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To be a world-class school system.

THE SCHOOL BOARD OF LEE COUNTY
School Board Meeting – MINUTES [Approval 9/25/07]
(School Board Meeting Room, 2855 Colonial Blvd., Fort Myers, FL)
Tuesday, September 11, 2007 - 6:00 P.M.

Attending

Mrs. Jeanne S. Dozier, Chairman	Dr. James W. Browder, Secretary and District Superintendent
Dr. Jane E. Kuckel, Vice Chairman	Mr. Keith Martin, Board Attorney
Mr. Robert D. Chilmonik, Member	Ms. Julie Nieminski, Board Auditor
Mr. Steven K. Teuber, Member	
Dr. Elinor C. Scricca, Member	Mrs. Donna Lesansky, Recording Secretary

I. Opening Exercises

A. Call to Order

The School Board of Lee County, Florida, met on Tuesday, September 11, 2007, at 6:00 P.M. in the School Board Meeting Room for a Regular School Board Meeting. Chairman Jeanne Dozier presided.

Mrs. Dozier noted the following changes to tonight's agenda:

- **ADDED:**
VI.A.1. Usage Agreement with Ft. Myers Police Athletic League, Inc.
- **PULLED:**
IV.F.1. Deed of Conservation Easement to South Florida Water Management District at Heights Elementary School

Motion by Dr. Scricca, seconded by Mr. Teuber and carried 5-0 to accept the agenda as the Order of Business.

B. Invocation

Mr. Teuber delivered the Invocation.

C. Presentation of Colors and Pledge of Allegiance

Dr. Scricca introduced Cadet Captain Hugh Ashley of the Lehigh Senior JROTC who presented the Colors for this evening's meeting. She then led the Pledge of Allegiance.

II. Special Presentations

A. Recognitions

1. **Southwest Florida Hispanic Chamber of Commerce** (Dr. Kuckel)
 - Francisco Agustin Myslicki – Fort Myers High School
2. **Florida Developmental Disabilities Council, Inc.** (Dr. Scricca)
 - Laura Furderer – Dr. Carrie D. Robinson Littleton Elementary School
 - Lisa Briant – Orangewood Elementary School
 - Colleen McCarthy – Skyline Elementary School
 - Sarah Bearman – Skyline Elementary School
3. **Arts Achieve! Model School** (Mr. Teuber)
 - Cypress Lake High School

B. Acknowledgement

Character Education Word for September (Mr. Chilmonik)

- Tolerance: A fair and objective attitude toward those whose opinions, practices, race, religion, nationality or the like differ from one's own.

III. Comments Section

A. Public Comment

Lisa Blanco spoke positively about the timeout room procedures at Trafalgar Elementary.

Mary Kobilus spoke positively about the timeout techniques at Trafalgar Elementary and asked that the program be kept in force.

Kelley Corlew spoke in support of the ESE program at Pelican Elementary.

Kellie Elders addressed concerns about ESE and timeout programs.

Shawn Elders spoke in support of an outside evaluation of the District's ESE programs.

Lori Thorn spoke about her disabled son's positive experiences at Pelican Elementary.

Debbie Johnston spoke about Florida Suicide Prevention Week.

Stacy Richards spoke about her son's positive experiences at Pelican Elementary.

Bob Rushlow, President of the Support Personnel Association of Lee County, addressed the elimination of attendants on ESE buses. (*Mr. Rushlow provided a prepared statement of his comments, which will be filed with the official minutes.*)

Mrs. Dozier responded to speakers as follows: She expressed her appreciation to everyone who addressed the Board this evening. She requested that the Superintendent provide Mr. Elders with a copy of the ESE audit report.

It was the consensus of the Board to direct the Superintendent to review the concerns expressed by Mr. Rushlow and provide them with a report of his findings.

B. Board Members' Comments/Reports

Mr. Chilmonik: stated that he appreciated the presentations by the District's ESE staff at this afternoon's Briefing Meeting and that while he has no doubt that the District does wonderful things for disabled students, he still has concerns regarding training and classroom support; referred to a memorandum dated August 28, 2007, that he received from Dr. Kuckel and responded to the allegations contained therein.

Dr. Kuckel: responded to Mr. Chilmonik's comments regarding her August 28th memorandum.

Mrs. Dozier requested a brief recess. The meeting was recessed from 7:00-7:02 P.M.

Dr. Scricca: expressed appreciation to all who spoke at this afternoon's and this evening's meetings; addressed the vituperative manner of Mrs. Elders' comment to the Board.

Mr. Teuber: stated that the Board is trying to resolve all issues and stated that anyone is welcome to contact any of the Board Members via e-mail or phone; stated that he appreciated today's ESE presentation

Mrs. Dozier: announced that, at a recent meeting, the Florida School Boards Association's board members voted unanimously to support the House Bill concerning the grant for substitute teacher training; announced that FSBA is also supporting the "Be There" campaign, which is a community engagement piece.

C. Board Attorney's Comments/Reports – None.

D. Board Auditor's Comments/Reports – None.

E. Superintendent's Comments/Reports

Dr. Browder stated that the District has a responsibility to every child in the classroom and that when one child is out of control, a dangerous situation is created for all. He added that he supports all of the teachers, administrators, support staff and the District's 82,000 students and that it is his responsibility to see that each student receives the same opportunities.

IV. Consent Action Items

Motion by Dr. Scricca, seconded by Mr. Teuber, and carried 5-0 to approve the Consent Agenda.

A. Executive Services – Dr. James Browder

1. Approval of minutes of School Board Meetings:
 - August 2, 2007, School Board Audit Plan Workshop
 - August 28, 2007, School Board Briefing Meeting
 - August 28, 2007, School Board Action Meeting

B. Academic Services – Dr. Constance Jones

1. Approval of six grant proposals totaling \$1,804,152.00 (including \$30,660.00 in indirect costs) with no additional cost to the District. Approval authorizes the Superintendent to execute related documents, and to approve normal and customary accounting, 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 by the Superintendent will represent best practices, and will conform to funding agency regulations.
2. Approval of the replacement contracts for Occupational Therapist Calvert Sutherland, and Kelly Nicolosi; and Physical Therapist Caroline Bevington, and authorize the expenditure of an estimated total cost of \$121,500.00 effective September 12, 2007 through June 30, 2008.

3. Approval of the Provider Agreement with the Early Learning coalition of Southwest Florida for Before School and After School Services for the Early Childhood Learning Services Preschool Children and related documents.
4. Approval of the Master In-service Plan for 2007-2008.

C. Administrative Services – Mr. Michael McNerney

1. Approval to change the authorized signers on the Internal Fund Accounts at Bonita Springs Middle and Three Oaks Elementary, with two signatures required on these accounts; and authorization for the Superintendent to execute related documents.

D. Business Services – Mr. Lee Legutko

1. Approval to remove from the Official Property Records, 394 items listed on the computer printout titled Property Records By Bar Code/Tag Number (BI-009) dated August 24, 2007.
2. Approval of the Final Budget Amendment to amend the 2006-07 annual District budget.
3. Approval of the acceptance of the Audit Report No. 2008-009, Full-Time Equivalent (FTE) Students and Student Transportation, for fiscal year ended June 30, 2006.
4. Approval of approval of purchase requisitions in the total amount of \$75,632.87; and authorization for the issuance of the seven (7) purchase orders as described.
 - a. Bureau Veritas North America, Inc.: For purchase of Building Code Plan Review and Inspection Services at various school locations for Construction Services Department. (Requisition No. D54508)
 - b. Bureau Veritas North America, Inc.: For purchase of Building Code Plan Review and Inspection Services at various school locations for Construction Services Department. (Requisition No. D54509)
 - c. Bureau Veritas North America, Inc.: For purchase of Building Code Plan Review and Inspection Services at various school locations for Construction Services Department. (Requisition No. 266896)
 - d. Bureau Veritas North America, Inc.: For purchase of Building Code Plan Review and Inspection Services at various school locations for Construction Services Department. (Requisition No. 268591)
 - e. W.W. Rewis, LLC: Payment for sod and grade dirt for Construction Services Department. (Requisition No. 268939)
 - f. Follett Library Resources: Open purchase order not to exceed \$30,000.00 for library books including processing and shipping fees for J. Colin English Elementary. (Requisition No. W-26837)
 - g. Pearson Education: Purchase of SuccessMaker 5.x to SME Version Upgrades including shipping and handling at J. Colin English Elementary for J. Colin English Elementary (Requisition No. W-26835)
5. Approval of The State Contract No. 600-340-03-1 for Copy and Facsimile Equipment, Maintenance and Supplies, through June 30, 2008, at an estimated annual expenditure of \$300,000.00 with an option to cancel if deemed in the best interest of the District.

6. Approval of The State Contract No. 420-420-07-1 for Educational and Institutional Furniture, through June 30, 2008, at an estimated annual expenditure of \$300,000.00 with an option to cancel if deemed in the best interest of the District.
7. Approval of The School District of Hernando County Bid No. 05-480-12 for Classroom Instructional Materials, Supplies and Equipment Catalog Discounts, through June 30, 2008, at an estimated annual expenditure of \$500,000.00.
8. Approval to award Bid No. B076598JM for brake parts and relined shoes to Wallace International Trucks, Inc., at an annual estimated expenditure of \$270,000.00 beginning September 12, 2007 through September 11, 2008, with renewal options for two additional one-year periods upon the written agreement of the vendor and the School Board.
9. Approval to increase the estimated annual expenditure by \$75,000 for Bid No. B066489LO elevator equipment and maintenance repairs, making a total estimated annual expenditure of \$75,000 through December 2, 2007.

E. Human Resources – Dr. Gregory Adkins

1. Approval of the general personnel recommendations including administrative, certificated, support and substitute staff, out-of-field appointments, annual reappointments, and correction to an item previously approved by the Board.

F. School Support Services – Mr. William Moore

1. ~~Approval of the Deed of Conservation Easement to South Florida Water Management District to fulfill permitting requirements at Heights Elementary School replacement.~~
(Pulled from the agenda prior to the meeting.)

V. Unfinished Business/Tabled Items – None.

VI. Superintendent's Recommendations

A. Good Cause

1. Usage Agreement with Ft. Myers Police Athletic League, Inc. / G. Weaver Hipps Annex.

Motion by Mr. Chilmonik, seconded by Dr. Kuckel, and carried 5-0 to accept the Superintendent's recommendation to approve the Usage Agreement with Ft. Myers Police Athletic League, Inc. for temporary use of a portion of the G. Weaver Hipps Annex on a month-to-month basis and to authorize the Superintendent to terminate the Agreement when determined to be in the best interest of the District.

B. Annual Financial Report for Fiscal Year 2006-2007.

Motion by Mr. Teuber, seconded by Dr. Scricca, and carried 5-0 to accept the Superintendent's recommendation to approve the Annual Financial Report for The School District of Lee County, Florida, for the fiscal year ended June 30, 2007.

C. Sprinkler System Installation – Portable Classrooms.

Motion by Dr. Scricca, seconded by Mr. Teuber, and carried 5-0 to accept the Superintendent's recommendation to find this an emergency and approve the installation of sprinkler systems in portable classrooms at ALC West and Heights Elementary School at a cost of approximately \$183,040; and to authorize the Superintendent to execute all necessary documents.

D. Energy Performance Contracting Program – Phase II.

Motion by Dr. Kuckel, seconded by Mr. Teuber, and carried 5-0 to accept the Superintendent's recommendation to approve the Phase II feasibility study contract for review of 21 District facilities with FPL Services, LLC as our performance contracting partner at a cost of \$186,133; and to authorize the Superintendent to execute all necessary documents.

VII. Attorney's Recommendations – None.**VII. Public Hearings****A. Unfinished Business / Tabled Items**

1. Revisions to and Adoption of School Board Policy 1.06, Authority of the School Board; and School Board Policy 1.14, School Board Internal Audit Function.

Mrs. Dozier explained that the Motion to revise and adopt these two Policies was tabled at the July 31, 2007, School Board Meeting and that it was being brought back for public hearing at this evening's meeting.

B. Adoption of the 2007-08 Student Progression Plan.

Dr. Browder presented his recommendations for this item. He informed the Board that he was making a language change under the heading: Reporting Grades to Parents. He explained that the existing second paragraph was being omitted and replaced with the following wording: "Schools will send home a minimum of one (1) hard copy of the interim/progress report at least 20 days prior to the end of each grading period. Interim grades are reflective of the cumulative grades for each grading period."

Mrs. Dozier recessed the Board Meeting and opened the Public Hearing at 7:23 P.M. She asked if anyone would like to address the Board regarding the two items on the agenda for Public Hearing.

There being no requests to address the Board, Mrs. Dozier closed the Public Hearing and reconvened the Board Meeting at 7:24 P.M.

A.1. Revisions to and Adoption of School Board Policy 1.06, Authority of the School Board; and School Board Policy 1.14, School Board Internal Audit Function.

Motion to remove from the table the motion to revise and adopt these two Policies by Mr. Teuber, seconded by Dr. Kuckel and carried 4-1, with Mr. Chilmonik casting the vote in opposition to the Motion..

Mrs. Dozier explained that the Motion to approve the revisions to and adoption of these two policies, made at the July 31, 2007, Board Meeting, was now on the floor.

Motion by Mr. Teuber and seconded by Dr. Kuckel to adopt Policies 1.14 and 1.06.

Motion to amend by striking paragraph (1)(b) and realigning the other paragraphs made by Dr. Scricca, seconded by Mr. Teuber and carried 5-0.

Mr. Chilmonik stated that he would not be supporting this as he felt that the Board would not be fulfilling the spirit of the OPPAGA report by passing policies like this. He added that he felt it was always best to have independent oversight so that the Board Auditor could accomplish what she needs to do.

Mrs. Dozier stated that during a conversation with Mrs. Nieminski, Mrs. Nieminski indicated that it was common procedure to work with and get direction from a CEO while conducting an audit.

Main Motion carried 4-1, with Mr. Chilmonik casting the vote in opposition to the Main Motion.

B. Adoption of the 2007-08 Student Progression Plan.

Motion by Dr. Scricca, seconded by Mr. Teuber and carried 5-0 to accept the Superintendent's recommendation to approve the adoption of the 2007-08 Student Progression Plan, as presented.

VIII. Other Business

A. Next Scheduled Meetings of the Board:

- September 25, 2007, 2:30 p.m., Special School Board Meeting
- September 25, 2007, 2:30 p.m., School Board Briefing Meeting (Immediately following the Special Board Meeting.)
- September 25, 2007, 6:00 p.m., School Board Action Meeting

IX. Adjournment

Motion by Dr. Kuckel, seconded by Dr. Scricca, and carried 5-0 to adjourn the September 11, 2007, School Board Meeting.

The meeting adjourned at 7:30 P.M.

Jeanne S. Dozier, 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 any 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.