

**NON CONSENT
ITEM 4**

**ORLANDO, FLORIDA
August 2, 2005**

The School Board of Orange County, Florida, met in public hearing and regular meeting on Tuesday, August 2, 2005, at 4:40 p.m. Present were: Timothy Shea, chairman, Karen Ardaman, vice chairman, Joie Cadle, Kathleen B. Gordon, Anne Geiger and Jim Martin, school board members; Henry Boekhoff, chief financial officer, Frank Kruppenbacher and Andrew Thomas, school board attorneys, and Ronald Blocker, superintendent.

Judge Richardson Roach, school board member, was out of town.

At 5:00 p.m., the board entertained the following special order speakers: Terry Olson, P.O. Box 1393, Orlando, Florida, 32802-1393; Anne Grey, 1500 Lake Knowles Circle, Winter Park, Florida, 32789, and Dr. Mary Palmer, 11410 Swift Circle, Orlando, Florida, 32789. The speakers addressed the board regarding the Arts Access for All strategic plan that had been developed by the Education & Community Resources Committee of the Arts & Cultural Affairs Council. They presented a power point on the five major objectives related to access to arts education in the community.

Mrs. Geiger requested that the board have a work session to discuss arts education.

Special order speaker Gordon Newhard did not appear to address the board.

The meeting adjourned at 5:20 p.m.

The chairman called the board meeting to order at 5:40 p.m.

A moment of silence was followed by the Pledge of Allegiance.

Adoption of Agenda: Mr. Blocker requested the following changes to the agenda: an addendum to item 1.1 (Request Approval of Personnel Agenda Dated August 2, 2005, 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 item 8.4 (Request Approval to Negotiate an Agreement for Professional Consulting Services for Employee Benefit With the top Three Ranked Firms and Authorize the Superintendent to Enter Into a Contract With the Successful Vendor) and item 9.11 (Request Approval of Agreement for Sale and Purchase From the Orlando-Orange County Expressway Authority for Horizon's West Ancillary Site (the "Agreement") Subject to Due Diligence Investigations); and the move of item 9.13 (Request Approval to Proceed With the Purchase of Real Estate Pursuant to the Real Estate Purchase Agreement Between Jabre, Inc., and Orange County School Board ("the Agreement") to Non consent #3.

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

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

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

Mr. Shea turned the floor over to Andrew B. Thomas, school board attorney, to discuss the Citrus Oaks rezoning issue.

Frank Kruppenbacher, general counsel, requested that the board schedule a closed session for Wednesday, August 3, 2005, 7:30 p.m. to discuss the settlement negotiation or strategy in the case of Citrus Oaks Homeowners' Association, Inc. and Hutchinson v. Orange County School Board.

He announced that the following persons would be in attendance: Timothy Shea, chairman; Karen Ardaman, vice chairman; Jim Martin, Joie Cadle, Anne Geiger, Kathleen Gordon; and Judge Richardson Roach (participate via telephone); Frank Kruppenbacher, general counsel and Andrew B. Thomas, school board attorney; and a court reporter. He added that a notice of appeal will be filed on behalf of the school board.

There was discussion by board members regarding the procedure of the closed session.

Public Hearing – Request Adoption of Millage to Support the 2005-2006 Tentative Budget:

Mr. Blocker provided the framework for the millage. At the request of Mr. Blocker, Patrick Herron, chief facilities officer, highlighted the capital budget.

Mrs. Ardaman presented an overview of the work of the School Board Budget Committee.

It was moved by Mrs. Ardaman and seconded by Mrs. Cadle that

WHEREAS Section 200.065(2)(d), Florida Statutes, requires that the School Board adopt a proposed millage for funding the tentative budget, and notify the Property Appraiser of its action; and

WHEREAS the 2005-06 tentative budget is based upon a total millage of 7.761 mills, which exceeds the rolled-back rate by 11.53% 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 proposed millage to support the tentative budget for the 2005-06 fiscal year:

Required Local Effort	5.501
Basic Discretionary	.510
Supplemental Discretionary	.250
Capital Improvement	1.500
TOTAL:	7.761

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. Cadle asked whether the district was doing more Certificates of Participation (COPS) this year than in the past.

At the direction of Mr. Blocker, Leslie Komurke, senior administrator, budget analysis, responded that the COPS were a carryover since 1999.

Mr. Shea opened the floor for public input and hearing none, the motion passed 6-0.

Public Hearing – Adoption of the 2005-06 Tentative Budget and Establishment of Date for Final Public Hearing: It was moved by Mrs. Ardaman and seconded by Mrs. Geiger to approve the following:

1.	2005-06 Tentative Budget for the General Fund	\$1,253,478,718
2.	2005-06 Tentative Budget for the Special Revenue Fund	\$ 52,817,144
3.	2005-06 Tentative Budget for the Debt Service Fund	\$ 86,324,448
4.	2005-06 Tentative Budget for the Capital Projects Fund	\$1,040,745,140
5.	2005-06 Tentative Budget for the Internal Service Fund	\$ 158,724,383
6.	The date for the final public hearing for the FY05-06 budget for 7:00 pm on September 13, 2005, at the Educational Leadership Center, 445 West Amelia Street, Orlando, Florida	

Mr. Shea opened the floor for public input.

Heidi Koch, 649 Lake Beulah Cove, Winter Garden, Florida, 34787, addressed the board on facility issues at West Orange High School.

Mr. Kruppenbacher requested that Ms. Koch meet with him, Dr. Herron and Stephen Arcidiacono, director, environmental compliance & OSHA coordination, to discuss the issue further.

Ryan Colbert, 2670 Grapevine Crest, Ocoee, Florida, 34761, addressed the board regarding facility plans for Evans High School.

There was discussion by board members and staff.

Mrs. Ardaman expressed concerns regarding the capital budget and requested that the board schedule a work session before the adoption of the final budget. She added that appropriate staff and members of the Construction Oversight Value Engineering Committee (COVE) be in attendance.

Mrs. Geiger requested a work session on September 6, 2005, to discuss facilities decision making.

There was further discussion by board members.

The motion passed 6-0.

Mr. Blocker introduced the following newly appointed administrators to be approved on the consent agenda: Adele Salazar, assistant principal, Meadow Woods Elementary; Debra Vereen, assistant principal, Citrus Elementary; Jose Gonzalez, assistant principal, Cheney Elementary; Michael Showalter, assistant principal, Cypress Creek High School; Ronald Maxwell, assistant principal, Lockhart Middle; Scott Peters, assistant principal, Eccleston Elementary; and Nelson Pinder, principal, Westridge Middle.

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

1. Human Resources and Labor Relations *(Legally Required Board Action)*
 - 1.1 Request Approval of the Personnel Agenda Dated August 2, 2005, 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 **Addendum**
 - 1.2 Request Approval of Settlement of Workers' Compensation Claim: Maria Calderon v. Orange County School Board
 - 1.3 Request Approval of Settlement of Workers' Compensation Claim: Quan Bui v. Orange County School Board
2. Approve Student Expulsions *(Legally Required Board Action)*
 - 2.1 Request Approval of the Expulsion of a Student for the Remainder of the 2004-2005 School Year, Including Summer School, and the Entire 2005-2006 School Year/JB Colonial High School
 - 2.2 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 to Accept a Donation for a Foreign Language Teacher at Blankner School
 - 3.2 Request Approval of the Submission of Grant Application to the Florida Department of Education for State Farm Florida Service Learning and Home Safety Initiative
4. Approve Education Services Related Items *(None) (Legally Required Board Action)*
5. Approve Work Force Education Issues *(None) (Legally Required Board Action)*
6. Approve Curriculum, ESE and Multilingual Services Issues *(None) (Legally Required Board Action)*
7. Approve Operations Issues *(Legally Required Board Action)*
 - 7.1 Request Approval of Bids to be Awarded – August 2, 2005
 - 7.2 Request Approval of School Bus Routes for 2005-2006, Subject to Modification as Necessary
 - 7.3 Request Approval of the Joint Use Agreements Between the City of Maitland and Maitland Middle School, Lake Sybelia Elementary and Dommerich Elementary Schools
 - 7.4 Request Approval of the Annual Contract to Provide Meals for the Head Start Program in Orange County
 - 7.5 Request Approval for My Lunch Money Test Pilot Program Agreement With Full Implementation After Pilot Completion
 - 7.6 Request Approval of the Contract to Provide Meals for Charter Schools in Orange County
8. Approve Business and Finance Functions *(Legally Required Board Action)*
 - 8.1 Request Approval of the Report on Expenditure of Lottery Funds
 - 8.2 Request Approval of the Monthly Financial Statements for Year to Date Ending May 2005
 - 8.3 Request Approval of the Capacity Enhancement Agreement Subject to the Provision of Sunsetting, Payment of Impact Fees, and Limitations on Receipt of Building Permits – Keewin Real Property Company (Sheeler Road Project)
 - 8.4 Request Approval to Negotiate an Agreement for Professional Consulting Services for Employee Benefits With the top Three Ranked Firms and Authorize the Superintendent to Enter Into a Contract With the Successful Vendor **Withdrawn**
9. Approve Construction Related Issues *(Legally Required By Law)*
 - 9.1 Request Approval of Phase III Final Construction Documents at Bay Meadows Elementary School

- 9.2 Request Approval of Phase III Final Construction Documents at Bonneville Elementary School
- 9.3 Request Approval of Phase III Final Construction Documents at Colonial 9th Grade Center
- 9.4 Request Approval of Phase III Final Construction Documents at New Northlake Park Elementary School Relief
- 9.5 Request Approval of Phase III Final Construction Documents at Ridgewood Park Elementary School
- 9.6 Request Approval of Phase III Final Construction Documents at Windy Ridge K-8
- 9.7 Request Approval of Continuing Contract for Construction Manager at Risk Services – RFQ #05CM03
- 9.8 Request Approval of First and Second Amendment to the Declaration of Conditions of Approval for Ocoee Crown Point PUD (the “Amendment”)
- 9.9 Request Approval of Notice of Termination of Non-Exclusive Temporary Construction Access Easement Agreement (the “Termination of Construction Easement”)
- 9.10 Request Approval of Ivey Lane Elementary School License Agreement With Victorious Living Ministries, Inc.
- 9.11 Request Approval of Agreement for Sale and Purchase From the Orlando-Orange County Expressway Authority for Horizon’s West Ancillary Site (the “Agreement”) Subject to Due Diligence Investigations **Withdrawn**
- 9.12 Request Approval of Drainage Easement for Lakeview Middle School and Authorize the Superintendent and Staff to Execute an Easement Agreement and Landscaping Letter Agreement to Reflect the Referenced Items to be Entered Into by the Orange County School Board and the Deemers
- 9.13 Request Approval to Proceed With the Purchase of Real Estate Pursuant to the Real Estate Purchase Agreement Between Jabre, Inc., and Orange County School Board (“the Agreement”) **Moved to Non consent #3**
- 10. Approve Change Orders *(Board Policy EL11/Legally Require Board Action)*
 - 10.1 Request Approval of Change Order No. 5 to Fireman’s Fund Insurance Company at Boone High School
- 11. Approve Legal/Audit Issues
- 12. Accept Superintendent's Monitoring Reports *(None)*

In regard to item 7.2 (Request Approval of School Bus Routes for 2005-2006, Subject to Modification as Necessary), E. Ivor Leitch, representing the Ocoee Education Commission, 1815 Honeydew Court, Ocoee, Florida, 34761, shared with the board a number of issues for students located 1.9 miles from Ocoee High and have to walk.

Mr. Blocker stated that he would have Nicholas Gledich, chief operations officer, work with Mr. Leitch on the issue.

There was discussion by board members.

In regard to item 8.3 (Request Approval of the Capacity Enhancement Agreement Subject to the Provision of Sunsetting, Payment of Impact Fees, and Limitations on Receipt of Building Permits – Keewin Real Property Company – Sheeler Road Project), Mr. Martin commended Dennis Foltz, senior director, municipal planning, and his staff for their efforts.

The motion passed 6-0.

Mrs. Cadle highlighted item 8.1 (Request Approval of the Report on Expenditure of Lottery Funds) stating that the lottery funds would operate the district for only 1.9 days.

She also highlighted item 7.5 (Request Approval for My Lunch Money Test Pilot Program Agreement With Full Implementation After Pilot Completion) commending Dr. Gledich, Lora Gilbert, director, food & nutrition services, Jennifer Reeves, area superintendent, West Learning Community and her staff for their efforts on this pilot program.

In regard to item 7.3 (Request Approval of the Joint Use Agreements Between the City of Maitland and Maitland Middle School, Lake Sybelia Elementary and Dommerich Elementary Schools), Mrs. Geiger acknowledged the joint use agreement with the City of Maitland.

Approval of Minutes: It was moved by Mrs. Ardaman and seconded by Mrs. Gordon that the minutes be approved for Non consent #1 – Approve Minutes – July 12, 2005 – Work Session.

The motion passed 6-0.

Non consent #2 – Status Report and Direction – Orange County School Board Blue Ribbon Schools’ Initiatives: It was moved by Mrs. Ardaman and seconded by Mrs. Gordon to approve the Status Report and Direction – Orange County School Board Blue Ribbon Schools’ Initiatives.

Mr. Shea stated that a regular schedule of work sessions will be set up on every Tuesday, Wednesday and Thursday at 4:30 p.m. to discuss the recommendations. He added that the topic for the August 16, 2005, work session will be traffic safety and the University Of Central Florida College Of Engineering will present a report on pedestrian safety at that time.

Mr. Martin stated that the Student Attendance Subcommittee would be meeting every other Tuesday and requested that a part-time staff person be provided to assist the committee. He added that the student attendance policies from the members of the Central Florida Public School Boards Coalition will be collected.

There was discussion by board members including looking at Clark County’s rezoning policy, a board master calendar, the superintendent’s evaluation, restructuring of the board in November, the Pre-K program, and the need for a board retreat.

The motion passed 6-0.

Non consent #3 – (Request Approval to Proceed With the Purchase of Real Estate Pursuant to the Real Estate Purchase Agreement Between Jabre, Inc., and Orange County School Board (“the Agreement”)): Mrs. Ardaman declared a conflict of interest with this item since her husband’s firm represents Jabre, Inc.

It was moved by Mrs. Cadle and seconded by Mr. Martin that the approval to proceed with the purchase of Real Estate pursuant to the Real Estate Purchase Agreement between Jabre, Inc. and Orange County School Board (the “Agreement”) be approved.

The motion passed 5-0 (with Mrs. Ardaman out of the room).

Statement of Policy Level Issues the Board Would Like to Agenda for Subsequent Meetings or Work Sessions: There was discussion by board members regarding buses

dropping children off on the wrong size of the street; and the limited choices of daycare centers for after school care should tie in with the rezoning of elementary schools.

School Board Committee Reports: Mrs. Cadle reported, on behalf of the Legislative Subcommittee, that Representative Sandra Adams would be invited to visit one of the new schools after the first part of September.

Mr. Shea reported that the IT Committee chaired by Mr. Roach had completed its work so the committee will be disbanded.

Mrs. Gordon presented a report from the National School Boards Association (NSBA) Southern Region Conference held July 26-29, 2005, in Charleston, South Carolina.

Mrs. Ardaman requested that the superintendent and general counsel look into the issue of the town of Oakland taking over the Oakland Charter School.

Mr. Kruppenbacher stated that he would read the contract and get back with the board and superintendent.

Mrs. Cadle announced that Council of Urban Boards of Education (CUBE) had given the board two free registrations to the conference in Las Vegas and encouraged board members to take advantage of it.

She also reported that she attended the Learning Brain Expo held in Austin, Texas on July 26-31, 2005, and the following also attended: 14 OCPS staff members, two area superintendents and two area directors. She added that the concepts will be integrated in the work with principals and the Expo will be in Orlando next July.

Mr. Shea requested that copies of the information for CUBE be put in each board member's mailbox.

Information and Future Meeting Dates: Mr. Blocker announced the following upcoming board meeting dates:

Closed Session	August 03	7:30 pm	Citrus Oaks Rezoning Case
Work Session	August 09	4:30 pm	
Work Session	August 10	4:30 pm	
Work Session	August 11	4:30 pm	
Work Session	August 16	4:30 pm	Traffic Safety
Work Session	August 17	4:30 pm	
Work Session	August 18	4:30 pm	
Board Meeting	August 23	5:30 pm	
Work Session	August 24	4:30 pm	
Work Session	August 25	4:30 pm	
Board Meeting	September 13	5:30 pm 7:00 pm	Final Budget Hearing

Reports by Attorneys: Mr. Kruppenbacher discussed the following: sending a letter to every law enforcement agency regarding the reporting of arrests of school district employees; the revision of Management Directive A-4 which addresses the requirements for the reporting of

child abuse, neglect or abandonment and the procedures; policies for parents who are convicted sex offenders and notifying Ricky Harris, senior director, safety, security and environmental services, if information is received regarding a registered sex offender. There was discussion by board members.

Mrs. Cadle encouraged everyone to get involved in the First Day of School activities next week.

Mr. Shea announced that the Business Challenge Kick-Off would be held on Wednesday, August 10, 2005, 8:30 a.m. at the downtown Orlando Marriott.

The meeting adjourned at 9:05 p.m.

Chairman

Secretary

dmm