

OFFICE OF THE SUPERINTENDENT OF SCHOOLS

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**School Board Workshop
March 9, 2010**

Policy 5.8, Code of Student Conduct

Staff came before the School Board Members to review the recommendations from the September 10, 2009 workshop; items brought forward by the Code Committee and other policy committees; Policy 5006, Suspensions and Expulsions; Policy 5.5, Attendance; and Policy 5.9, Anti-Bullying.

It was recommended at the September 10, 2009 workshop to:

1. Reduce printing costs by providing students and parents electronic copies, using sponsorships, and adding parent information to the Code of Student Conduct booklet. The committee recommended continuing printing the booklet to maintain accessibility for all; to pursue sponsorship funding; and to not combine the Parent Handbook that is currently on line.
2. Advertising in student sponsored publications. Language is added to publications stating, "The opinions of this publication are not necessarily those of (schools name) or BCPS."
3. ID badges for secondary level. There is strong support for secondary students. SIU continues to search for funding sources. At this time the School District is not ready to move forward district wide. Secondary schools that have the infrastructure to fund ID badges can proceed to use them. It is not recommended at the elementary level.
4. Alignment with other policies and State Statutes.

•Policy 5006, Suspensions and Expulsions.

-Language has been changed to align with Senate Bill 1550, Zero Tolerance. This legislation gives guidelines to when to refer to law enforcement, minimizing further victimization, and consideration of individual situations. Stronger language regarding inappropriate technology usage was added per the School Board's recommendation.

-Clarification regarding the Workback program from mandatory expulsions.

-Clarification that SBBC assumes no liability at non-school sponsored activities, and to revise the discipline matrix to align with changes.

•Policy 5.9, Anti-bullying.

-Language changes are regarding incidents of bullying that occur off school grounds that carry over and interfere with the educational process and school safety. Training is needed so that each Principal and Assistant Principal understand this additional verbiage.

The Board Members had a rich discussion on policy 5006, zero tolerance, and had several concerns.

-The Board requested that it not be an automatic procedure to move a student upon his/her return from an expulsion to another school location. To make that determination, every incident would be reviewed individually by the Principal and Area Superintendent. If a student is moved, he/she will have to provide his/her own transportation. Staff is requested to provide more clarification regarding moving a student and responsibility for transportation in Policy 5006. It is imperative that Principals and Assistant Principals receive thorough training regarding this.

-Regarding drugs, the word “distribution” was added to the policy. Board Members asked staff to define “distribution” and “transmittal” in the policy to explain the difference between them. -Herbal supplements were added to this area. Staff is requested to define which herbal supplements would not be allowed.

-Staff is requested to add back the Florida Statute language on page 5 of 13, section C., in the policy, Felony Possession.

-Staff is asked to review the Workback Program and incidents that do not allow students to use this program. There is no gray area, no flexibility regarding those who cannot take advantage of the Workback Program. Staff is requested to craft language for legislation to allow some leeway in this matter.

- Staff is requested to further discuss with Board Member her concerns regarding an ESE student who has behavior problems and strikes out and hurts a student or teacher.

-Page 11 of 13, D. Petty Offenses, change “shall” to “should.”

-Page 11 of 13, I. Mood-Altering Substance. Staff is requested to make a distinction between prescribed and unprescribed medication, and make sure this aligns with the medication policy. A high school student that has a doctor prescribed medication should not be disciplined if it has to be taken with food during school hours.

Board Members requested that policy 5006 come back for further discussion at a workshop.

5. Sexting. Language has been added that defines sexting as using any electronic device, including cell phones, to send or receive sexually suggestive or explicit text, pictures, videos, or other materials. This language also includes video voyeurism as specified in Florida Statute 810-145.

6. Clarification regarding Policy 5.5, Attendance. This clarification addresses when 18+ year old students can sign themselves in/out with an excused absence. The parent continues to be responsible unless under Florida law the student has no parent. This applies to attendance as well as disciplinary actions.

7. Use of electronic devices during instructional versus non-instructional time.

No cell phone or other personal technology may be used for communication purposes except under the direction of a teacher or administrator for instructional purposes. It was recommended by the School Board that students might be allowed to use their cell phones during non-instructional time. Policy has not changed regarding cell phones, which must be put away and out of view during instructional time. The Board Members stated that students text during non-instructional time, and they are very aware of Board policy in this matter.

8. Social Security Numbers per Florida Statute 1008.386. A paragraph has been added to Section VIII-Privacy of Student Records. BCPS is required to request that every student enrolled provide his or her social security number. Social Security numbers are not a condition of enrollment or graduation. Social security numbers are kept confidential and are exempt from public inspection. Parents must be notified when social security numbers are requested. Please see section VII for further clarification.

Staff will ensure language from all related policies is aligned with the Student Code of Conduct language and will bring this and related policies for a 1st reading at the April 20th School Board Meeting. It was requested that this and all school policies be looped to the community as it was done a few years back.

Future reviews of the Student Code of Conduct will come before the School Board when there have been legislative changes.

Material for this presentation and all policies discussed can be found on the eAgenda March 9, 2010 workshop.

Budget/Legislative Update

The Superintendent opened the Budget/Legislative Update by informing the Board that the discussion will be about the budget process for next year's budget. The Superintendent made several points for the Board Members' information.

- The predominate portion of the budget is for School District employees' salaries.
- The State cut \$135 million from the School District's budget in the past two years.
- Appropriations per student for this year go back to 2006-07 funding level.
- Other costs have gone up - salaries, health care, energy, etc.
- Class Size Reduction has been significantly underfunded; in spite of this the School District has made class size in the last 3 years. The School District needs \$54 million new dollars for class size, and does not know where to find this funding.
- Some people say to cut administration to save dollars. This School District is the 6th lowest in the State in administration costs.
- The State took \$14 million out of categorical funding and put it into the base student allocation, thus, shortening the School District's dollars for instructional materials, transportation, etc.
- The State filled their budget holes with the Federal Government's stimulus dollars, thus no extra dollars for School Districts, which were already receiving fewer dollars than previous years.
- The State has not adequately funded Florida School Districts for the past several years. There are two court cases at this time against the State for underfunding.

The position that Tallahassee has put us in is that the non core areas of instruction will have to be looked at and the hard choices by the School Board will have to be made.

The stimulus dollars will be gone after next year and the economy has not recovered. Everyone in the County needs to band together to get the right people in Tallahassee. In order to turn around the extreme budget neglect by the State, the people of this County will have to rally in Tally regarding the underfunding.

Today's discussion talked about the budget process for schools and models for ensuring equitable reductions across the District.

It is important to note that the District's budget is made up of two sides. Capital Funding, which pays for buildings and technology hardware and the General Fund Expenditures, which will be talked about today, pays for salaries, medical benefits, payroll taxes, retirement, utilities, charter schools, transportation and operational costs. These funds are separate and cannot be interchanged.

The budget process timeline was discussed. Due to the State not finalizing their budget as yet, the Superintendent has had to estimate what cuts will be made from what has been heard from other Superintendents in the State and the Florida Superintendents' Association. Schools are requested to finish their budgets by March 20th. Area Offices will then have individual conferences with the Schools to make sure that budget cuts are agreed upon.

In May, the School Board will be informed as to what cuts have been made and Union consultations will be held regarding the school cuts. Furlough days will be discussed and the policy regarding DROP that was decided last year will continue this year.

Eighty-five cents on every dollar in the budget is spent on schools. The schools and departments will have to cut their budgets in order for the Superintendent to balance the District's budget per State law.

Board Member asked if money from IDEA would be moved to the General Fund. \$10 million will be moved from IDEA funding. The \$10 million, which came from the stimulus dollars, is above and beyond what is needed in that funding. It will help pay for transportation for ESE students. Staff is requested to speak with the Board Member to further discuss her concerns.

There was another pot of money from the Federal Government, Stabilization Funds. The State took that money and put it into their budget holes. The School District never saw any extra dollars. The Superintendent pointed out that at first the stimulus money was not earmarked for education. Due to Miami-Dade Public Schools and the Broward School District, stimulus dollars were allocated for education.

A new legislative mandate is in the works to increase requirements for high school graduation. Biology, chemistry or physics will be required. Our question, where will the School District get the dollars for all the new textbooks? Where is the funding for the certified teachers, and are there enough of these teachers to hire? It sounds great and it is. However, it will be unfunded and the School District will not get additional funds for teachers or instructional materials. The School District cannot oppose it. It's a catch 22. The Superintendent stated, "It is criminal that in these times the State is not funding these mandates."

Staffing Structure & Program Realignment

The School District has developed several models to provide maximum flexibility supporting art and/or music, physical education, media and guidance, which will ensure equity across the School District.

There are four established models.

-Apportionment Model – Four schools will share an art and/or music, physical education, media teacher, which will be scheduled through the innovation zone providing direct instruction.

-Imbedded Model. Teachers provide instruction through curricula integration. For example, social studies teaching geography of the African Continent would include the cultural impact of music on jazz. Another example, a science class on sound waves would incorporate the use of musical instruments to demonstrate sound waves as well as sound dissipation.

-Doubling Model. Art and/or music, physical education, and media teacher will provide instruction to two classes utilizing a paraprofessional for support. The instructor would utilize small and large group instruction models.

-Consultancy Model. An art and/or music, physical education and media certified teacher meets and consults with general education teachers to share strategies and educational methods to implement within the curricula.

Another funding strategy is to have a minimum of 50% of a certified guidance counselor at each school. This model was utilized this year. Guidance and administrative staffing guidelines are been looked at to see if any adjustments can be made. Staff is requested to look at job responsibilities and see if other positions can do them. Board Members requested a bullet list of what Assistant Principals' responsibilities are. Also requested was the salary amount for a Behavioral Specialist and an Assistant Principal.

Many Board Members thought the Apportionment Model is the best. Also liked is the Doubling Model. Staff is requested to inform the Board what models are selected for each school. Board Members also requested seeing the data on how much money would be saved for each model in comparison to cutting non-instructional positions. How many dollars would be saved if administrative positions were cut in comparison to cutting teacher positions? How much is spent on transportation? Board Members were in support of cutting all travel. How much money is spent on administering FCAT? It was suggested to come up with different positions that will accomplish what we want to do. Board Members need to see data on how much can be saved so they can make an intelligent decision.

Board Members all agreed that if the art/music was cut from a school, the half hour for this instruction has to remain. It was suggested that volunteers from the community could come to the schools to give art presentations, such as Meet the Masters. Virtual school can be used to offer art and music to many schools at a time.

Everyone is very concerned about looking at what has to be eliminated. School Board Members do not want to cut art or music. Because of this unprecedented time they will have to make unprecedented decisions.

The School Board Members have great ideas and request staff to contact them in order to take in account the Boards' recommendations.

Once the State completes their budget, the School District will be able to make these hard decisions. Board Members will be attending Broward Days in Tallahassee and will have a better understanding of what legislature is being discussed and the repercussions for the School Board.

Material for this presentation is available on the eAgenda March 9, 2010 workshop.

Architectural Errors & Omissions

The Office of the School Board Attorney came before the Board to provide an overview of the change order process and methods for cost recovery as a result of Architectural Errors & Omissions.

A change order is a Board approved written modification to an existing construction contract that either increases or decreases the scope of work or project duration (or both).

From September 2002 through October 2009 the Office of the Chief Auditor performed audits of various facilities and construction projects and recommended that efforts be made to identify and pursue reimbursement of costs to the School District.

There are several categories of change orders: owner request, unforeseen request, consultant error, and consultant omission.

If an Errors and Omissions issue is less than \$50,000, a demand letter is transmitted to the Project Consultant. If the Errors and Omissions issue is greater than \$50,000, the matter is referred to the School Board Attorney or Cadre of Attorneys.

Calculations of additional costs were discussed. Presently only Palm Beach County has a policy for Errors and Omissions. Miami-Dade has language in their contracts for Errors and Omissions.

General Counsel recommended including in the School District's architectural contract verbiage regarding Errors and Omissions. Staff is requested to develop contract language that clearly defines terms essential to the identification, calculation, and method of recovery of additional costs resulting from Errors and Omissions. The contract should be clear and equitable so everyone can adhere to the process.

The Chair asked why the Errors and Omissions only apply to architects. Staff responded that it is the architect who creates the plans. If the contractor makes an error, it would be because of the architect's plans, therefore, the architect would incur the costs.

Staff has sent letters out to the different architects, with whom the School District does business, so they are aware of the contract change. Having a reference to Errors and Omissions in the contract should eliminate a lot of discussion regarding change orders at Board meetings.

Material for this presentation can be found on the eAgenda March 9, 2010 workshop.

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