

**OFFICE OF THE SUPERINTENDENT OF SCHOOLS**

**JAMES F. NOTTER  
SUPERINTENDENT**

Telephone (754) 321-2600

Facsimile: (754) 321-2701

**School Board Members**

**August 25, 2009**

**Revised Policy 5306, Technology Advisory Committee**

Staff came before the School Board to discuss the New Technology Advisory Committee policy and redefined bylaws.

The School Board had requested that the Technology Advisory Committee be removed from School Board Policy 5306, School and District Technology Use, and create a new policy for the committee.

This new policy will govern TAC, which will follow the protocol and format of other similar District Committees. The operational procedures will be addressed through the committee's Bylaws.

The Committee's membership is limited to 42 members who will have knowledge and expertise in technology.

At the previous review of this policy, School Board Members requested that a student with a strong technological background from one of the technical schools be selected to serve on the Technology Advisory Committee. A Student has been added to the membership of this committee and will be chosen by the Student Advisor.

The bylaws were reviewed and a few changes were made.

-Page 1 of 6. Article III. Membership to the Technology Advisory Committee (TAC). After the first sentence, add, *All members should have an expertise in technology and its uses, and issues relating to technology.*

This sentence means that all committee members will have an expertise in technology, which is a person who has knowledge and uses technology.

Board Members stated that it might be difficult to find someone in their district who would have the expertise needed to be a member on this committee. It was suggested that if a Board Member could not find the appropriate representative, to contact the technology staff and they would suggest someone.

In the future, there will some major technological changes made and the members on the committee will be helping to make those decisions. It is critical that they have the appropriate knowledge to help make these decisions.

-Page 4 of 6, Article V., Section B., last sentence. The Chair will be responsible for reporting to the School Board, add "*at the regular School Board meeting under the committee reports.*"

The policy was reviewed and the following revision was made.

-Page 3, section C, Item 5. This section will be revised to include an Oversight Committee, made up of the Superintendent and his Deputy Superintendents, who will access and develop an

annual report and will include the accomplishments of its current goals and provide projected goals for the following year.

This section is critical to the policy and needs to be expanded. The exact language has not been developed, but will be brought forward at the first reading of this policy.

Staff further explained that the 2007-2010 Technology Strategic Plan, which will be brought forward to the October 27th workshop, will include the objectives that have been accomplished, those that have been put on hold due to funding, determine where we are, and our future goals. Once the status is determined, with the Oversight Committee's guidance, goals will be developed to move forward. The plan will include the School Board Members, Superintendent, and technology users' vision and recommendations. The most important component is how technology affects the classroom instruction, how it is used, and how it will look 36 months from now. Due to the lack of budget funding we want to make sure we are using the right technology for the classroom, using dollars wisely, and provide useful and meaningful technology.

Staff is requested to provide the Board Members with a copy of the existing Technology Strategic Plan. A process will be developed to get the Board's input, which will be folded into the Technology Strategic Plan and will be presented at the October 27th workshop.

The Superintendent recommended that the teacher representative should be clarified. Teachers are the users of technology in our classroom and should be part of this committee to give their input. The Superintendent suggested that they be video-conferenced into meetings after school. He also suggested teachers be part of the main committee and not only on a subcommittee. A teacher who has been through glides and/or a technical teacher would be a good choice. Staff will clarify a teacher being a part of this membership in Article III, Membership to the Technology Advisory Committee.

The material for this presentation can be found on the eAgenda, August 25, 2009 workshop.

### **Revised Policy 1.5, Diversity Committee**

The Chair requested that this discussion be deferred and that there be further communication with staff and the Diversity committee on the definition of equity. This presentation will be rescheduled

### **Boundaries II**

Part I of the boundary discussion was a clarification on certain issues regarding the Interlocal Agreement and Level of Service (LOS).

Issue 1: After LOS is met by each school by the fifth year of the Capital Plan, do schools get another five years to meet LOS or must School Districts maintain LOS every year after the initial fifth year?

The Department of Community Affairs position is that all District Schools must meet LOS by the end of any District Five Year Capital Plan and every year after, unless there is extenuating circumstances that caused a school not to meet LOS. In that instance the school must meet LOS by the fifth year of the next 5-year plan.

Issue 2: Although it is a challenge to meet LOS due to AYP, the District must devise a strategy plan to bring the school in to LOS compliance by the end of the five-year planning period.

Due to loss of State funding for construction, capacity additions are not an option to achieve LOS. Boundary changes or a change to the components of the Broward County concurrency system are the only options to meet LOS. To that end, the School Board agreed that amending the existing Interlocal Agreement was the best option, and that changing all school boundaries in order to meet LOS was not a viable option due to the hardship it would cause families.

Staff brought forward three options to amend the Interlocal Agreement.

-Amend Level of Service Standard to 120% instead of the existing 110%.

-Extend the concurrency timeframe to a 10-year Capital Plan instead of the current 5 years.

-Enlarge the Geographic Concurrency Service Areas, which are currently the attendance zone boundary for each school level in that area, to be based on existing innovation zones and feeder patterns.

After discussing these options it was determined that enlarging the geographic concurrency service areas was the best option. This measures LOS as a geographic area not on an individual school. The enlarged service areas, based on existing innovation zones and feeder patterns, would reduce the need for large boundary shifts and would allow the majority of students to matriculate together to the next education level. Boundary changes would only occur for small amounts of students when necessary.

The Interlocal Agreement Oversight Committee would have to review this and give their recommendation to the State to amend the Agreement. Board Members agreed to go forward with a modified option; enlarging the geographic concurrency service area and having the level of service criteria be set at 110% of permanent and relocatable capacity (gross capacity) for that area. If the Oversight Committee was unable to support the enlarged geographic concurrency service area and the use of gross capacity, staff was instructed to use the larger concurrency area at 110% of permanent with relocatable space to be used only up to 110% of permanent as the fall back position for the School Board in order to keep the process moving and reduce the hardship that significant boundary changes would cause for cities and their constituents.

There is a question regarding the use and age of portables that can be used to meet LOS. Staff is requested to get clarification on this. Board Members requested an analysis of schools that will use portables to meet LOS.

Senate Bill 360 revises the requirement for Level of Service Standard (LOS) to include relocatable capacity meeting specific criteria, which may have an impact on the School District. There is a lawsuit challenging this bill as being unconstitutional. Board Members asked that this be put on the Legislative Platform.

Part II of this discussion was regarding the recommendation of schools to be involved in this year's boundary process due to not meeting LOS. Board Members agreed to not do any boundary changes this year except for one school, Pioneer Middle, due to the degree of overcrowding, and would wait for the approval to amend the Interlocal agreement.

Board Members wanted the community to know, via the community orientation meetings, if the Interlocal Agreement was not amended by next year the domino affect of boundary changes would have to be done. This would shift students from schools in the west, trigger moves to the east and the north; and would cause huge transportation costs.

By alerting the community of this possibility, citizens could contact their elected commissioners of the importance of changing the ILA or their families would go through the hardship of huge boundary changes. Board Members will also contact their District elected officials to convey the

urgency of this situation to amend the ILA. Board Members wanted to make it quite clear to the community that it would not be the decision of the Board to recommend a massive boundary change, it would be the decision of the ILA choosing not to amend the Interlocal agreement. Staff is requested to give local commissioners a personal invitation to come to the community orientation meetings and public hearing so that they will be well educated on this matter on how their constituents feel about boundary changes. Staff is requested to have maps at these meetings showing the boundary changes that may have to happen and the number of students that would have to be moved. Staff is also requested to work with the Broward Education Coalition and advisory boards from every municipality to get the word out to amend the ILA.

Also discussed was the area called the wedge, an area of land at the county line of Palm Beach and Broward County that will be annexed to Broward County. There are students living in this area who will be transferred to Broward County Schools. It was mentioned that there might be future schools built in this area.

Staff is requested to schedule a discussion regarding under enrolment and how we are addressing the number of student units not being used.

Material for this topic is available on the eAgenda, August 25, 2009, workshop.

### **Workers' Compensation Update**

The presentation began with a brief summary of the history of Broward County Public Schools Workers' Compensation Program. In May 2005 an audit was done, which determined that the Workers Comp Program lacked an integrated system, medical consumerism, a passive return to work program, and lack of employer oversight. By July 2006 there was a complete program reform having a single provider of services, stay at work program, and revision of the Workers' Compensation job description. The goal was to help people, not to have a financial gain. Medical rather than money drives the claim.

These changes gave positive results in the initial 5 months. There was a decrease in average experience per claim, decrease in lost time, and a 95% satisfaction from employee surveys. Aggressive medial treatment at the onset of injury with a specialist can decrease or eliminate increased secondary expenses such as indemnity and legal costs. Research supports keeping employees working, while accommodating specific medical restrictions, is beneficial for them physically and emotionally. The new program has been successful at proving injured employees modified duty with restrictions.

Over 95% of employees surveyed indicate they are generally satisfied or very satisfied with their service experience. This equals reduced litigation, thus saving the district millions of dollars.

Broward County Schools Workers Compensation Program, with its huge success, is a model being used by the State of Florida, City of Coral Springs, Sarasota County School, Sarasota County Government and Polk County School.

The Board asked if health insurance could use this model. It is an interesting question given that this model has been so successful. The Superintendent stated it would be worth a look and asked Staff to put a team together to look into this possibility.

The Worker's Compensation Program motto is "Make Safety a Habit" and encourages employees to get involved and to suggest better ways to improve, making their work location a safe

environment. The goal is to increase employee awareness on the impact workplace injuries have on the District in both financial and human terms.

This presentation can be found on the eAgenda August 25, 2009 workshop.

### **2010-2011 School Calendars #1**

Staff brought forward the recommended school calendar options for 2010-2011 school year from the Calendar Committee.

There are legislative and contractual requirements that must be considered when creating the school calendar.

- The start date can be no earlier than two weeks prior to Labor Day.
- The School District must provide 180 days of instruction.
- Calendar must meet BTU contract requirements of 196 workdays for teachers.

All options for the 2010-2011 calendars had common elements.

- Students return to school August 23, 2010, which is two weeks prior to Labor Day, September 6, 2010.
- Winter Break is a full two weeks.
- Second Semester begins mid-January.
- Spring Break is March 14-18, 2011. This is due to the FCAT testing window, which will fall during Easter and Passover week that year.
- Identifies four hurricane make up days, Early release days.

Option 1, 2, and 3 were reviewed with differences regarding Thanksgiving Break, having two days, three days, or one week off; Good Friday as a day off; November 2nd election day as a day off; and the last day of school in June for students.

Most of the conversation by the Board Members was regarding Spring Break and that FCAT testing was scheduled by the State during Easter Week and Passover, which is traditionally Broward County's Spring Break. Due to this conflict, the Calendar Committee scheduled Spring Break for March 14-18, 2011. This has Board Members worried that testing will overtake a time for spiritual reflection; that it is insensitive to our students to schedule FCAT testing during a religious time. Board Members will be contacting the State to look into this concern and hope that the community will contact their State representatives on this issue.

Board Members also discussed Option 3, which gave students a week off during Thanksgiving. This suggestion was requested by the Board last year to look into. Due to the extended school year and school closing in the 3rd week of June, it was decided not to be the preferred calendar for 2010-2011. There would also have to be negotiations with the Broward Teachers Union before that option could go forward.

Board Members discussed having November 2nd Election Day off, for security reasons, since many of our schools are used as voting sites. Option 1 does have this day off, but not Good Friday. Option 2 does not have November 2nd off, but does have Good Friday off.

Staff also presented an Option 4 calendar. This option includes:

- Pre-planning days for teachers (Teachers report on August 16, 2010.)
- First Day of School for students is August 23, 2010.
- November 2nd election day is a teacher-planning day. Students will not be on campus.
- Provides the day before Thanksgiving as a day off.
- Winter Break is a full 2 weeks.

- Provides Friday, April 22, 2011, Good Friday, as a day off.
- First semester has 91 days/second semester has 89 days.
- Last day for students is Thursday, June 9, 2011.
- Paid Holidays-Labor Day, Veteran's Day, President's Day, and Memorial Day.
- Other days off-Rosh Hashanah and Martin Luther King Day.

Board Members were in agreement with Option 4. This option will go to the Calendar Committee for their approval before it comes to the Board to be voted on. Staff will then prepare the other work calendars. Board Members suggested putting an explanation on the calendar identifying the mandated dates by the state for FCAT Testing. Board Members had a concern that if they approved this calendar, and the State changed their FCAT testing dates, would they be able to bring the calendar back and modify it. The modification would have to follow the established process going through the calendar committee and employee unions. The Superintendent stated that he did not see a problem with that.

Staff is requested to look at a tri-semester calendar for the future and also see what other school districts are doing.

Board Members requested that the calendar options be posted for the School District's information. Staff will bring back Option 4 for the Board's approval.

This presentation can be found on the eAgenda August 25, 2009 workshop.

**H-1 Employment Agreements for Deputy General Counsels Robert Paul Vignola and Marylin Batista-McNamara; and Assistant General Counsels, Barbara J. Myrick, Thomas C. Cooney, and Ana I. Segura**

The School Board deferred this Board Item for further discussion at today's workshop. This item approves the Employment Agreements for Deputy General Counsels Robert Paul Vignola and Marylin Batista-McNamara; and Assistant General Counsels, Barbara J. Myrick, Thomas C. Cooney, and Ana I. Segura.

The School Board's Legal Services Committee met on August 11, 2009 concerning the Employment Agreements and compensation of the Deputy General Counsels and Assistant General Counsels, which expire on October 31, 2009.

The Legal Services Committee recommends the approval of the Employment Agreements of the Deputy General Counsels and Assistant General Counsels for the period of November 1, 2009 through October 31, 2011. All other provisions of the Employment Agreements remain in full force and effect.

The amended employment agreements do not provide for an increase in compensation, therefore, there is no additional financial impact to the District. The source of funds is the General Counsel's department budget.

Board Members wanted to have further discussion regarding the contract, which is for two years. All School Board employees are contracted for one year. The Board wanted to be consistent in this regard.

After further discussion it was stated that General Counsel has a great team and since there were no payroll increases this year, it was an option for the contract to be approved for two years.

The Board Members' direction was to leave the board item as is with the two-year contract. Board Item H-1 can be found on the eAgenda August 18, 2009 School Board meeting.

**JFN:jd**