

OFFICE OF THE SUPERINTENDENT OF SCHOOLS

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**School Board Workshop
October 27, 2009**

Workshop Opening Remarks

The Chair opened the workshop, welcomed everyone for attending, and turned the meeting over to the Superintendent.

The Superintendent updated the Board on the new School Board appointment, Kevin Tynan, and stated he will be helping him with his transition of becoming a Board Member. The Broward Schools family welcomes him with open arms. The Board will be updated on the date and time of the swearing in ceremony for Mr. Tynan.

The Board was informed of a fundraiser for Michael Brewer, the Deerfield Student who was set on fire. The parents do not have any insurance. More details regarding where checks can be mailed will be given at the next Board meeting.

Policy 1403, School Accountability and Improvement

Policy 1403 was reviewed by the Board at the September 22, 2009 workshop and recommendations were given to staff.

Staff came back to today's workshop with the Board Members' recommendations.

- The language of the policy was aligned to State Statute.
- 2008-09 SAC attendance will be used as baseline data for achieving the Broward Criteria for a quorum.
- 2009-2010 SAC Attendance will be used for progress monitoring.
- 2010-2011 SAC attendance data will be used to determine the effectiveness of Broward criteria for achieving a quorum.

Data was presented to the Board, with the use of charts, to show the percent of SAC meetings achieving a quorum. Data showed that all school levels met the State's requirements for a quorum. All school levels using Broward County criteria for a quorum were not met.

Data was collected regarding the meeting times for SAC meetings.

- The greatest number of SAC meetings are held from 2-5 p.m.
- The greatest number of SAC meetings that achieved a quorum, using the State's or Broward's criteria, are held from 2-5 p.m.
- Regardless of the meeting time, SACs do a better job of meeting the State's criteria for a quorum compared to meeting Broward's criteria.
- 2008-09 data indicates that the meeting time is not the determining factor in achieving the State's or Broward's criteria for a quorum.
- In general, elementary schools are more successful than middle or high schools in achieving the State's or Broward's criteria for a quorum.

In order to achieve further success in reaching Broward's criteria for a quorum, staff is offering professional development, which will be mandatory for Principals, Assistant Principals and aspiring school leaders, covering components for effective SAC meetings. A marketing plan will be given to Principals to assist in achieving greater parent participation. The Chair suggested contacting parents of previously enrolled students to be a part of SAC. Everyone agreed that this was allowable.

At the last workshop, the question was asked whether a District could impose additional requirements for a SAC quorum, if these requirements prevent SACs from fulfilling their statutory responsibilities. Staff will be reviewing the data every six month and if such data from 2010-2011 shows that the Broward criteria for a quorum does prevent SACS from fulfilling their statutory responsibilities, it will then be changed to the State's criteria for a quorum.

Staff is requested to consider implementing a survey, separate from the schools', asking parents for a good time to hold SAC meetings. Principals are requested to send emails to parents who are not attending to find out why. The Superintendent wants to make sure that this can be done, and will look into a best model for the survey, and contact ETS for their help regarding delivering the survey to parents.

School Board Members asked at the last workshop if Differentiated Accountability supersedes SAC authority. Per consultation with Legal Counsel, directives from the State Board of Education do supersede SAC Authority.

Staff will bring Policy 1403 forward for a first reading by the School Board. Material for this presentation can be found on the eAgenda October 27, 2009 workshop.

Boundaries #3

The Superintendent stated that the School District is faced with several boundary issues and wants to find resolutions to these problems. The Superintendent wanted to assure the public that the School District would have a traditional process, which will be opened to the public.

Staff presented the 2010-2011 Superintendent's initial boundary recommendations. Board Members put off for a year boundary changes that would cause a domino affect across the District. That would be the situation due to the present Amended Interlocal Agreement. District staff and Board Members are educating the municipalities regarding the existing agreement and how it will cause a huge burden on their constituents if the boundary changes are done. On October 14, 2009, the Oversight Committee was presented with the issues affecting boundaries in Broward County, along with the following recommendation made by the Oversight Subcommittee at their September 17, 2009 meeting:

1. The School District should consider repurposing under-enrolled schools.
2. Adopt the Miami-Dade County model, which sunsets the use of 100% gross capacity at all individual school boundaries by 2018, but for Broward they suggested the sunset occur sooner, in 2015.
3. Phase in boundary changes in the interim years by utilizing excess permanent capacity at under enrolled schools.
4. Analyze expanded Concurrency Service Areas, smaller than initially presented, in combination with LOS and a longer concurrency timeframe, up to ten years for schools with capacity backlogged in the ten-year DEFP plan. This would require a change in the ILA.

At the October 14, 2009 Oversight meeting the committee recommended to change the level of service to 100% gross capacity at each school attendance boundary as the Concurrency Service Area with a sunset of using gross capacity the year of 2015.

Staff presented the Board Members with maps showing the different options. The 100% gross capacity would cause a large domino boundary change. Aside from the domino affect, there would also be other adjacent schools impacted by the boundary change. The School Board Members do not want this to happen. They recommended going back to the Oversight Committee to let them know this option does not help the School District and to further discuss the map depicting the 12 larger Concurrency Service Areas with 110% Permanent FISH capacity.

Board Members wanted clarification on the age and criteria of relocatables that can be used. They have heard from State officials that there may be a misinterpretation of the law. The Plant Survey, done earlier this year by the State, does not allow further building of schools and modules but to use relocatables. The recent Senate Bill 360 states that relocatables purchased after 1998 can only be counted towards capacity for the first 3 years of public school concurrency implementation. Staff is requested to supply the Board with more clarification.

There are several issues that affect the boundaries in the School District. The Plant Survey, Class Size Amendment, NCLB, AYP, and the Amended Interlocal Agreement, all Federal, State and local laws affect the number of students that can be in a school. Staff is working very hard to advise the Interlocal Agreement Oversight Committee with these details. The hope is that the concurrency service area size of a school can be increased to include groups of schools, instead of individual campuses, to determine whether there is enough room to accommodate children. The School District also wants to use 110 percent of permanent capacity plus relocatables to comply with growth management laws and to extend the sunset year that stops the use of relocatables. Staff is requested to use the arrow maps for the Oversight Committee, which show the number of students being moved and how all municipalities are affected. Many municipalities believe they will not be affected, but that is not true. If the Amended Interlocal Agreement is not changed, many municipalities and their constituents will be impacted by the adjacent or domino affect of the boundary changes.

Depending on how the Interlocal Agreement is changed, there may still have to be a boundary change for Pioneer Middle School in Cooper City either due to facility space or educational programming. With the current Interlocal Agreement, there would be a larger amount of students moved, which would cause the domino affect of changes that would shift students to other schools.

Staff updated the Board on Class Size Reduction. There are many factors that affect class size: facility space, funding, available teachers, and the master schedule, which is driven by core classes. The penalty for not meeting class size is the possibility of several options defined by State Statute. Monetary penalties can also be applied based on the amount of compliance not met by the District.

A Planning Tool for School Enrollment and Capacity has been developed to help the Board Members, schools, and community to know exactly how many students are enrolled in each school, number of reassignments, AYP students, Magnet students, and other pertinent information. This tool has been develop so all criteria is being considered in the boundary process. The Planning Tool for School Enrollment and Capacity will be in schools newsletters and Principals will be shown how to navigate the site for their use.

Staff went over the recommended boundary changes.

-The new proposed Pre-K-8 Montessori school in Hollywood is proposed to be a full Magnet school program. The Board liked Option A, which included 150 choice seats for the surrounding South Broward High school area. The Board asked if students who attend Virginia Shuman

Young had the option to attend the new Pre-K-8 Montessori school. Staff stated that all students living south of Interstate 595, that currently attend Virginia Shuman Young Elementary school, will receive letters letting them know that if they would like to attend the new school they would have to apply as with any Magnet program. The Board also asked if the new K-8 school would impact Sunrise Middle's enrollment. Staff assured the Board that it would not.

-The next school discussed was Pioneer Middle. Board Members agreed with Option B. Option B has less of a transportation impact to the School District. There was much discussion regarding waiting another year or doing what needs to be done this year regarding Pioneer Middle. It was decided that the community and the new Board Member, Mr. Tynan, whose district includes Pioneer Middle, should have a hand in this decision.

-The final area discussed was the wedge area in Northern Broward County. The Board wanted the community to give input on this boundary recommendation.

Though there may be changes in the Amended Interlocal Agreement, the Superintendent wants to move forward with the boundary process timeline. The School Board was criticized last year for extending the timeline and decisions were not made until after the winter break. The next step is for the recommended boundary changes to go out to the community meetings. Board Members had previously asked staff to invite City Managers, Mayors and Commissioners to come to the community meetings. Staff assured the Board that the elected officials have been sent letters to invite them to the community meetings.

The Superintendent will bring his final recommendation to the Board on December 8, 2009, at the School Board workshop, which will include community input.

Material for this presentation can be found on the eAgenda October 27, 2009 workshop or from the Discussion Materials located at the School Boundaries Web site: <http://www.broward.k12.fl.us/schoolboundaries/index.shtml>

School Board Succession Planning

Every year, at the Organizational meeting, School Board Members decide which committee they would like to represent on behalf of the School Board. At today's workshop, School Board Members are able to discuss amongst themselves what each Board Member would prefer, thus shortening the time needed to go over the committee list at the Organizational meeting. The following is a list of committees and the Board Members requests for the organizational meeting.

- Broward County Coordinating Board of Transportation Disadvantages Services** - Ann Murray & Staff, Ruben Parker
- Broward County Juvenile Justice Board** - Ann Murray Alternate: Phyllis Hope
- Broward County Performing Arts Center** - Abraham Fischler Appointed in 2007 for 4 years
- Broward County Planning Council** - Maureen Dinnen
- Broward County Commission on Substance Abuse** - Ann Murray Alternate: Phyllis Hope
- Broward County Comprehensive School Health Advisory** - Ann Murray Alternate Phyllis Hope
- Broward Cultural Council** - Ben Williams
- Arts in Education Committee** - Staff, Marla Armstrong
- Broward Education Foundation (BEF)** Jennifer Gottlieb Alternate: Maureen Dinnen
- Broward Alliance** - Phyllis Hope
- Broward Regional Juvenile Detention Center Advisory Board** - Ann Murray Alternate Robin Bartleman
- Children's Services Council of Broward County** - Robin Bartleman
- Census 2010 Complete Count Committee, Education Subcommittee** - Phyllis Hope
- Council of the Great City Schools** - Bob Parks Alternate: All Board Members
- Early Learning Coalition** Board Rep: Robin Bartleman Alternate: Jennifer Gottlieb Staff Rep: Claudia Dean
- Financial Advisory Committee** - Robin Bartleman, Phyllis Hope Alternate: Ann Murray
- Florida School Boards Association (FSBA) Board of Directors** - Open Alternate: Jennifer Gottlieb, Maureen Dinnen
- Greater Florida Consortium School Boards**: Jennifer Gottlieb Alternate: All Board Members
- Insurance Committee** - Phyllis Hope (2 positions open)
- ~~**Intergovernmental Relations Group of Broward County, Florida and School Board Representatives**~~
(committee was disbanded 6/23/09).

- League of Cities -Robin Bartleman, Jennifer Gottlieb Alternate: Phyllis Hope
- Legal Services Committee - Stephanie Kraft, Bob Parks, Jennifer Gottlieb, James Notter or his designee
- Legislative Liaison – Federal -Robin Bartleman, Jennifer Gottlieb
- Legislative Liaison – State - Maureen Dinnen, Jennifer Gottlieb Alternate: Phyllis Hope, Robin Bartleman
- Management and Efficiency Study Committee - Robin Bartleman
- Metropolitan Planning Organization (MPO) - Benjamin Williams Alternate: Ann Murray
- Museum of Discovery Science Board of Trustees - Open Alternate: Jennifer Gottlieb
- National School Board Association (NSBA)/Council of Urban Boards of Education (CUBE) Robin Bartleman
- National School Board Association (NSBA)/National Affiliate Advocacy Network (NAAN) Robin Bartleman
- ~~-One Community Partnership (OCP) (6 year grant has ended.)~~
- Public Safety Coordinating Council - Jennifer Gottlieb Alternate: Staff Person Open
- Qualification Selection & Evaluation Committee - See Policy 7003 - Alternate: All Board Members
- 17th Judicial Circuit Family Law Advisory Group (FLAG) - Phyllis Hope Alternate: Open
- Take Stock in Children Leadership Council - Phyllis Hope Alternate: Robin Bartleman
- Value Adjustment Board (VAB) - Open / Community Member, Thomas Kallman Alternate: Stephanie Kraft

The Chair, Maureen Dinnen, asked the Vice-Chair, Mrs. Jennifer L. Gottlieb, if she would like to be the new Chair for 2009-2010. Mrs. Gottlieb stated she would accept the position. The Chair then asked Mr. Benjamin Williams, School Board Member, to be the Vice Chair for 2009-2010. The Chair thought Mr. Williams would bring a good balance for the Board. Mr. Williams stated he would accept. Mrs. Phyllis Hope, School Board Member, stated that she would also like to be the Vice Chair. The Board Members will vote on this at the November 17, 2009, Organizational meeting. All requests made by the Board Members at today's workshop will also be finalized at the Organizational meeting.

The material for this item can be found on the eAgenda October 27, 2009 workshop.

Policy 1100B Lobbyist Activities

The Superintendent felt the need to bring the Lobbyist Activities Policy for the Board Members to review. The SBBC policy does not have any penalties included in the policy.

Staff contacted other large School Districts and County government offices in Florida to see what policy they had in place for Lobbyists. Broward County Board of Commissioners, Broward County Property Appraiser's Office, Miami Dade Public Schools, Orange County Public Schools, and Orange County Government all had a penalty provision, which stated the violator of the provisions of the policy would be warned, reprimanded, suspended or prohibited from appearing on behalf of any person before the Board for a period not to exceed 2 years. Palm Beach County Schools, Duval County, Hillsborough County Schools, and Pinellas County either did not have a policy or are awaiting approval of a policy.

The Florida State Government has a late reporting penalty of \$50 per day. If that person is investigated, upon receipt of a sworn complaint and a violation is found, then a fine not to exceed \$5,000 could be given.

The penalty that the Superintendent is recommending is: any violator of the provisions of the policy shall be warned, reprimanded, suspended, or prohibited from appearing on behalf of any person before the Board for a period not to exceed 2 years.

The Board Members agreed with the penalty recommendation. The Board also requested adding to the definition in the policy: any person who speaks to a Board Member on behalf of a company or person is lobbying. That person has to disclose to the Board Member that he/she is a lobbyist and must register as a lobbyist. This removes the burden from the Board Member to know who everyone is and whether or not he/she is a lobbyist. Staff is requested to add this revision to the section, Rules.

The School Board's lobbyist list is on the Broward Schools website. A lobbyist can represent more than one company. Staff is requested to review the list of categories for Lobbyists and to include attorneys. Staff is requested, when working on an issue that involves a lobbyist, to give a heads-up to the Board before the Board meeting agenda comes out. To uphold the Cone of Silence, staff is also requested to notify the Board of all RFP's coming out so they are aware. This is being done at this time. It was suggested that board items have the list of lobbyists attached so Board Members will know who they are. The Superintendent suggested placing the list on the eAgenda.

If a Board Member or staff member has a question, they should contact General Counsel. Staff, teachers, and technology people all need to be trained regarding lobbyist activities and should have a review every year to keep updated.

Board Members requested a workshop on the Sunshine Laws and the Rules of Ethics. General Counsel is requested to schedule and present a workshop for the Board Members.

Material for this topic can be found on the eAgenda October 27, 2009, workshop.

Ashbritt Inc. Audit Review

An audit report discovered that Ashbritt, Inc. over billed the District for Hurricane Wilma roofing repairs in the amount of \$237,580. The audit report was brought to the School Board Members to receive at the October 6, 2009 Regular School Board Meeting.

School Board Members had many questions to ask about the audit. It was decided to continue the discussion at a workshop.

The County was declared an emergency area due to Hurricane Wilma. Staff stated that the School District was not prepared to clean up and fix the destruction that this hurricane caused. Companies were hired and work had to be done immediately. Many school roofs were damaged and repairs had to be completed as soon as possible so to not cause further damage to the schools.

It was discovered in the audit that some companies did not have contracts when the work was being done, and had to be written after the fact. Also, several different department heads were accepting invoices for the work being done. This led to double billing, which was discovered during the audit. Broward County also had the same problem of double billing. General Counsel is in the process to recover the over billed dollars. It will ultimately be the Superintendent and General Counsel's decision if the District will go after the money.

Now there is a procedure handbook to address what was discovered in the audit. If we have another disaster, all staff will report invoices to one person, the Director of the Physical Plant Operations, so there will be no more invoice duplication and no more second opinions. There is now a sticker process, which identifies each project manager who has noted work to be done. This is an excellent procedure and has been in place since the storm, four years ago.

Staff was asked if they were comfortable with the amount discovered for over billing. Staff replied stating that the amount has invoice backup to show the duplicate billing. The School District can only go after money that has backup proof.

The audit report was forwarded to the States Attorney's office because Ashbritt, Inc., was under investigation from another complaint. The Board directed that in all cases the Superintendent has to be notified before an audit is sent to the State Attorney's office. He does not have to

approve it, but must be notified. The Board also directed adding, "must notify Superintendent" to the audit policy.

The unfortunate outcome of this audit is that it was released to the public before the report was finalized, which caused rumors. How that happened, no one is quite sure.

The following was suggested by the Board to safeguard this situation from happening again.

- The audit report cannot be submitted to the Audit Committee until the report is complete, which includes responses from the department audited and the exit discussion between the auditor and the department.

- No one can see the document except the audit department and the department being audited until the report is complete and then it goes directly to the Audit Committee.

- Review the Audit Policy 1101B to recheck the flow chart to see if it needs to be reinforced.

- Expedite the process for the collection of funds, such as: invoice duplication or work not done or completed.

Material for this item can be found on the eAgenda October 27, 2009 workshop.

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