

**NON-CONSENT  
ITEM 4**

**ORLANDO, FLORIDA  
December 9, 2003**

The School Board of Orange County, Florida, met in regular meeting on Tuesday, December 9, 2003, at 5:35 pm. Present were: Berton R. Carrier, chairman; Timothy Shea, vice chairman, Joie Cadle, Judge Richardson Roach (left at 7:20 p.m.), Karen Ardaman, Kathleen B. Gordon, and Susan Landis Arkin school board members; Emma Newton, chief human resources officer; Frank C. Kruppenbacher and Andrew B. Thomas, school board attorneys and Ronald Blocker, superintendent.

The Pledge of Allegiance followed a 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 1.1 (Request Approval of Personnel Agenda Dated December 9, 2003, Including the Designation/Creation of Positions to be Filled, the Minimum Job Qualifications for the Positions, Salary Schedules, Appointments and Terminations of Select Personnel); the withdrawal of 2.1 (Request Approval of the Expulsion of a Student for the Remainder of the 2003-2004 School Year, Including Summer School and the Entire 2004-2005 School Year, Including Summer School/AS Glenridge Middle School); a change to 7.1 (Request Approval of Bids to be Awarded); withdrawal of Nonconsent #5 (Request Approval to: (1) Not Pay Invoices Totaling \$20,000 to Consulting Companies Owned by Alan Smolowe and Steve Palmer; (2) Forgive Repayment to the School Board of Orange County, Florida, of \$125,800 Previously Remitted in Violation of the Charter School Contract; (3) Prohibit Alan Smolowe and Steve Palmer from Serving on any Charter School Board of Directors for a Five Year Period; (4) Require Summit Charter School Board Members to Receive Training in Their Fiduciary Duties; and, (5) Prohibit any Employees or Board Members of Summit Charter School or any Related Entity from Conducting Consulting Services for the School; add new Nonconsent #5 (Request Approval of Annual District School Board Member Salary in an Amount not to Exceed \$37,198.00) and the addition of Nonconsent #6 (Request Approval of the 2004 Orange County Public Schools Legislative Priorities).

Mr. Kruppenbacher stated that the approval of the consent agenda authorized the superintendent to withhold submitting for your signature any items should due diligence identify something after the fact that would have caused a different recommendation.

It was moved by Mr. Shea and seconded by Mrs. Arkin the agenda as amended be approved.

The motion passed 7-0.

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

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

- 1.1 Request Approval of the Personnel Agenda Dated December 9, 2003, 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
- 1.2 Request Approval of Settlement of Workers' Compensation Claim: Michele L. Howard v. Orange County School Board
- 1.3 Request Approval of Settlement of Workers' Compensation Claim: Shirley M. Henderson v. Orange County School Board
- 1.4 Request Approval of the Contract With TSA Consulting Group for Tax Deferred Annuity Compliance, Administration and Employee Educational and Enrollment Services
2. Approve Student Expulsions *(Legally Required Board Action)*
  - 2.1 Request Approval of the Expulsion of a Student for the Remainder of the 2003-2004 School Year, Including Summer School and the Entire 2004-2005 School Year, Including Summer School/AS Glenridge Middle School
  - 2.2 Request Approval of the Expulsion of a Student for the Remainder of the 2003-2004 School Year, Including Summer School and the Entire 2004-2005 School Year, Including Summer School/CQ Glenridge Middle School
  - 2.3 Request Approval of the Expulsion of a Student for the Remainder of the 2003-2004 School Year, Including Summer School/JLS Oak Ridge High School
  - 2.4 Request Approval of the Expulsion of a Student for the Remainder of the 2003-2004 School Year, Including Summer School/KU Colonial High School
  - 2.5 Request Approval of the Expulsion of a Student for the Remainder of the 2003-2004 School Year, Including Summer School and the Entire 2004-2005 School year, Including Summer School/MP Glenridge Middle School
  - 2.6 Request Approval of the Expulsion of Students in Conjunction With the Waivers of Out-of-School Student Expulsion and The District Behavior Contracts
3. Approve Grant Applications *(Legally Required Board Action)*
  - 3.1 Request Approval of Submission of Application to the National Science Foundation for a Math and Science Partnership Grant in Collaboration With University of Central Florida, the College Board and the Florida Virtual School
4. Approve Education Services Related Items *(Legally Required Board Action)*
  - 4.1 Request Approval of Subcontract Agreement Between Orange County Public Schools and Valencia Community College Through the Title II, Part A – Teacher and Principal Training and Recruiting Fund Grant
  - 4.2 Request Approval of Contract for Provision of Funds and Services for an Early Education Program in the City of Orlando
  - 4.3 Request Approval of Consulting Contract for Kevin McCoy
5. Approve Work Force Education Issues *(Legally Required Board Action)*
  - 5.1 Request Approval of the Cooperative Agreement With Home Builders Institute
  - 5.2 Request Approval of Payment for Vocational Instruction Services in Juvenile Justice Programs to Vendor That Exceed \$15,000

6. Approve Curriculum, ESE & Multilingual Services *(Legally Required Board Action)*
  - 6.1 Request Approval of Affiliation Agreement Between the University of Central Florida and The School Board of Orange County
7. Approve Operations Issues *(Legally Required Board Action)*
  - 7.1 Request Approval of Bids to be Awarded – December 9, 2003
  - 7.2 Request Authorization for the Superintendent to Enter Into Contracts for the Acquisition, Implementation, Hardware, Training and Project Oversight for the Student System Upgrade Project
8. Approve Business and Finance Functions *(Legally Required Board Action)*
  - 8.1 Request Approval of the 2004 Orange County Public Schools Legislative Priorities
  - 8.2 Request Approval of the Proposed 2004 Legislative Program for the South Florida Consortium of School Boards
  - 8.3 Request Approval for Advance Purchase of SAP Software Modules Required for Upgrade
  - 8.4 Request Approval of an Addition to Superintendents Document Titled Purchasing Policies and Bidding File DJB on an Emergency Basis and Authorize the Advertisement of the Policy for Subsequent Approval by the Board
  - 8.5 Request Approval to Write-off Uncollectible Accounts Receivable in School Internal Funds in the Amount of \$15,499.57 and in Extended Day Funds in the Amount of \$2,083.77
9. Approve Construction Related Issues (None) *(Legally Required By Law)*
  - 9.1 Request Approval of the Certificate of Final Inspection for The Burn Building at Mid-Florida Tech
  - 9.2 Request Approval of Change Order No. 9 to Wharton-Smith, Inc. at Lakeview Middle School
  - 9.3 Request Approval of Construction Managers at Risk for New Bonneville/Columbia Elementary School Relief, New Tildenville Elementary School Relief and New Cypress Springs Elementary School Relief
  - 9.4 Request Approval of Construction Managers at Risk for New Hunter's Creek Middle School Relief and New Meadow Woods Middle School Relief
  - 9.5 Request Approval of DeJong and Associates Revised Master Plan
10. Approve Change Orders *(Board Policy EL11/Legally Require Board Action)*
11. Approve Legal/Audit Issues
  - 11.1 Request Approval of the Settlement of Ana Llaudy Against The School Board of Orange County, Florida
  - 11.2 Request Approval of the Settlement Agreement and General Release Between Charles Moll and The School Board of Orange County, Florida
12. Accept Superintendent's Monitoring Reports

In regard to 1.1 (Request Approval of the Personnel Agenda Dated December 9, 2003, 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) Joseph H. Davis, 207 East Livingston Street, Orlando, Florida, 32801, addressed the board regarding the recommendation for termination of Donna McFarland.

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

The motion passed 7-0.

It was moved by Mrs. Gordon and seconded by Mrs. Cadle that the following minutes, with corrections, be approved: Nonconsent #1 - November 4, 2003 Work Session; Nonconsent #2 - November 18, 2003 Board Meeting; Nonconsent #3 - November 18, 2003 Board Reorganization and Nonconsent #4 - November 19, 2003 Work Session

The motion passed 7-0.

Nonconsent #5- Request Approval of Annual District School Board Member Salary in an Amount not to Exceed \$37,198.00: It was moved by Mr. Shea and seconded by Mr. Roach that the advertised school board member salary recommendation be approved.

There was discussion by board members and general.

The motion failed 4-3 (with Mrs. Ardaman, Mr. Roach and Mr. Shea voting yes).

It was moved by Mrs. Arkin and seconded by Mr. Gordon that board members' salary be set at \$31,317.00 for the upcoming year.

The motion passed 4-3 (with Mr. Carrier, Mr. Roach and Mr. Shea voting no.)

Nonconsent #6 - Request Approval of the 2004 Orange County Public Schools Legislative Priorities: It was moved by Mrs. Cadle and seconded by Mr. Roach that the 2004 Orange County Public Schools Legislative Priorities be approved.

Mrs. Ardaman suggested the district lobby to have the DCD Formula (District Cost Differential) evaluated for fairness. Mrs. Arkin added supportive comments and a small change in existing language. At the request of Mrs. Cadle, Dr. Henry Boekhoff provided a synopsis of the current DCD Formula. He highlighted factors that would create differences in revenues which included student needs, the geographic cost of doing business and discretionary mileage.

It was moved by Mr. Shea and seconded by Mr. Roach to postpone this item for further discussion at a follow-up work session.

The motion passed 5-2 (with Mrs. Cadle and Mrs. Arkin voting no).

Statement of Policy Level Issues the Board Would Like to Agenda for Subsequent Meetings or Work Sessions: Mr. Carrier distributed copies of Governance Policy #9, Board Members' Code of Conduct, and emphasized the role of board members and their responsibility to inform the superintendent of any issues that could have a negative impact on the district.

There was discussion by board members.

Mrs. Gordon read a letter regarding the issue with the Jones High School Band.

Mr. Blocker stated that he was in the process of researching current mandates that require this level of student achievement and had already begun the process of creating a committee to thoroughly analyze all aspects of the issue and bring him a recommendation for district wide implementation.

School Board Committee Reports: Mr. Carrier reported that a final Facilities Usage Report will be presented in January 2004.

Mrs. Cadle reported the Linkage Committee would be starting up again after the first of the year. She added that this year would involve community meetings and participation from other board members. A schedule of meetings will be developed.

Mrs. Ardaman requested that Mr. Kruppenbacher provide an update on the status of the audit done showing cost comparisons of construction projects. Mr. Kruppenbacher stated that he would be ready to present that information in January.

Mr. Roach thanked Mrs. McGill for all her support to him during his term as school board chair. He then asked to be excused from the meeting.

Mrs. Gordon reported that she recently had attended the FSBA Conference in Tampa and that the FSBA Board of Directors had supported the recommendation to uphold the constitutional amendment relating to class size reduction as passed by the voters of Florida.

Highlights: Mr. Blocker reported Pulte Homes will be bringing their case to the City Council without the district agreement attached to their proposal. He asked for board consensus that a letter be sent to inform the mayor and the city council that the district is not prepared to attach an approved capacity agreement due to unanswered questions and pending new information. There was discussion among board members and general counsel.

Mrs. Cadle reported that there will be a Community Meeting December 11, 2003, at Winter Park High School to discuss the school renovation. She added special thanks to Toni Jennings for participating in the dedication of the new Glenridge Middle School.

Mrs. Arkin reported that she had visited Evans High School and was greatly inspired by the students and staff there. She commended the students in the robotics class, applauded the huge increase in the number of AP classes, commented on the fact that about 20 students will graduate in May with both a high school diploma and an AA from Valencia, and was pleased to report on the progress of the new IB Program, which has 25 ninth grade students.

Mrs. Gordon reported she will be attending the Disney Teacheriffic Award Ceremony on Saturday, December 13<sup>th</sup> being held in The Magic Kingdom, and she invited all board members to attend.

On behalf of the board, Mr. Carrier thanked staff members who work diligently to make Orange County Public Schools better.

Reports by Attorneys: Mr. Kruppenbacher reported that a partnership had been culminated with the juvenile and family court judges, largely due to Mr. Shea's efforts. Mr. Kruppenbacher added that he would write a letter to thank the judges.

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

December 10, 2003	3:30	Work Session
December 16, 2003	12:00	ELC Holiday Gathering
January 13, 2004	5:30	Board Meeting
January 20, 2004	5:30	Recognitions
January 27, 2004	5:30	Board Meeting

The meeting adjourned at 6:10 pm.

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Chairman

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Secretary

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