



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 11/6/06)
Tuesday—October 10, 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 on Tuesday, October 10, 2006 at 6:30 p.m. in the School Board Meeting Room for a regular School Board Meeting; Chairman Teuber presided. Mr. Teuber noted the following agenda changes: Items IV.F.1 pulled; Good Cause II.A.3 (resolution) added; and Item IV.E.2 amended (additional out-of-field appointment pages). *Motion was made by Dr. Scricca, and seconded by Dr. Kuckel, to accept the agenda as the Order of Business; motion carried 5-0.*
- B. Invocation** – Dr. Scricca provided tonight’s Invocation.
- C. Pledge of Allegiance** – Mrs. Dozier led the Pledge after presentation of the colors by Cadet CSM Anthony Johnson, North Fort Myers JROTC (SFC Angel Villanueva, Instructor).

II. SPECIAL PRESENTATIONS

A. Resolutions

- 1. Resolution** / National School Lunch Week – *Mr. Chilmonik presented a resolution proclaiming October 9-13, 2006 as Lee County School Lunch Week; motion was seconded by Dr. Kuckel and carried 5-0. Mr. Wayne Nagy accepted.*
- 2. Resolution** / National School Bus Safety Week – *Dr. Kuckel presented a resolution proclaiming October 15-21, 2006 as School Bus Safety Week; Mrs. Dozier seconded the motion, and it carried 5-0. Mr. Shelton accepted.*
- 3. Good Cause Resolution** / Florida’s Safe Schools Week – *Mrs. Dozier presented a Good Cause resolution proclaiming October 15-21, 2006 as Florida’s Safe Schools Week; motion was seconded by Dr. Scricca and carried 5-0.*

B. Acknowledgment

- 1. Character Word for October** – Dr. Scricca read “Respect: *Showing regard for the value of persons or things through courteous consideration and appreciation.*”

III. PUBLIC COMMENT – Mr. Martin provided the public comment guidelines.

John Traube – Noted attracting subs (hostile work environment, low pay, no benefits). Feels action against him and Ms. Chester are Board’s personal attack against Sub Teacher Association for political purposes. It’s freedom of speech, not performance; Board credibility in question.

Marvin Goetz – Sub Association and Board dialogue could help school success environment and animosity. He noted difficulty in being sub: short-term, no respect/relationship, those feeling no accountability/caring for them. Subs air about harm (keys, photo IDs, shaking floors, etc.).

Erika Mumm – Feels nothing done from speaking two weeks ago except bus switched; noted driver has said bad things about her. Doesn’t agree with confidential discipline handling of other child and channels. She said no one talked to her except call of daughter’s one-day suspension.

James Muwakkil – Re freedom/liberty of expression, all learn from disagreeing (copy on file of provided do-not-call subs’ circulation petition; Governor written to for investigation). Extending olive branch/dialogue opportunity for peace; if teachers unbanned, Justice Coalition not needed.

Analise Himsl – Gave the Board t-shirts on behalf of Students for Safer Schools/Kids in Congress, noting thanks to them and the Superintendent for the opportunity to represent the District in Washington, D.C.

Sheridan Chester – Impressed by Hancock’s ballot lunch menu voting. Feels freedom of speech/expression resulted in do-not-call status; feels sub teacher and safety issues spoke to without attacks but two teachers who love teaching removed. Noted ‘respect’ character word.

Kathleen Robinson – Noted, from heart, Ms. Mumm’s child but there are great drivers who try to be safe. Spoke (not as employee) re Pondella Road safety issue when bus arms down, work trucks zoom past (even opposite side). Child passengers are like one of their own re kids’ safety.

IV. CONSENT ACTION ITEMS – There were no pulls from the agenda for discussion. *Motion by Mrs. Dozier, with second by Dr. Scricca, carried 5-0 to approve the Consent Agenda.*

A. Executive Services – Dr. James Browder (none)

B. Academics – Dr. Constance Jones

1. Approval of four grant proposals at no additional cost to the District:
 - a. Boys and Girls Mentoring Services;
 - b. Learning for Life;
 - c. ESEA Title II, Part A Teacher and Principal Training and Recruiting; and
 - d. ESE Title V, Part A Innovative Programs.

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 purchase of the online reference tool for District-wide use from ProQuest Information and Learning Company (ProQuest) beginning August 2006 to September 2007, in the amount of \$49,680.
3. Approval of the Contract for Physical Therapy with Priscilla Hawley at an estimated total cost of \$39,700 effective October 11, 2006 through June 30, 2007.

C. Administrative Services – Mr. Michael McNerney

1. Approval of the change in bell times for Michigan International Academy, for a 7:45 a.m. start and 2:00 p.m. dismissal effective October 16, 2006
2. Approval to change the authorized signers on the Internal Fund Accounts at Alternative Learning Center West, with two signatures required on these accounts; and authorization for the Superintendent to execute related documents.

D. Business Services – Mr. Lee Legutko

1. Approval of purchase requisitions in the total amount of \$140,916.83; and authorization to issue the 13 purchase orders:
 - a. All Phase Electric – payment for labor and materials to wire computer room with three power poles, 9-20 amp 120-volt circuit and 12 network circuits for San Carlos Park Elementary for Maintenance Services Department (Requisition No. Q-0063472);
 - b. All Phase Electric – payment for the materials and labor to repair main breaker at Lee Middle School for Maintenance Services Department (Requisition No. Q-0063439);
 - c. All Phase Electric – payment for materials and labor to install two 30' concrete poles with three 400 watt halide fixtures on each pole in pedestrian walkway and center parking island at Bonita Springs Middle School for Maintenance Services Department (Requisition No. Q-0063418);
 - d. All Phase Electric – payment for materials and labor to install fans and controllers at Three Oaks Elementary School and repairs to lights in the locker room at Fort Myers High School for Maintenance Services Department (Requisition No. Q-0063403);
 - e. All Phase Electric – payment for materials and labor to repair gate operator at Transportation North for Maintenance Services Department (Requisition No. Q-0063423);
 - f. The Knox Company – payment for 85 Knox Box Vaults for various locations throughout the School District for Safety, Security and Inspections Department (Req. No. W-05775);

- g. Tri County Fencing – payment for material upgrade, installation of new 10'x6' gate and related posts, 24" x 48" expanded metal lock guards per gate, and repair aluminum 20'x6' double gate for Bonita Springs Elementary School for Maintenance Services Department (Requisition No. Q-0063370 and Q-0063508);
 - h. Walker Construction – payment for labor and materials to repair leaks in escape windows to Portables CC7400/01, CC7386/87 and CC7380/81 and repair skin damage by rear door to Portable #21 at Lehigh Elementary School for Construction Services (Requisition No. 243371);
 - i. Walker Construction – payment for labor and materials to seal roof and mate line, paint ceiling stains as needed, pressure clean exterior, remove and replace carpet, repair flooring problem to Portable #15, CC5398/99 at Lehigh Elementary School for Construction Services (Requisition No. 243389);
 - j. Walker Construction – payment for labor and materials to seal roof and mate line, paint ceiling stains as needed, remove and replace flooring, repair and replace buckled plywood through floor to Portable #16, CC5925/26 at Lehigh Elementary School for District Intervention Programs (Requisition No. 243941);
 - k. Walker Construction – payment for labor and materials to replace wet area to Portable CC0238/239 at J. Colin English Elementary for Early Intervention Programs (Requisition No. 243979); and
 - l. Voyager Expanded Learning – for the purchase of additional Passport teacher resource kits and student packs for level A through E grades 1 through 5 for Orange River Elementary School. (Requisition No. 244535).
2. Approval to award Bid No. B066481SW for the purchase of toilet tissue to Peninsular Paper Company at an estimated annual expenditure of \$126,360 beginning October 10, 2006 through October 9, 2007, with renewal options for two additional one-year periods upon the written agreement of the vendor and the School Board.
 3. Approval to award Bid No. B066483LO for pressure washing to Mike Griffins Pressure Washing and Cleaning Services, Inc. as the primary vendor and R.C. Power Washing Services as the secondary vendor, at an estimated annual expenditure of \$80,000 beginning October 10, 2006 through October 9, 2007, with renewal options for two additional one-year periods upon written agreement of vendor and the School Board.
 4. Approval to increase the estimated annual expenditure for Bid No. B066434CP, art supplies, to AFP Industries, Inc., Cutlass Enterprises, Inc., NASCO, Pyramid Schools Products, Standard Stationary Supply Company and Sax Arts and Crafts by \$46,000 making a total anticipated expenditure of \$140,000 through July 9, 2007.
 5. Approval to increase the estimated annual expenditure for Bid No. B056412LO, concrete finishing and block work, to Art Hansen Concrete by \$175,000 making a total anticipated expenditure of \$665,000 through January 16, 2007.

E. Human Resources – Dr. Gregory Adkins

1. Approval of the corporate agreements with International College and Nova Southeastern University retroactive to the beginning of the Fall 2006 semester; and authorization for the Superintendent to execute all related documents.
2. Approval of the general personnel recommendations including administrative, certificated, support and substitute staff; out-of-field appointments, annual reappointments, and corrections to items previously approved by the Board.

G. School Support Services – Mr. Bill Moore

- PULLED* -- 1. Approval of the Five-Year Educational Plant Survey and Facilities List in accordance with F.S. 1013.31.
2. Acceptance of a reduction to five percent in the retainage to the contract with Target Builders, Inc. for River Hall Elementary School in the amount of \$508,466.79; and authorization for the Superintendent to execute all necessary documents.

III. UNFINISHED BUSINESS/TABLED ITEMS – None

VI. SUPERINTENDENT’S RECOMMENDATIONS

A. Good Cause – none

B. Award RFP No. R066458RG – Group Medical Benefits

Motion was made by Dr. Kuckel, and seconded by Mrs. Dozier for Board approval of the Agreement with Blue Cross/Blue Shield of Florida to provide health plan administrative services and stop-loss insurance for the three-year period April 1, 2007 through March 31, 2010 including a five percent (5%) increase for years two (2) and three (3), with the option of two additional two additional one-year renewals; the estimated cost of administrative services for the April 1, 2007 through March 31, 2008 health plan year is \$4,032,000 plus \$3,000,000 for stop-loss insurance for a total estimated cost of \$7,032,000. It was noted that it’s been four years since the Insurance Task Force last tested the health insurance market (District benefit consultants assist). Dr. Kuckel noted being on the committee, the complex data dug through, and she looks forward to the move of self-insurance. The District fund was kept in place for the self-insurance. Mrs. Dozier thanked the committee for their many meetings, Susan Strong’s work/answers for the Board’s digging questions (at Briefings), and Dr. Kuckel. Dr. Kuckel noted Ms. Mutzenard (present today) who serves and her knowledge. Dr. Scricca noted appreciation for a job well done to Ms. Strong, the committee, and commented that answers were given very well--properly and appropriately; it’s the best that can be offered now. Motion carried 5-0.

VII. ATTORNEY’S RECOMMENDATIONS -- None

VIII. PUBLIC HEARING (Dr. Browder presented seven items for tonight)

Mr. Teuber recessed the Board Action Meeting and opened the Public Hearing at 7:22 p.m. He asked if anyone would like to address the Board regarding the issues on the Agenda for Public Hearing tonight (there being none). Mr. Teuber closed the public hearing and reconvened the regular School Board Meeting at 7:23 p.m.

A. Adoption of the 2006-07 Middle School Program of Studies

Motion was made by Dr. Kuckel, and seconded by Dr. Scricca, to approve adoption of the 2006-07 Middle School Program of Studies as presented. Mrs. Dozier noted these items have been briefed, and she applauds Dr. Jones and staff for the exceptional job. Motion carried 5-0. (Items were scheduled for the August 29, 2006 Action Meeting cancelled due to hurricane.)

B. Adoption of the 2006-07 High School Program of Studies

Motion made by Dr. Kuckel, and second by Dr. Scricca, carried 5-0 to approve adoption of the 2006-07 High School Program of Studies.

C. Adoption of the 2006-07 Student Progression Plan

Motion made by Dr. Scricca, and second by Mrs. Dozier, carried 5-0 to approve adoption of the 2006-07 Student Progression Plan as presented.

D. Adoption of Policy 2.771, Early Childhood Attendance

Motion made by Dr. Kuckel, and seconded by Mrs. Dozier, to approve adoption of Policy 2.771, Early Childhood Attendance, to establish attendance policies for students attending District-provided voluntary Prekindergarten programs that align with the State Voluntary Prekindergarten (VPK) Uniform Attendance Policy. Mrs. Dozier noted Dr. Kuckel carrying the banner for early childhood; this has been back and forth in Tallahassee, and Mrs. Dozier will be supporting it. Dr. Kuckel recognized Dr. Karas and staff's excellent job. Motion carried 5-0.

E. Adoption of Administrative Regulation (AR) 1.145, Early Childhood Discipline

Motion made by Dr. Kuckel, and second by Mrs. Dozier, carried 5-0 to approve adoption of AR-1.145, Early Childhood Discipline, to establish discipline guidelines for students attending District-provided voluntary Prekindergarten programs.

F. Revisions to AR 1.61, School Uniforms

Motion was made by Mrs. Dozier, and seconded by Dr. Scricca, to approve revisions to AR-1.61, School Uniforms, to update the requirements for schools that wish to have mandated uniforms. Mr. Teuber noted this was cleaned up to make less controversial; there's parent involvement and a tiered process. Dr. Kuckel noted it's another choice for parents. Motion carried 5-0.

IX. OTHER BUSINESS**A. Special Request Presentations (Policy 1.31) – None****B. Board Member Comments/Reports**

Dr. Scricca – Noted Ms. Mumm’s delivery re incident; Dr. Browder had the child’s bus changed though she still attends the same school, and he assured that the situation referenced was handled fairly for this child and the other. Mr. Mesch will have another discussion with Ms. Mumm re changing schools; it is desired to have Ms. Mumm happy with her child’s education. Dr. Scricca noted possible contact with the Sheriff on Pondella Road bus safety. She was impressed with the invitation to dialogue with subs; she will hold this invitation, as one Board Member, for consideration after Dr. Browder’s remarks.

Mr. Chilmonik – Noted thanks for the t-shirts and the kids’ hard work; concurs with the parent issue; and that public comments are in a highly charged/political situation re subs, and he’s written a letter. Mr. Chilmonik questions that if memos were written on 9/21-22, why were they not shared with the Board Members. He’s been attentive to media reports and in observations heard, he noted Mr. Teuber has made comments citing personnel issues on why events come out; these Board Chair comments make Mr. Chilmonik feel he may not have knowledge. Mr. Chilmonik commented it sounds like there are meetings going on with Board Members, and Mr. Chilmonik’s concerned as the Superintendent has the responsibility to communicate equally with all Board Members. Mr. Chilmonik noted the Cafferata School bonding and feels it gives the appearance of a conspiracy and cover-up; he wants public to know that we’re operating openly and wants Mr. Martin to investigate the Board Chair. Mr. Chilmonik noted disappointment in the communication between him and Dr. Browder, as he’s available by fax and phone.

Mrs. Dozier – Would also like to thank the students for the t-shirts and their hard congressional work. Re Ms. Robinson public comments on safety, Mrs. Dozier noted the Board Members could telephone Sheriff Scott of what could be done for more awareness. Mrs. Dozier noted that the only time the words of cover-up/conspiracy are used is by Mr. Chilmonik. She noted today’s Briefing and auditing procedures to take place, regrets the use of such words by him, and wishes the purposes could be understood, as the Board hasn’t been in danger. There was a state statute violation which has been rectified and for continuing to harp, it’s improper; the Board has a lot of business to attend to and it detracts from the daily business. What happens at the Board table correlates to what happens in the schools. She noted tonight’s character word—respect and stated communication is a two-way street. It’s up to the Board Members to be willing to meet with Dr. Browder and to look within themselves to see if something’s being done improper/incorrect.

Dr. Kuckel – She echoes what some Board Members are saying and noted correcting something earlier she said—it was in a memo about the Cafferata performance bond, and Attorney Hawkins will provide another copy (Dr. Kuckel talked with Dr. Browder). Dr. Browder invited the Board his first week to meet with him separately (Dr. Kuckel does it by phone or in person) and it provides the opportunity to ask questions of things the Board Members read which come across their desk; then if the Board Member doesn’t receive a

satisfactory response, then they follow the very clear process. These meetings/talks with the Superintendent are a way to find out things; Dr. Kuckel would suggest, as she hears Mr. Chilmonik bring things he hasn't talked with Dr. Browder about to the Board table in a neglectful manner. There is a process for weekly meetings. Accusations are made without merit. Dr. Kuckel noted the approximate 30 pounds of paper due to Mr. Chilmonik in the last six months which has produced nothing re the District (all Board Members received). Nothing has come from these inquiries but thousands of hours and staff time spent to put together for his own aggrandizement.

Mr. Teuber – He noted thanks to the students for their Congressional work and to Mary Fischer for bringing the group to D.C. The anti-bully legislation stalled in Tallahassee but it's back again this session to go through as law. Mr. Teuber noted last Saturday's Comcast reading event and he saw many parents and children taking the free books being given away. He acknowledged Dr. Dinon for her help in the building of better readers in the community, noting the stop watches given out to read for certain time periods daily (and log in a book). He noted the recent Pelican Elementary reading night success with 554 students (371 showing up on one night) and commended Mr. Ivill.

C. Attorney's Comments/Reports (Mr. Martin had none)

D. Superintendent's Comments/Reports

Dr. Browder – Thanked for the t-shirt also. He explained that before election cycle, re the bonding issue, he went to Mr. Moore and shared with everyone the initial discussion (about a year ago). The company building Cafferata Elementary argued re the bonding of the job (interpretation of type of structure and requirements) and the District went throughout four weeks during negotiations. During that time, Dr. Browder said out loud about the violation of statute, and he had been working on this right along. Dr. Browder asks and he shares everything, telling all; he noted the 30 pounds of documentation and all information pulled and told—he's up front with all Board Members. The first time things were received in writing, documents were provided to include all correspondence with company. That issue, along with others, have taken time but he has no regrets—the documentation is there. He noted Mr. Chilmonik talking about conspiracy and secret meetings; Dr. Browder explained Mr. Chilmonik chose not to be in the Superintendent's office. Dr. Browder noting getting on with matters and that he has the best five Board Members in America; questions are asked and accountability held. He wants the back-biting to stop and be grown up. The bottom line with Dr. Browder is that he's been at the job 3-1/2 years and there may be a few who say he hasn't done okay but the folks who sit behind him (staff) trust him explicitly and to imply otherwise of them standing up for their rights is inappropriate.

On the public comment of extending the olive branch, this never stopped. He noted meeting with the association in April/May and have tried on a regular basis. Dr. Browder noted it's very simply laid out—we're an interest-based bargaining organization, and it's another way of dealing with tactical bargaining. Dr. Browder would enjoy opportunity to meet with groups. Re the fact-finding directive to find out why the two sub teachers were put on the do-not-call list, the decision to place was made by the individual principals of schools. Following review, he supports the principals, and schools decisions regarding

those two sub teachers remain unchanged. The review is now concluded, and information gathered will be provided to the individuals; it becomes public 10 days after they get it.

E. Next Scheduled Meetings:

- October 18, 2006 – 2:00 p.m., Press Conference;
- October 23, 2006 – 1:30 p.m., School Board Workshop;
- October 24, 2006 – 2:30 p.m., Student Hearing;
- October 24, 2006 --- 3:00 p.m., School Board Briefing Meeting; and
- October 24, 2006 – 6:30 p.m., School Board Meeting.

X. ADJOURNMENT – *As there was no other business to come before the Board, the meeting was adjourned at 7:54 p.m.*

/dwm

MINUTES BOOK NO. 41 - FY07

Steven K. Teuber, J.D., Chairman

ATTEST:

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

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