

**Board Meeting
Item 1-1.1**

**ORLANDO, FLORIDA
November 19, 2002**

The School Board of Orange County, Florida, met in regular meeting on Tuesday, November 19, 2002 at 5:45 p.m. Present were: Susan Landis Arkin, chairman; Judge Richardson Roach, vice chairman; Barbara T. Rushing, Linda H. Sutherland, Karen Ardaman, Kathleen B. Gordon, and Berton R. Carrier, school board members; Henry R. Boekhoff, chief financial officer; Frank C. Kruppenbacher and Andrew B. Thomas, school board attorneys; and Ronald Blocker, superintendent.

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.

Recognitions: Mrs. Sutherland presented a plaque and expressed her thanks to Dr. Jon Schneider, who for years has administered free physicals and provided medical care for students without health insurance.

Mr. Blocker introduced the following newly appointed administrators to be approved on the consent agenda: Robert Strenth, assistant principal, Robinswood Middle; Scott D. Howat, assistant principal, University High; and Shawna Sherry, assistant principal, Avalon Elementary.

Adoption of Agenda: Mr. Blocker requested the following changes to the agenda: an addendum to 2.1 (Request Approval of Personnel Agenda Dated November 19, 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) including the teacher termination/suspension of TS; changes to 3.19 (Request Approval to of the Expulsion of Students in Conjunction With the Waivers of Out-of-School Student Expulsion and The District Behavior Contracts), 9.12 (Request Approval of the Public Education Agreement – Foothills of Mt. Dora, LLC) and 9.13 (Request Approval of the Public Education Agreement – Landstar/First Union); and the addition of 10.4 (Request Approval of Firm as the Architectural and Engineering Firm for Jones High School) and 12.3 (Request Approval of the Settlement of the Jon Terrence Adsit Claim Against The School Board of Orange County, Florida).

Mrs. Arkin requested that 9.8 (Request Approval of the 2003 South Florida Consortium Legislative Program) be moved to Nonconsent #5. She also suggested that when there are changes to an agenda item staff use strikethroughs and underlines to show what has been changed.

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

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

The motion passed unanimously with all board members voting on it.

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

Approve Minutes (Legally Required Board Action)

- 1.1 October 22, 2002 Work Session Minutes
- 1.2 October 22, 2002 Board Meeting Minutes
- 1.3 October 29, 2002 Work Session Minutes

Human Resources and Labor Relations (Legally Required Board Action)

- 2.1 Request Approval of Personnel Agenda Dated November 19, 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

Approve Student Expulsions (Legally Required Board Action)

- 3.1 Request Approval of the Expulsion of a Student for the Remainder of the 2002-2003 School Year/RP Chain of Lakes Middle School
- 3.2 Request Approval of the Expulsion of a Student for the Remainder of the 2002-2003 School Year/MJ Jones High School
- 3.3 Request Approval of the Expulsion of a Student for the Remainder of the 2002-2003 School Year/DW Jones High School
- 3.4 Request Approval of the Expulsion of a Student for the Remainder of the 2002-2003 School Year/SD Apopka High School
- 3.5 Request Approval of the Expulsion of a Student for the Remainder of the 2002-2003 School Year, Including Summer School and the 2003-2004 School Year, Including Summer School/CA Evans High School
- 3.6 Request Approval of the Expulsion of a Student for the Remainder of the 2002-2003 School Year, Including Summer School and the 2003-2004 School Year, Including Summer School/DB Evans High School
- 3.7 Request Approval of the Expulsion of a Student for the Remainder of the 2002-2003 School Year, Including Summer School and the 2003-2004 School Year, Including Summer School/JE Evans High School
- 3.8 Request Approval of the Expulsion of a Student for the Remainder of the 2002-2003 School Year, Including Summer School and the 2003-2004 School Year, Including Summer School/WG Evans High School
- 3.9 Request Approval of the Expulsion of a Student for the Remainder of the 2002-2003 School Year, Including Summer School and the 2003-2004 School Year, Including Summer School/AG Evans High School
- 3.10 Request Approval of the Expulsion of a Student for the Remainder of the 2002-2003 School Year, Including Summer School and the 2003-2004 School Year, Including Summer School/VJP Evans High School
- 3.11 Request Approval of the Expulsion of a Student for the Remainder of the 2002-2003 School Year, Including Summer School and the 2003-2004 School Year, Including Summer School/DJ Evans High School
- 3.12 Request Approval of the Expulsion of a Student for the Remainder of the 2002-2003 School Year, Including Summer School and the 2003-2004 School Year, Including Summer School/ML Evans High School
- 3.13 Request Approval of the Expulsion of a Student for the Remainder of the 2002-2003 School Year, Including Summer School and the 2003-2004 School Year, Including Summer School/KM Evans High School
- 3.14 Request Approval of the Expulsion of a Student for the Remainder of the 2002-2003 School Year, Including Summer School and the 2003-2004 School Year, Including Summer School/JM Evans High School

- 3.15 Request Approval of the Expulsion of a Student for the Remainder of the 2002-2003 School Year, Including Summer School and the 2003-2004 School Year, Including Summer School/SO Evans High School
 - 3.16 Request Approval of the Expulsion of a Student for the Remainder of the 2002-2003 School Year, Including Summer School and the 2003-2004 School Year, Including Summer School/BP Evans High School
 - 3.17 Request Approval of the Expulsion of a Student for the Remainder of the 2002-2003 School Year, Including Summer School and the 2003-2004 School Year, Including Summer School/BP (2) Evans High School
 - 3.18 Request Approval of the Expulsion of a Student for the Remainder of the 2002-2003 School Year, Including Summer School and the 2003-2004 School Year, Including Summer School/DS Evans High School
 - 3.19 Request Approval of the Expulsion of Students in Conjunction With the Waivers of Out-of-School Student Expulsion and The District Behavior Contracts
- Approve Grant Applications (Legally Required Board Action)
- 4.1 Request Approval of School-Based Governor's Mentoring Initiative Grant Application
 - 4.2 Request Approval of Title I, Part A 2002-2003 Title I School Improvement Project Grant Application
 - 4.3 Request Approval to Collaborate With The Association to Preserve the Eatonville Community, Inc. on Grant Application to Fund a Comprehensive Arts Program for Kids Grades 6-8
- Approve Education Services Related Items (Legally Required Board Action)
- 5.1 Request Approval of the 2002-03 School Improvement Plans
 - 5.2 Request Renewal of an Agreement With Teen Express for Health and Mental Counseling Service to be Provided to OCPS Student at Selected Schools
 - 5.3 Request Approval for the Location of the UCP Charter School West Orange Site at 628 South Dillard Street, Winter Garden
 - 5.4 Request Approval to Amend the Charter for the UCP Charter School
 - 5.5 Request Approval of Agreement With Literacy First Inc. Consulting, for the 2002-2003 School Year
 - 5.6 Request Approval to Accept Donation for a Foreign Language Teacher at Blankner Elementary School
- Approve Work Force Education Issues (Legally Required Board Action)
- 6.1 Request Approval of the Health Science Training Agreement for 2002-2003 With Various Agencies for Clinical Experiences
- Approve Curriculum, ESE & Multilingual Services (Legally Required Board Action)
- 7.1 Request Approval of the Agreement With the Maitland Art Association, Inc.
 - 7.2 Request Approval of the Agreement With Crealde Arts, Inc.
 - 7.3 Request Approval of the Agreement With the United Arts of Central Florida, Inc.
- Approve Operations Functions (Legally Required Board Action)
- 8.1 Request Approval of Bids to be Awarded - November 19, 2002
- Approve Business and Finance Functions (Legally Required Board Action)
- 9.1 Request Approval of School Facility Use Agreement for Union Park Elementary School and Union Park Little League

- 9.2 Request Approval of Standard School Facility Use Agreement for Orange County Field of Dreams Grant Program, Phase II, for Boone High School, Evans High School, Timber Creek High School, Union Park Middle School, Westridge Middle School and Lakemont Elementary School and authorize the Chairman and Superintendent to Execute Such Agreement for Each School Upon Approval of the Proposed Improvements by the School Principal, Area Superintendent and Facilities Services
 - 9.3 Request Approval of the Pupil Transportation Agreement With Lake County
 - 9.4 Request Approval of Settlement of Workers' Compensation Claim: Ruth G. Blackshear v. Orange County School Board
 - 9.5 Request Approval of Settlement of Workers' Compensation Claim: Donald Lindenfeld v. Orange County School Board
 - 9.6 Request Approval of Settlement of Workers' Compensation Claim: Orlando Torres v. Orange County School Board
 - 9.7 Request Authorization for the Superintendent to Approve Funds for Payroll Related Consulting Services
 - 9.8 Request Approval of the 2003 South Florida Consortium Legislative Program **(Moved to Nonconsent #5)**
 - 9.9 Request Approval of the 2001-2002 Annual Investment Report, FY Ending June 30, 2002
 - 9.10 Request Approval of a Resolution Authorizing the Sale of Certificates of Participation, Series 2002-QZAB, for Princeton Elementary School in the Amount of \$3,900,000
 - 9.11 Request Approval of a Resolution Authorizing the Amendment of the Original Ground Leases and Lease Schedules to Provide Changes in the Projects to be Funded From the Certificates of Participation, Series 2002A and Series 2002B
 - 9.12 Request Approval of the Public Education Agreement – Foothills of Mt. Dora, LLC **(Withdrawn)**
 - 9.13 Request Approval of the Public Education Agreement – Landstar/First Union
 - 9.14 Request Approval of Settlement Agreement (“Settlement Agreement”) by and Between the School Board of Orange County, Florida (“OCSB”) and James Taylor Architects, Inc., f/k/a/ Bellon and Taylor Architects, Inc., Regarding the Amended and Restated Design Professional Services Agreement Entered Into by the Parties August 17, 1999, (“Agreement”) for Comprehensive Needs Work at Jones High School
- Approve Construction Related Issues (Legally Required By Law)
- 10.1 Request Approval of Phase III Final Construction Documents at New Dillard Street Elementary School Replacement
 - 10.2 Request Approval of Phase III Final Construction Documents for Phase C at Lakeview Middle School
 - 10.3 Request Approval to Extend a Sole Source Database Licensing Agreement with Public Pathways, Inc.
 - 10.4 Request Approval of Facilities and Environmental Services Report to the Board for the Month of October 2002
- Approve Change Orders (Board Policy EL11/Legally Require Board Action)
- 11.1 Request Approval of Change Order No. 1 to Beers Skanska, Inc. and SL Construction & Remodeling, Inc. at Mid Florida Tech

- 11.2 Request Approval of Change Order No. 19 to Beers Skanska, Inc. and SL Construction & Remodeling, Inc. at Colonial High School
- Approve Legal Issues
- 12.1 Request Approval of the Settlement of the Marta A. Berrios Claim Against the School Board of Orange County, Florida
- 12.2 Request Approval of The School Board of Orange County, Florida, Authorizing the Superintendent to Accept on Their Behalf, Resignations of Employees as and When Tendered, and Directing the Superintendent to Notify the Board of the Resignations at the First Meeting of the School Board Following Receipt of the Resignations
- Accept Superintendent's Monitoring Reports

In regard to 9.12 (Request Approval of the Public Education Agreement – Foothills of Mt. Dora, LLC), Mrs. Ardaman asked questions about whether the contract would be structured so the district would have options rather than mandates to buy the school sites.

Mr. Carrier added that two-thirds of the property was already vested. He asked Dr. Buckman asked whether the land on Ponkan Road near Apopka had been purchased because others were interested in this property.

Dr. Buckman responded that property in the Apopka area was in the process of being purchased but at this time he could not answer that question.

Dr. Buckman stated that he would check into the status of the acquisition.

Mr. Kruppenbacher recommended that the approval of this item include the authorization to revise both the agreement and the resolution to reflect the understanding and representations made to Mrs. Ardaman.

The following persons addressed the board regarding 9.12 (Request Approval of the Public Education Agreement – Foothills of Mt. Dora, LLC):

Sharlee Hollingsworth, 6962 Lake Ola Drive, Mt. Dora, Florida, 32757

Connie Hurlburt, P.O. Box 485, Tangerine, Florida 32777

Vivian Gallimore, 4603 Sloewood Drive, Mt. Dora, Florida, 32757

Miranda Fitzgerald, Lowdnes, Drosdick et al, P.O. Box 2809, Orlando, Florida, 32802

There was more discussion by board members.

Mrs. Sutherland requested that this item be pulled from the agenda since there was new information presented by the speakers.

There was consensus by board members that this item be withdrawn from the agenda.

In regard to agenda item 3.4 (Request Approval of the Expulsion of a Student for the Remainder of the 2002-2003 School Year/SD Apopka High School), Terry Dicks, 121 A East 15th Street, Apopka, Florida 32703, addressed the board regarding the recommendation for expulsion of her daughter.

Mr. Blocker stated that due process was followed in this case.

At the request of Mr. Blocker, Dr. Joseph Joyner, area superintendent, North Learning Community, presented background information on the case and the due process involved.

There were questions and discussion by board members.

In regard to agenda item 3.7 (Request Approval of the Expulsion of a Student for the Remainder of the 2002-2003 School Year, Including Summer School and the 2003-2004 School Year, Including Summer School/JE Evans High School), Tim Berry, 200 E. Robinson Street, #290, Orlando, Florida 32801, addressed the board regarding the recommendation for expulsion of student JE.

Mr. Blocker stated that the hearing officer had an opportunity to analyze the information in this case and supported the principal's recommendation.

At the request of Mr. Blocker, Dr. Joyner presented background information on the case.

Mr. Blocker stated that as the board members reviewed the rest of the expulsions, they would see that there were groups of individuals involved who did not intend on receiving or achieving an education but were there for the purpose of committing violent acts. He added that the district would not jeopardize the safety of other students.

At the request of Mrs. Arkin, Mr. Kruppenbacher first addressed the due process issue.

In regard to agenda item 3.18 (Request Approval of the Expulsion of a Student for the Remainder of the 2002-2003 School Year, Including Summer School and the 2003-2004 School Year, Including Summer School/DS Evans High School), Donnie L. Shepard, Sr., 3628 Spring Land Drive, Orlando, Florida, 32818, addressed the board regarding the recommendation for expulsion of his son. His son, Donnie L. Shepard, Jr., 3628 Spring Land Drive, Orlando, Florida, 32818, also addressed the board.

There was discussion by board members and staff.

In regard to 3.7 ((Request Approval of the Expulsion of a Student for the Remainder of the 2002-2003 School Year, Including Summer School and the 2003-2004 School Year, Including Summer School/JE Evans High School), the following persons addressed the board: Sylvia Young, 505 Ramona Lane, Orlando, Florida 32805; Alan Friedland, 8519 Buckley Court, Orlando, Florida 32817; and Barbara Young, 3817 Wilts Street, Orlando, Florida, 32805.

There was discussion by board members.

In regard to agenda item 9.14 (Request Approval of Settlement Agreement ("Settlement Agreement") by and Between the School Board of Orange County, Florida ("OCSB") and James Taylor Architects, Inc., f/k/a/ Bellon and Taylor Architects, Inc., Regarding the Amended and Restated Design Professional Services Agreement Entered Into by the Parties August 17, 1999, ("Agreement") for Comprehensive Needs Work at Jones High School), Sheila Young, 505 Ramona Lane, Orlando, Florida, 32805, addressed the board regarding the settlement with James Taylor Architects. She requested that this item be pulled from the agenda.

In regard to agenda item 9.14 (Request Approval of Settlement Agreement ("Settlement Agreement") by and Between the School Board of Orange County, Florida ("OCSB") and James

Taylor Architects, Inc., f/k/a/ Bellon and Taylor Architects, Inc., Regarding the Amended and Restated Design Professional Services Agreement Entered Into by the Parties August 17, 1999, ("Agreement") for Comprehensive Needs Work at Jones High School), Barbara Young, 3817 Wilts Street, Orlando, FL 32805, addressed the board regarding the settlement with James Taylor Architects and the construction of Jones High School.

Mr. Blocker presented an update on the Jones High School project. He stated that staff negotiated a settlement with Mr. Taylor. The CCNA selected a new architect and the resolution was on the agenda tonight for approval. He added that the firm selected was a very strong and established firm and they understand that they need to go in and clean-up. At the recommendation of the Construction Oversight Value Engineering Committee (COVE), the program managers on the Jones High project were replaced. The remaining work that needed to be done will be reviewed and the district needed to make sure the remaining work is done in an expeditious manner.

There was discussion by board members.

Mr. Kruppenbacher stated that the superintendent had demanded that an immediate plan be put together and reviewed by COVE. A decision had been made to replace the project manager immediately.

The motion passed unanimously.

Mrs. Arkin requested that the order of the nonconsent agenda items be changed.

Nonconsent #3 - Request Approval of the UCP Charter School Pine Hills Campus

Application: Dr. Nicholas Gledich, associate superintendent, education services, stated that based on the complete review process and the responses provided by the applicant, there was sufficient reason to believe that the UCP Charter School Pine Hills Campus would be capable of successfully implementing and operating its program.

It was moved by Mrs. Sutherland and seconded by Mrs. Ardaman that the UCP Charter School Pine Hills Campus application be approved.

The motion passed 6-0 (with Mrs. Rushing out of the room).

Nonconsent #4 - Request Approval of the Summit Charter School East Campus

Application: Dr. Gledich stated that based on the complete review process and the responses provided by the applicant, there was sufficient reason to believe that the Summit Charter School East Campus would be capable of successfully implementing and operating its program.

It was moved by Mrs. Gordon and seconded by Mrs. Sutherland that the Summit Charter School East Campus application be approved.

The motion passed unanimously.

Nonconsent #1 - Request Denial of the Sunshine Academy Charter School Application:

Dr. Nicholas Gledich presented the specific reasons, based upon good cause, which supported the staff's recommendation for denial of the charter application.

It was moved by Mr. Roach and seconded by Mrs. Sutherland that the denial of the Sunshine Academy Charter School application be approved.

There was discussion by board members.

Ann Marie Manzano, 7601 Shalimar Street, Marimar, Florida addressed the board regarding the application. She stated they would like to come back next year and reapply.

Mrs. Arkin asked Ms. Manzano if she was withdrawing her application at this time.

Ms. Manzano stated she would like to withdraw the application.

Mrs. Arkin stated that no action would be taken on the application at this time.

Mrs. Sutherland stated that she felt this would be a good addition to our charter schools and hoped that once the problems were worked out with due diligence, a charter school for LEP students would be a great asset.

Nonconsent #2 - Request Denial of the MACH 4 Academy Charter School Application: Dr. Gledich presented the specific reasons, based upon good cause, which supported the staff's recommendation for denial of the charter application.

It was moved by Mrs. Gordon and seconded by Mr. Roach that the denial of the MACH 4 Academy Charter School Application be approved.

Robert Miller, 105 E. Robinson Street, Orlando, Florida, 32801, addressed the board regarding the application of MACH 4 Academy Charter School. He requested that pursuant to Florida Statute, Section 4.2, the application be deferred until the December 10, 2002 meeting so that the district could further review the application.

Mrs. Arkin asked whether the request made was provided by right to the applicant or was it the board's judgment that the item could be deferred.

Mr. Kruppenbacher stated it was not the applicant's right to have the item deferred but it was his legal recommendation that the board defer the item so staff could evaluate the information provided by the applicant and bring it back to the board.

Mrs. Arkin stated that the item would be brought back to the table at the December 10th meeting.

The motion was withdrawn by Mrs. Gordon and Mr. Roach withdrew his second.

It was moved by Mrs. Rushing and seconded by Mr. Roach that deferment for this application be approved.

The motion passed unanimously.

Nonconsent #5 - Request Approval of the 2003 South Florida Consortium Legislative Program: Mrs. Arkin presented background information and asked if there were any changes.

It was moved by Mrs. Sutherland and seconded by Mr. Roach that the 2003 South Florida Consortium Legislative Program be approved.

The motion passed unanimously.

Mrs. Sutherland reminded Mrs. Arkin that she submitted a policy change for discussion by the Governance Committee.

Mrs. Rushing stated that regarding the issue of board member salaries, she felt that the Board should vote for the formula submitted.

Special Order Speaker: Mrs. Judith Hope did not show.

Special Order Speaker: Mr. Bob Chabot did not show.

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

December 10, 2002	1:15 p.m.	Work Session
December 10, 2002	3:30 p.m.	Work Session
December 10, 2002	5:30 p.m.	Board Meeting
January 14, 2002	5:30 p.m.	Board Meeting
January 28, 2002	5:30 p.m.	Board Meeting

Reports by Attorneys: Mr. Kruppenbacher stated that the board needed to schedule a closed session to discuss the Gabino vs. the Orange County School Board lawsuit for 30 minutes to one hour on December 10. He stated the following individuals would be in attendance: Bob Hanna, attorney; Brian Moes, attorney; Ronald Blocker, Susan Arkin, Rick Roach, Karen Ardaman, Bert Carrier, Kathleen "Kat" Gordon, Joie Cadle, Tim Shea, Frank Kruppenbacher, and the court reporter. He will work with the board chair to arrange the meeting.

The meeting adjourned at 8:30 p.m.

Chairman

Secretary

dmm