She added that this letter would request that each municipality consider approving timeshares conditioned on a given period of operation as a timeshare and that the conversion of a timeshare be treated as an unvested property right and coordinated with available school capacity and construction renovation schedules. She requested that the board review the letter and let her know if there were questions or concerns.

Mrs. Rushing stated that the letter was consistent with what the board had discussed in the past.

Mrs. Arkin distributed a second letter addressed to Orange County Chairman Richard Crotty, requesting a joint work session, once the elections were over, to discuss the issue of growth in Orange County. The letter also requested that the newly formed Transportation Commission look at the issue of sidewalks and pedestrian traffic as a part of its study. There was consensus by the board members to send both letters.

Mr. Kruppenbacher reported on a Cyber High Charter School issue. He stated that the district had obtained Judge Stroker's authorization and approval to place \$15,000 of the money withheld from Cyber High into the court for payment of Cyber's employees. The court would establish a

process for the employees of Cyber High Charter School to certify their hours and the amount owed to them. The court then would review what had been filed and determine payment. If the sums requested exceed \$15,000 in the aggregate, the judge will apply the \$15,000 pro rata. He added that an order had been prepared for the judge to do this.

Mr. Roach asked about the delay in paying the Cyber High Charter School teachers.

Mr. Kruppenbacher responded that Cyber High Charter School did not present data that the auditors would accept. The district wrote a letter to Cyber proposing that they stipulate that Judge Stroker enter an order saying that the teachers could apply to the court for payment. Cyber would not agree to the order. He added that the board, through its representatives, had done everything possible to have the employees paid.

Mr. Kruppenbacher thanked the principals & PTAs for doing what they need to do, within compliance of the law, during the sales tax referendum.

Statement of Policy Level Issue the Board Would Like to Agenda for Subsequent Meetings or Work Sessions: Mrs. Arkin reported that the board received a memo from Linda Dawson and Randy Quinn of the Aspen Group. They suggested that the board create a governance committee. She also distributed forms to board members for noting policy concerns that needed to be addressed.

Mr. Roach stated that he was willing to try the new form, but expressed concern regarding more board dialogue.

Mrs. Arkin stated that the purpose of the form was to facilitate dialogue, not to replace it.

Mrs. Arkin stated that the board also received notice requesting a retreat in December and quarterly retreats.

Mrs. Ardaman stated that she liked this method because it would allow the board to utilize its time better.

Mrs. Gordon thanked Mrs. Arkin for the document.

Mrs. Sutherland reported that she attended an SAC meeting on September 11 and one of the parents made the suggestion of making a patriotic display in the school offices where graduates in the military attended.

Mrs. Rushing stated that many students had parents who were serving in the military and their pictures could also be displayed.

Mrs. Gordon asked for an update on the project presented by Mr. Lynn.

Mr. Blocker responded that there were already some schools that had established their own memorials of alumni who had served in the military. He added that a school would problem solve when a good idea like this comes up.

Mrs. Ardaman requested that the superintendent provide the board with various options regarding fully televising board meetings and the fiscal impact.

Mrs. Arkin stated that she was opposed to the televising of student expulsions and employees because of privacy issues.

Information and Future Meeting Dates – Superintendent: Mr. Blocker announced that he had been out on various street corners waving thank you signs. He added that he felt it was important to thank the community for the support they provided for the sales tax referendum. He also shared that he received a call from Secretary Mel Martinez who personally congratulated the district for being able to achieve the needed sales tax. Secretary Martinez also added that he had seen how other districts were looking and it was very important that this was done in Orange County. Mr. Blocker also reported that he was featured on a Hispanic radio program and he shared this message with the Hispanic community.

Mr. Blocker stated that when the board approved the budget, the district was able to reduce administrative costs even more. This could not have been done effectively without the management team working as a team.

He also added that with the action of the community on September 10, the district had assured the community about the accountability measures. Mr. Kruppenbacher had reviewed several lobbying models and would distribute draft lobbying guidelines to the board members.

At the request of Mr. Blocker, Mr. Kruppenbacher explained that a paid lobbyist would be required to register with the district. He added that he would distribute the superintendent's implementation guidelines to the board for review on Friday. Potential companies or their representatives were not allowed to have contact with the staff or board members after the bids were released. Every process and procedure would be reviewed before January 1.

Mrs. Ardaman stated that she believed that the key to the success of the sales tax referendum was the superintendent's establishment of the Superintendent's Responsibility and Accountability Committee.

Mr. Blocker announced the following upcoming meetings:

September 24, 2002	3:30 p.m.	Work Session (K-20 Curriculum)
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

The meeting adjourned at 8:40 p.m.

Chairman

Secretary

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