



VISION
To be a world-class school system.

THE SCHOOL BOARD OF LEE COUNTY
School Board Meeting – M I N U T E S (Approved 9/7/06)
Monday—July 31, 2006 / 6:30 p.m.

Attendees: Mr. Steven K. Teuber, J.D., Chairman
Mr. Robert D. Chilmonik, Board Member
Dr. Jane E. Kuckel, Board Member
Dr. James W. Browder, Secretary & District Superintendent
Dr. Elinor C. Scricca, Vice Chair
Mrs. Jeanne S. Dozier, Board Member
Mr. Keith Martin, Board Attorney
Mrs. Denise Mangus, Recording Secretary

I. OPENING EXERCISES

A. Call to Order – The School Board of Lee County, Florida, met July 31, 2006, at 6:30 in the School Board Meeting Room for a regular School Board Meeting. Chairman Teuber presided and noted Items IV.D.3, V.C, and IV.F.6 were pulled from the agenda; Consent Action Item IV.D.15 has been amended with two Excelsior schools excluded from Interoffice Mail Service, as these two schools will not be operational this year. *Motion made by Dr. Scricca, and seconded by Mr. Chilmonik, carried 5-0 to adopt tonight's agenda.*

B. Invocation/Moment of Silence – Dr. Scricca led this for tonight.

C. Pledge of Allegiance – Dr. Kuckel led the Pledge.

II. SPECIAL PRESENTATIONS – None

III. PUBLIC COMMENT (Mr. Martin provided the Public Comment guidelines)

Joanne Thomas-Joseph – Played video excerpt (included dialogue/music) on a laptop for her time.

John Traube – Noted Code of Conduct voted by Board and it's necessary for adults to set role models for kids, citing recent (alleged) incident; he mentioned bullying and recent News-Press editorial. Feels Dr. Browder should investigate situation/incident.

Judy Alves (Wage Peace) – Noted NCLB allows military recruiters access to students unless waived; would like waiver in Code of Conduct more obvious/separated. For kids genuinely interested, there are great ROTC programs; feels kids judgments/decisions develop later (re 8-year commitments).

Steve Shimp – Noted: O-A-K hasn't applied for District work in 2-1/2 years; their candidate contributions are legal; his work with the Foundation, Golden Apple, general love of education; support incumbents for good education, academic accountability, career ed (vs. perceived some other candidates' stances).

Simone Bynoe – Commented on previous speaker that it's very honorable but if a difference wants to be made, go into a neighborhood, ask needs and offer dollars; she feels this is spending more wisely than in politician's pockets. Noted concern about construction problems in recent structure(s).

Bob Rushlow – Noted in interest-based bargaining, data looked at. Since there's a public comment speaker weeks after weeks re sub teacher salaries, maybe a presentation can be shown at a Board Meeting to see again data of what's being paid in other counties. The unions bargain in good faith.

IV. CONSENT ACTION ITEMS (no pulls) – It was clarified, re Bill Moore’s memo, that Modtech is paying up front for repairs. Mr. Teuber apologized for a previous meeting comment/any misgiving or any reflection on the Board about doing future business with the firm; we tried something new on the construction and they’re standing behind it—at no cost to the taxpayers or the District. *Motion made by Dr. Kuckel, and seconded by Dr. Scricca, carried 5-0 to approve the Consent Agenda items.*

A. Executive Services – Dr. James Browder

1. Approval of 2006 meeting minutes: June 20—Special School Board Meeting; June 20—School Board Briefing; June 20—School Board Meeting; and June 27—Board Workshop.

B. Academics – Dr. Constance Jones

1. Approval of the two Memoranda of Understanding, one contract, and three agreements at no additional cost to the District:
 - a. Memorandum of Understanding with Florida Gulf Coast University;
 - b. Memorandum of Understanding with Southwest Florida Addiction Services;
 - c. Contract with Apple Annie’s Daycare;
 - d. Agreement with Barkley Circle Dental Center;
 - e. Agreement with Oliver Favalli, D.M.D.; and
 - f. Agreement with Family Health Centers.

Approval authorizes the Superintendent to execute related documents and to approve normal and customary accounting, amendment, bookkeeping, and payroll processes to maintain continuity of federal and state grant expenditures during fiscal year changes and other technical transitions. Any processes so approved will represent best practices, and will conform to funding agency regulations; and to submit proposals and receive awards in subsequent cycles of these specific grant programs and direct successors without further Board action, providing subsequent proposals do not include a major change in focus. The Superintendent may also bring such subsequent proposals forward for Board action for any other cause, at the Superintendent’s discretion.

2. Approval of the renewal of the one-year agreement with EdGate to purchase the on-line product in the amount of \$27,250 from July 31, 2006 to July 31, 2007.
3. Approval of the renewal and replacement contracts for Occupational Therapists Colleen Conroy Freeman, Inc.; Darnelle Mason; and Donna-Ann Spence Therapy, Inc., Physical Therapist Julie Schweers and Physical Therapy Assistant Melissa Murphy and authorization of the expenditure of an estimated total cost of \$267,830 effective July 31, 2006 through June 30, 2007.
4. Approval of the renewal of the Interagency Agreement with the Lee County Juvenile Assessment Center FY07 at no cost to the District.
5. Approval of the contract with the State of Florida Department of Health which funds three school nurses to be placed full-time in Villas Elementary, North Fort Myers Academy for the

Arts and Michigan International Academy starting August 1, 2006 to June 20, 2007 at a cost to the District not to exceed \$50,000.

6. Approval of the Statewide Provider Agreement with the Early Learning Coalition of Southwest Florida for the Voluntary Prekindergarten Education Program for the 2006-07 school year at no cost to the District

C. Administrative Services – Mr. Michael McNerney

1. Approval to change the authorized signers on the Internal Fund Accounts at Fort Myers Middle Academy, Edgewood Academy, Cape Coral High, Paul Laurence Dunbar Middle, Orange River Elementary, Veterans Park Academy for the Arts, Fort Myers High, Pine Island Elementary, Edison Park Creative & Expressive Arts School, Dunbar High, Michigan International Academy, Alternative Learning Center Central and South Fort Myers High, with two signatures required on these accounts; and authorization for the Superintendent to execute related documents.
2. Approval of the lease agreement with A&S Transportation, Inc. to provide up to seven buses at a monthly cost of \$350 per bus, payable in advance, for the period starting August 1, 2006 and ending May 31, 2007.
3. Approval of the lease agreement with Good Wheels, Inc. to provide up to two buses at a monthly cost of \$350 per bus, payable in advance, for the period starting August 1, 2006 and ending May 31, 2007.

D. Business Services – Mr. Lee Legutko

1. Approval of the Budget Amendment dated May 5, 2006 to amend the 2005-06 annual school budget.
2. Approval of the Monthly Budget Report for the period ending May 5, 2006.
3. Approval of the Budget Amendment dated June 9, 2006 to amend the 2005-06 annual school budget.
4. Approval of the Monthly Budget Report for the period ending June 6, 2006.
5. Acceptance of the Operational Audit Report for the fiscal year ended June 30, 2005 and selected transactions through March 31, 2006.
6. Approval to remove from the Official Property Records, 787 items listed on the computer printout titled Property Records by Bar Code/Tag Number (BI-009) dated July 14, 2006.
7. Approval of purchase requisitions in the total amount of \$695,711.11; and authorization to issue the 12 purchase orders:
 - a. Florida School Book Depository: Purchase of non curriculum reading mastery books for Edgewood Academy (Req. No. W-20229);

- b. Talk Technologies, Inc.: Purchase of Talk Systems with case based on a language interpretation, with access for up to 12 listeners delivered to 16 schools and the Talk Systems with case based on three language interpretations, with access for up to 12 listeners delivered to 12 schools for Department of Intervention (Req. No. 235942 and 235934);
 - c. Leap Frog Schoolhouse: Purchase of Leapfrog computers, headphones, lab sets, starter manuals, power adapters and supplemental learning kits for grades 1-5 for science, math and reading for Colonial Elementary School (Req. No. W-23804 and W-23805);
 - d. Danka Office Imaging Company: Payment for the service and maintenance agreement on the Kodak IS 110 printer and the Digimasters 9110 equipment for the period of July 1, 2006 through June 30, 2007 for Printing Services Department (Req. No. 236853);
 - e. Curriculum Associates, Inc.: Purchase of 1,228 supplemental reading resource books for Edgewood Academy (Req. No. W-12846);
 - f. Educational Development Associates, Inc.: Purchase of supplemental reading and assessment books for grades 1-5 for J. Colin English School (Req. No. W-22443);
 - g. Cognitive Concept: Purchase of software to transition from Earobics Classroom to Earobics LX software including 500 user licenses per school for 20 schools to be delivered over the Wide Area Network including shipping and handling, technical support for 30 days and a three year warranty on appliances for Curriculum and Staff Development Department (Req. No. W-12029);
 - h. Leap Frog Schoolhouse: Purchase of eight Leapfrog workstations, 16 sets of English picture dictionaries for Spanish speakers including shipping and handling, installation, materials set up and coaching service bundle for Edgewood Academy (Req. No. W-12842);
 - i. Follett Library Resources: Purchase of additional library books for North Fort Myers Academy for the Arts (Req. No. W-22442); and
 - j. Follett Library Resources: Purchase of additional library books for J. Colin English Elementary School (Req. No. W-24358).
8. Approval to award Bid No. BO66460CP for annual contractual fuel unleaded and diesel transport lots to Evans Oil Company as the primary vendor and BV Oil Company, Inc. as the secondary vendor and if the primary and secondary vendors are unable to meet the needs of the District, authorization for staff to proceed to the next low bidder(s) until the requirement of the District have been satisfied at an estimated annual expenditure of \$4,200,000 beginning August 16, 2006 through August 14, 2007, with renewal options for two additional one-year periods upon the written agreement of the vendor and the School Board.
9. Approval to award Bid No. BO66462CP for polo shirts for the Transportation Services Department to Screen Print Plus, Inc. and if the vendor is unable to meet the needs of the District, authorization for staff to proceed to the next low bidder(s) until the requirements of the District have been satisfied at an estimated annual expenditure of \$52,000 beginning July 31, 2006 through July 30, 2007, with renewal options for two additional one-year periods upon the written agreement of the vendor and the School Board.
10. Approval to award Bid No. BO66465LO for emergency plumbing repairs to the primary, secondary and alternate vendors: Sackett Plumbing, Inc., Franzese Plumbing, Inc. and Avis Plumbing & A/C at an estimated annual expenditure of \$50,000 beginning July 31, 2006

through July 30, 2007, with renewal options for two additional one year periods upon the written agreement of the vendors and the School Board.

11. Approval to increase purchase order number D-11428 to Impact for Developmental Education, Inc. in the amount of \$130,241.45 for a total amount of \$251,862.24.
12. Approval to reject Bid No. BO66464LO for drainage improvements to North Fort Myers Academy for the Arts and authorization to solicit new bids utilizing revised specifications.
13. *PULLED* – Approval of the renewal agreement with Excelsior Charter School, Excelsior Middle Academy, and Goodwill L.I.F.E. Academy to purchase meal service from the District, for the period August 1, 2006 through July 31, 2007 at no cost to the District.
14. Approval of the renewal agreement with The Richard Milburn Academy and Marine Institute to purchase meal service from the District, for the period August 1, 2006 through July 31, 2007, at no cost to the District.
15. Approval of the renewal agreement with Bonita Springs Charter, Cape Coral Charter, City of Cape Coral Charter Middle, City of Cape Coral North, City of Cape Coral Charter South, ~~Excelsior Charter, Excelsior Middle Academy~~, Gateway Charter High, Gateway Charter, Goodwill L.I.F.E. Academy, Lee Charter Academy, Life Skills Center, Richard Milburn Academy, and Six Mile Charter Academy to provide interoffice mail service from the School District, for the period August 1, 2006 through July 31, 2007, at no cost to the District (amended).

E. Human Resources – Dr. Gregory Adkins

1. Approval of the general personnel recommendations including administrative, certificated, support and substitute staff; out-of-field appointment, annual reappointments, and corrections to items previously approved by the Board.

F. School Support Services – Mr. Bill Moore

1. Approval of the contract with Lee County Board of County Commissioners for the School Board to convey approximately 11 acres at Six Mile Cypress Transportation Center to Lee County Board of County Commissioners for \$3,528,000; and authorization for the Superintendent to execute all necessary documents.
2. Approval of the Interlocal Agreement with the City of Cape Coral for the funding of a position to expedite the review and permitting process at a cost of \$91,700.
3. Approval to add lightning protection to the Diplomat Elementary School re-roof project and to increase the project budget by \$9,680 to a total of \$708,560; and authorization for expenditures up to that amount and for the Superintendent to execute all necessary documents.
4. Approval to award Bid #CS144 to re-roof Mariner High School to Crowther Roofing and Sheet Metal of Florida, Inc. in the amount of \$409,200 plus the plywood or metal decking unit pricing, if required, at the District's discretion and authorization for the Superintendent to execute all necessary documents.

5. Approval to award Bid #CS145 to re-roof Estero High School to Crowther Roofing and Sheet Metal of Florida, Inc. in the amount of \$409,200 plus the plywood or metal decking unit pricing for repairs, if required, at the district's discretion and authorization for the Superintendent to execute all necessary documents.
6. *PULLED* – Approval to find an emergency and authorization of repair of the roof at Hector A. Cafferata, Jr. Elementary School at a cost of approximately \$40,000; and authorization for the Superintendent to execute all necessary documents.
7. Approval of the Certificate of Final Inspection for Diplomat Elementary School Re-Roof dated May 12, 2006 and final payment in the amount of \$256,956 to Crowther Roofing and Sheet Metal, Inc. and authorization for the Superintendent to execute all necessary documents.
8. Approval of the Certificate of Final Inspection for Lee County Public Education Center Phase I, Demolition dated May 1, 2006 and final payment in the amount of \$70,345.20 to Gulfpoint Construction Company, Inc. and authorization for the Superintendent to execute all necessary documents.
9. Approval of the Certificate of Final Inspection for Ray V. Pottorf Elementary School dated May 9, 2006 and final payment in the amount of \$680,754.68 to Owen-Ames-Kimball Co. and authorization for the Superintendent to execute all necessary documents.
10. Acceptance of retainage reduction from 5% to 1% in the amount of \$1,226,164.42 and payment of \$405,300.57 for a total payment of \$1,631,464.99 for completed work at South Fort Myers High School to Owen-Ames-Kimball Co.; and authorization for the Superintendent to execute all necessary documents.
11. Approval of the ranking of Construction Management firms to provide services for Mariner High School: 1) Lodge Construction, Inc. and 2) Gulfpoint Construction Company, Inc. and authorization for negotiation of a contract; and for the Superintendent to execute all necessary documents. In the event negotiations with the top ranked firm is not successful, authorization to proceed with negotiations for the next ranked firm for the project until the project is negotiated and contract is executed

V. UNFINISHED BUSINESS/TABLED ITEMS – None

VI. SUPERINTENDENT'S RECOMMENDATIONS (Dr. Browder acknowledged Jodie Goebel whose Change of Assignment appointment was during the Special Board Meeting earlier today.)

A. Good Cause – None

B. Energy Performance Contracting Program

Mrs. Dozier made a motion for approval of the Schedule "E" Construction and Implementation Order, the Energy Savings Guarantee, the Master Equipment Lease/Purchase Agreement, the Acquisition Fund Agreement and the Resolution authorizing execution of same for the Second Phase of Agreements of FPL Services, LLC and commencement of work for 14 District facilities and authorization for the Superintendent to execute all necessary documents; Dr. Scricca

seconded. It was noted that financial counsel Messrs. Bob Gang and Jerry Ford have reviewed and concur this; the program is guaranteed by FPL. Mrs. Dozier expressed support; it's in the best interest of District. Mr. Chilmonik inquired about Trane and a previous program; Trane was in the initial phase of feasibility/audit but FPL has worked with them (part of the legal determination was for Trane to step away). Dr. Scricca echoed Mrs. Dozier in that the program is no cost and saves money. Dr. Kuckel noted working with performance contracting in two prior districts and the programs did what they said they'd do. Mr. Teuber noted it's a good business decision, environment friendly, there's more electricity FPL can sell since ours goes down, and we get better equipment. *Motion carried 5-0.*

C. ***PULLED*** – Ratification of Agreement of Purchase and Sale for Land at 1835 Thompson Way, Lehigh Acres

VII. **ATTORNEY'S RECOMMENDATIONS** – None

VIII. **PUBLIC HEARINGS** – None

IX. **OTHER BUSINESS**

A. **Special Request Presentation (Policy 1.31)** – None

B. **Board Members' Comments/Reports**

Dr. Scricca – She asked, per Mr. Goetz's concern, re notification on filled positions. Dr. Browder noted that all's being done re hiring (some recruited turned down jobs). Last year, 100 teachers were hired after first day of school. Personnel's had extended hours and additional processings; it's the hope to have a full compliment of competent subs (reminder that last week's vacancies are what appears on a job list). Separately, re the Code of Conduct—it was clarified, per Dr. Scricca's inquiry, said publication just printed and there's a separate explanation re recruiters and higher institutes of learning, with a box (for applicable checking) just for these.

Mr. Chilmonik – Thanked Dr. Browder and for Modtech warranty; he'd like an inspection process memo. Re a public speaker's (contractor) comments/personal remarks, Mr. Chilmonik noted he'll take the high road but the record stands; Mr. Chilmonik wants the Board to discuss quality control, noting truth is truth. He noted disappointment in comments taking place.

Mrs. Dozier – It was confirmed, per her inquiry, that the Modtech process was followed as done with all; contractor is gone to immediately (re delivering a product). Mrs. Dozier thanked the Superintendent for the police Explorer student (colors presentation tonight). She noted the information on sub salaries is complied and presenting it public again is a good idea; the District's compensation of sub teachers is actually greater than some of the neighboring counties.

Dr. Kuckel – Noted the sub compensation data has been presented before but she'll reiterate. Those with less than Bachelors had 8.25% increase; with Bachelors—21% increase and long-term subs—a 27% increase. Our subs make more than the comparables: up to \$92-98 daily and \$120/day for long-term. Re mentoring/teacher programs, national stats indicate losing 30-50% teachers; many districts do follow-up surveys (indicating lack of support as a reason though great programs used). Attrition may be reduced 80% with strong induction programs, mentoring

programs (not just matching up seasoned with new), stipend, keep 3-year mentor programs, etc.; every time a new teacher's hired, it's about \$12,000 in cost.

Mr. Teuber – He thanked Dr. Dinon and teachers for their work on this weekend's Teen Trendsetters annual convention and the Governor's Points of Lights Awards; the District has the highest amount of trained teen mentors (results in marked school improvement) in the country (Lee's the top of 67 Florida counties) and are applauded by the Governor and the Lt. Governor.

C. Attorney's Comments/Reports – none

D. Superintendent Comments/Reports

Dr. Browder – Noted tomorrow's first day back for teachers and new beginnings, with all starting fresh, and the teachers' group helping to hold things together. Re test scores, one shouldn't be critical of what's going with kids in schools; the overall good is attributed to teachers, bus drivers, cafeteria workers, support staff, administrators, parents, etc. Students return on August 8th (next week). Dr. Browder noted Mr. McNerney is at a school renovation now; the Superintendent hopes to get in each renovated building Friday. Dr. Browder is excited about this school year and the potential; it's about the teachers and children (not him or the Board). He thanked the Board for the Tentative Budget today; there's been much time spent in working on it and laying it out. Dr. Browder noted appreciating the Strategic Plan comments earlier today.

E. Next Scheduled Meetings: August 8—2:00 p.m., Press Conference; August 15—2:30 p.m., Special Board Meeting; 3:00 p.m.—Board Briefing Meeting; and 6:30 p.m.—Regular Board Action Meeting.

X. ADJOURNMENT – There being no other business, the meeting was adjourned at 7:24 p.m.

/dwm

MINUTES BOOK NO. 41 - FY07

Steven K. Teuber, J.D., Chairman

ATTEST:

James W. Browder, Ed.D., Secretary and District Superintendent

An audio/visual tape of this meeting has been produced to provide a verbatim record of the proceedings. Members of the public may obtain a copy of the tape of a meeting by making a request for such through the Communications Department and paying the actual cost of copying the tape. Members of the public may view any Board meeting tape at the Communications Department at no cost. Anyone wishing to view a Board meeting tape should contact the Communications Department at 337-8327 to make such a request.