

**Board Meeting
Item 1-1.3**

**ORLANDO, FLORIDA
December 10, 2002**

The School Board of Orange County, Florida, met in regular session on Tuesday, December 10, 2002 at 4:35 p.m. Present were: Judge Richardson Roach, chairman; Karen Ardaman, vice chairman; Susan Landis Arkin, Timothy Shea, Joie Cadle, 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 recognized Nova Southeastern students who were present in the audience. He also 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: Mr. Blocker introduced Tico Perez, chairman of the board for Orlando Utilities Commission (OUC). The Orlando Utilities Commission is working in partnership with OCPS to help in the recruitment of teachers.

At the request of Mr. Blocker, Mr. Perez shared information about OUC's partnership with Orange County Public Schools to help in the recruitment of teachers. This project would waive service deposits for power or water for all newly hired teachers setting up residency in the OUC service area.

Adoption of Agenda: Mr. Blocker requested the following changes to the agenda: a change to 1.2 (Reorganization Meeting Minutes November 19, 2002); an addendum to 2.1 (Request Approval of Personnel Agenda Dated December 10, 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); changes to 3.8 (Request Approval of the Expulsion of Students in Conjunction With the Waivers of Out-of-School Student Expulsion and The District Behavior Contracts), and the addition of 5.6 (Request Approval for the Location of the Satellite Campus of Princeton House Charter School at 5015 Goddard Avenue for the Remainder of the 2002-2003 School Year), 8.8 (Request Approval of the Rental Agreement With State Representative Sheri McInvale for Rental of 550 Square Feet of Office Space on the Ninth Floor of the Educational Leadership Center), 8.9 (Request Approval of the Rental Agreement With State Representative Bruce Antone for Rental of 550 Square Feet of Office Space on the Ninth Floor of the Educational Leadership Center) and 12.2 (Request Approval of the Aspen Group International, Inc. and Orange County School Board Policy Governance Agreement); and the withdrawal of 10.1 (Request Approval of the Certificate of Final Inspection for the Portable Replacement Project at Dream Lake Elementary School).

Mrs. Arkin requested that 9.1 (Request Approval of the 2003 Orange County Public Schools Legislative Priorities) be moved to Nonconsent #2.

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

It was moved by Mrs Arkin and seconded by Mrs. Gordon that the agenda as amended be approved.

The motion passed 7-0, with all board members present voting on it.

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

Approve Minutes *(Legally Required Board Action)*

- 1.1 Board Meeting Minutes November 19, 2002
- 1.2 Reorganization Meeting Minutes November 19, 2002

Human Resources and Labor Relations *(Legally Required Board Action)*

- 2.1 Request Approval of Personnel Agenda Dated December 10, 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 the Affiliation Agreement Between the University of Central Florida School of Social Work and Orange County Public Schools to Provide Internship Opportunities
- 2.3 Request Approval of the Revision of the Master In-service Plan for Implementation During the 2002-2003 School Year

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/CW Colonial High School
- 3.2 Request Approval of the Expulsion of a Student for the Remainder of the 2002-2003 School Year, Including Summer School/BS Carver Middle School
- 3.3 Request Approval of the Expulsion of a Student for the Remainder of the 2002-2003 School Year, Including Summer School/DA Carver Middle School
- 3.4 Request Approval of the Expulsion of a Student for the Remainder of the 2002-2003 School Year/LD Community Education Partners School
- 3.5 Request Approval of the Expulsion of a Student for the Remainder of the 2002-2003 School Year/ED Dr. Phillips High School
- 3.6 Request Approval of the Expulsion of a Student for the Remainder of the 2002-2003 School Year/SG Dr. Phillips High School
- 3.7 Request Approval of the Expulsion of a Student for the Remainder of the 2002-2003 School Year, Including Summer School/QS Dr. Phillips High School
- 3.8 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 to Submit Grant Application to the Florida Department of Education Under the Title IV Community Service Grant Program
- 4.2 Request Approval to Submit Grant Application to the Florida Department of Education Under the Title IV Community Service Grant Program
- 4.3 Request Approval to Submit a Reading First Grant Application to the Florida Department of Education

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

- 5.1 Request Approval of Naming the Newly Built Cafeteria at Jones High School Brewer's Café, After Mr. David Brewer
- 5.2 Request Approval for Flight Lessons for Oak Ridge High School's Aviation and Aerospace Engineering Magnet Program for the 2002-2003 School Year
- 5.3 Request Approval of School Health Services Plan Update 2002-2004

- 5.4 Request Renewal of Dental Services Agreement With Orange County Health Department for 2002-2005
- 5.5 Request Approval to Amend the Charter for the West Orange County Elementary Charter School, a Chancellor Charter School
- 5.6 Request Approval for the Location of the Satellite Campus of Princeton House Charter School at 5015 Goddard Avenue for the Remainder of the 2002-2003 School Year
(Addition)
- Approve Work Force Education Issues *(Legally Required Board Action)*
- 6.1 Request Approval of the Health Science Training Agreements for 2002-2003 With Various Agencies, for Clinical Experience
- Approve Curriculum, ESE & Multilingual Services (none) *(Legally Required Board Action)*
- Approve Operations Issues *(Legally Required Board Action)*
- 8.1 Request Approval of Settlement of Workers' Compensation Claim: Susan Herring (Bailey) v. Orange County School Board
- 8.2 Request Approval of Settlement of Workers' Compensation Claim: John Keene v. Orange County School Board
- 8.3 Request Approval of Settlement of Workers' Compensation Claim: Shirley Richards v. Orange County School Board
- 8.4 Request Approval of Settlement of Workers' Compensation Claim: Mae Lois Williams v. Orange County School Board
- 8.5 Request Approval of Implementing a Reimbursable Breakfast Program at Meadowbrook Middle School
- 8.6 Request Approval to Purchase Prepared Foods by Food Services
- 8.7 Request Approval of Bids to be Awarded-December 10, 2002
- 8.8 Request Approval of the Rental Agreement With State Representative Sheri McInvale for Rental of 550 Square Feet of Office Space on the Ninth Floor of the Educational Leadership Center **(Addition)**
- 8.9 Request Approval of the Rental Agreement With State Representative Bruce Antone for Rental of 550 Square Feet of Office Space on the Ninth Floor of the Educational Leadership Center **(Addition)**
- Approve Business and Finance Functions *(Legally Required Board Action)*
- 9.1 Request Approval of the 2003 Orange County Public Schools Legislative Priorities **(Moved to Nonconsent #2)**
- 9.2 Request Authorization for the District to Waive the Bid Process in Order to Enter Into an Agreement With Forms and Supplies Unlimited, Inc. to Purchase Customized Payroll Forms
- 9.3 Request Approval of the Public Education Agreement – Foothills of Mt. Dora, LLC
- 9.4 Request Approval of the Fixed Asset Deletion and Restoration Report
- Approve Construction Related Issues *(Legally Required By Law)*
- 10.1 Request Approval of the Certificate of Final Inspection for the Portable Replacement Project at Dream Lake Elementary School **(Withdrawn)**
- 10.2 Request Approval of the Certificate of Final Inspection for the Portable Replacement Project at Bonneville Elementary School
- 10.3 Request Approval of the Certificate of Final Inspection for the Comprehensive Needs Project at Colonial High School
- 10.4 Request Approval of the Certificate of Final Inspection for the Immediate Needs Project at Gateway School
- 10.5 Request Approval of the Certificate of Final Inspection for the New Schools Project at New Blankner K-8 School Replacement
- 10.6 Request Approval of Roofing Consulting Firms for Roofing Consulting Services (District wide)

Approve Change Orders (None) (*Board Policy EL11/Legally Require Board Action*)

Approve Legal Issues

12.1 Request Approval set for Action at the December 10, 2002, Regular Meeting of the School Board the Salary of District School Board Members at an Annual Salary Amount not to Exceed \$30,405

12.2 Request Approval of the Aspen Group International, Inc. and Orange County School Board Policy Governance Agreement (**Addition**)

Accept Superintendent's Monitoring Reports

13.1 Emergency Superintendent Succession EL-2

In regard to agenda item 2.1 (Request Approval of Personnel Agenda Dated December 10, 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), Kathryn Piskitelli, Egan, Lev & Siwica, P.A., 321 E. Colonial Drive, Orlando, Florida 32801, addressed the board regarding Edward Rutland rescinding his resignation.

Mr. Kruppenbacher stated that the superintendent, on behalf of the board, had the authority to accept resignations.

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

In regard to 5.1 (Request Approval of Naming the Newly Built Cafeteria at Jones High School Brewer's Café, After Mr. David Brewer), Mrs. Gordon recognized David Brewer, his wife and their guests. The newly built cafeteria at Jones High School will be named Brewer's Café, in honor of Mr. Brewer. Mr. Blocker and Dr. Jennifer Reeves thanked Mr. Brewer for his service to Jones High School.

The motion passed unanimously.

Mr. Blocker introduced newly appointed administrators Anita A. Stafford, assistant principal, Olympia High and Louey Carter, assistant principal, Hunter's Creek Middle.

Mr. Roach highlighted 5.2 (Request Approval for Flight Lessons for Oak Ridge High School's Aviation and Aerospace Engineering Magnet Program for the 2002-2003 School Year) commending the Oak Ridge High staff for the inception of the Aviation and Aerospace Engineering Magnet Program at their school.

Mr. Blocker highlighted the appointment of the new chief facilities officer, Patrick Herron. He also gave some background information on Mr. Herron, who will join OCPS on January 27, 2003.

The chairman recognized Dr. Nicholas Gledich to provide information on measuring student reading achievement using the Degrees of Reading Power (DRP) test.

There were questions and discussion by board members including the information this district wide, non-FCAT (Florida Comprehensive Achievement Test) assessment will bring, the nature and results of baseline the assessment, and the correlation seen between the DRP and the FCAT.

Nonconsent #1 -Request Denial of the MACH 4 Academy Charter School Application: Mr. Blocker gave a brief summary on MACH 4 Academy's Charter application. He stated that board action on the application was deferred at the November 19, 2002 board meeting to allow OCPS staff to review new material provided that evening.

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. Arkin and seconded by Mr. Shea 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.

Alan Friedland, 8519 Buckley Court, Orlando, Florida, addressed the board regarding the application of MACH 4 Academy Charter School.

Mrs. Arkin stated the reasons why she supported the staff's recommendation to deny this charter application.

The motion passed unanimously.

Nonconsent #2 - Request Approval of the 2003 Orange County Public Schools Legislative Priorities: It was moved by Mr. Carrier and seconded by Mrs. Cadle that the 2003 Orange County Public Schools Legislative Priorities be approved.

Mrs. Arkin expressed concern that the funding issue of the caps on the number of students in exceptional education, ESOL and vocational was not in this year's legislative program. The district receives no funding for students in these programs if it has already reached the number of students projected for the year.

Dr. Boekhoff concurred with Mrs. Arkin's concerns.

It was moved by Mrs. Arkin and seconded by Mrs. Cadle to amend the legislative platform to include language "provide at least basic funding for students exceeding the cap in exceptional education, ESOL and vocational programs."

The motion passed unanimously.

John Horan, Foley and Lardner, P.O. Box 2193, Orlando, Florida, 32802, addressed the board regarding the request for approval of the 2003 Orange County Public Schools Legislative Priorities. On behalf of Sonitol of Orlando, Inc., Mr. Horan suggested that the board propose legislation to exempt schools from fines for false alarms (many of which may not be, but the perpetrators fled before law enforcement arrived) or limit the liability of school boards for these events. He offered Sonitol's assistance in this and suggested that interlocal agreements between the various municipalities and OCPS would also solve the problem.

Mr. Kruppenbacher concurred with Mr. Horan's assessment and suggestions.

It was moved by Mrs. Arkin and seconded by Mrs. Gordon that a statement be included in the legislative platform relating to exempting schools from the false alarms ordinances of local municipalities and that the district pursue interlocal agreements.

Mr. Shea stated that he opposed voting on a verbal statement at this time and suggested a written statement be drafted and an amendment be made to the Legislative Platform at the next board meeting.

There was further discussion by the board members and the superintendent.

The motion passed 6-1 (with Mr. Shea voting no).

Statement of Policy Level Issues the Board Would Like to Agenda for Subsequent Meetings or Work Sessions: Mr. Carrier raised the issue of teachers not being informed during the interview process what classes they will be teaching.

Mr. Blocker stated that this issue will be addressed by Emma Newton, chief human resources officer, staff.

Mrs. Ardaman suggested that the board air school board meetings in their entirety. She requested that the superintendent gather information on this issue and report back to the board at the next meeting.

It was moved by Mrs. Ardaman and seconded by Mr. Shea that the superintendent gather information including fiscal impact statements relating to the editing of school board meetings.

Mrs. Arkin expressed concerns about airing speakers to student expulsions and employee termination/discipline agenda items and to airing special order speakers.

There was further discussion by board members.

Mrs. Cadle requested that the concerns Mrs. Arkin presented regarding the privacy issues be included in the research.

The motion passed unanimously.

It was moved by Mrs. Ardaman and seconded by Mr. Shea to air the December 10, 2002 meeting in it's entirety by providing to Orange TV.

It was moved by Mr. Shea and seconded by Mrs. Arkin to amend the motion to exclude employee and student discipline matters and special order speakers from the December 10, 2002. board meeting broadcast.

There was discussion by board members.

The amendment passed 5-2 (with Mr. Carrier and Mrs. Gordon voting no).

The motion passed unanimously.

Mrs. Gordon suggested that the board to consider rezoning all schools in the district.

Mrs. Ardaman stated that a mechanism be in place to facilitate the creation of foundations and partnerships at all schools.

Mrs. Arkin agreed with Mrs. Gordon's desire to expand choice and stated that ultimately, but not this year, the board should look at applying to the federal court for unitary status.

There was consensus by the board to change the retreat time on December 17 to 3:00-9:00 p.m. and to 10:00-4:00 p.m. on December 18.

Special Order: Linton Morris, 5370 Silver Star Road, Orlando, FL, addressed the board regarding Mesta Charter School.

At the request of Mr. Blocker, Dr. Gledich gave an update on what had taken place at Mesta Charter School.

Special Order : Mr. Gregory Weiderer, 12414 Baleria Cove, Orlando, FL, 32837 addressed the board regarding growth and the lack of adequate facilities.

Special Session – Orange County School Board Leasing Corporation: Mr. Roach recessed the meeting at 8:45 p.m. to convene the annual Orange County Leasing Corporation meeting.

Mr. Blocker introduced Mr. Bob Gang, Greenberg Traurig, and P.A., who presented the agenda for the meeting and called for a slate of new officers for the coming year.

It was moved by Mrs. Arkin and seconded by Mr. Carrier that the following list of officers be duly elected to serve until their successors are duly elected: Judge Rick Roach, president; Karen Ardaman, vice president; Dr. Henry Boekhoff, treasurer; and Ronald Blocker, secretary.

The motion passed unanimously.

Mr. Gang presented information on the authorizing resolution regarding Certificates of Participation, Series 2002-QZAB.

It was moved by Mr. Shea and seconded by Mrs. Cadle to authorize the resolution regarding the Certificates of Participation, Series 2002-QZAB.

The motion passed unanimously.

Mr. Gang presented information on the purpose of the authorizing resolution regarding Amendments to Schedules 2002A-1 and 2002B.

It was moved by Mr. Carrier and seconded by Mrs. Arkin to accept the authorizing resolution.

The motion passed unanimously.

Mr. Roach adjourned the Orange County School Board Leasing Corporation at 8:50 p.m. and reconvened the Orange County School Board meeting at 8:50 p.m.

Information and Future Meeting Dates – Superintendent: Mr. Blocker stated that the board, through its Executive Limitations has required an annual report. The information will be distributed to parents, on the district website and available at each school.

Mr. Blocker also distributed copies of the final draft of the annual report for board members' review. He stated that included with the draft was a copy of the letter being sent home to parents. He requested that any suggestions to be given to Jackie Johnson, acting director, community relations.

Mr. Blocker informed the board that he and Dr. Nicholas Gledich would be presenting an interim report to the Governor's Cabinet on how the district was monitoring academic achievement.

At request of Mr. Blocker, Mr. Kruppenbacher gave an update on the student directory information.

Mr. Kruppenbacher stated that a letter, in both English and Spanish, would be sent to all parents and guardians about directory information.

Dr. Gledich added that the letters, to be mailed after the winter break, would explain what would be available through the directory and give parents and/or guardians the opportunity to remove their child's name from the directory. He added that this information will be a part of the registration packet and included in the first day packet given to each student on the first day of school each year. The information will be included in the next Board Update and can be reviewed by board members before it goes out.

Mr. Blocker announced the following upcoming meetings:

January 14, 2002	5:30 p.m.	Board Meeting
January 28, 2002	5:30 p.m.	Board Meeting
February 11, 2002	5:30 p.m.	Board Meeting
February 25, 2002	5:30 p.m.	Board Meeting

Reports by Attorneys: Mr. Kruppenbacher stated the superintendent had received a letter from Orange County requesting a variance to the 1000 foot ban on the sale of alcohol near a school. The variance would be granted to the Giovanni family, which owns the Giovanni's Restaurant located off Conway Road in the Publix shopping center. He added that the sale of alcohol would only occur after 4:00 p.m. The County had not granted other variances, but subject to receiving no objections from the board before the January 5, 2003 deadline, this request will be granted.

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

It was moved by Mrs. Arkin and seconded by Mr. Carrier that the board not object to the request for a variance based upon a distinct set of facts: a family-owned restaurant that had a reputation of being heavily involved in public education and the community; no history of problems at restaurants owned by this family; a location in a shopping center where the sale of alcohol already exists; alcohol served only with meals, unlike a bar; and no sale of alcohol during school hours.

The motion passed unanimously.

Mr. Kruppenbacher informed the board that there had been a hearing yesterday on Orange County's motion to dismiss the tax lawsuit by Doug Getzloe. He added that the County had raised the same issues the district had raised. At the hearing, Judge Baker had denied the County's motion, and there had been discussion about the trial. Neither witnesses nor tangible evidence had been identified before the deadline. However, the judge said he would allow the evidence to be admitted and gave the school system more time to prepare for the hearing. He added that the hearing had not been scheduled at this time, and he would continue to update the board.

Mr. Kruppenbacher stated that he advised Mr. Gang's firm that the district was not going to go to trial not knowing what was going to be put in the record. He added that a hearing has not been scheduled at this time, but he would continue to update the board.

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

The meeting adjourned at 9:05 p.m.

Chairman

Secretary

dmm