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To be a world-class school system.

THE SCHOOL BOARD OF LEE COUNTY
School Board Briefing Meeting – M I N U T E S (Approval 11/20/07)
Tuesday – October 23, 2007 / 2:30 p.m.

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

(Dr. Scricca called the meeting to order at 2:38 p.m.)

A. ITEMS WITH GUEST(S) – none

B. BOARD MEMBERS

- 1. Special Areas of Board Involvement/Reports** – Mr. Teuber distributed current Board policy for Finance Advisory Committee (FAC)/community involvement opportunities, noting pages 3-4 on duties; purpose's last sentence has input and development provided re salary schedules, and this was discussed at last FAC meeting. Board Members' salaries are set by statute now and the committee has never participated in setting District staff salaries; consensus was reached to strike this from the policy. Mr. Teuber noted, in a family magazine he brought, the main center article of the Arts Center opening downtown; he provided input, and knows the Board supports art. Separately, Mr. Chilmonik thanked Estero staff for their hard work at Saturday's 5K race where the coach and teachers were there.

Mrs. Dozier noted her meeting with Dr. Browder, the Cape Mayor, and City Manager to discuss charter school issues; she talked with Bev Gallagher (Broward County) to confirm that case was not settled. Mrs. Dozier and the Superintendent will come back with some kind of discussion about what they're asking for. She and Dr. Browder went to Broward for the Planning & Budget Subcommittee's meeting (this tax group which meets once every 20 years). Language is being developed that will possibly put the class size amendment back on ballot. She spoke as Board Chair and as FSBA President; there was the one pointed question—how FSBA felt about class size. All support new language of 5 one way or other (5 individuals—not percentage). Separately, Mrs. Dozier went to Barnes & Noble and Dr. Jones was there also at the yearly teacher reception where different gifts are given for classroom use; two local authors were there (formerly of our system) re Everglades' environment, and many teachers use their text in classrooms. Mrs. Dozier and Dr. Browder attended the annual SWFL Education Foundations' meeting (all different foundations present) where part of the meeting is for idea sharing; David Hall, FAC Chair, presented and supports partners in education. Mrs. Dozier noted our union president was present, and we're proud of the Foundation for Lee County Public Schools' leading in things around the area. She spoke at an interesting BUPAC meeting and thanked Drs. Tihen and Jones and Mrs. Desamours for their accompaniment to assist in any financial questions; she clarified a misconception there about the Board re the military and told BUPAC about the upcoming annual Pride & Patriotism, inviting them to attend, and noting this is one way we support veterans of all wars/conflicts.

Mrs. Dozier was at Dunbar High for the "Be There" campaign and parents spoke from the heart; it was taped (for PSAs around the state) and it was very moving to hear about the involvement created for their children, heightening awareness re their children's feelings about the campaign. Mrs. Dozier spoke at the Bonita Zonta group where she responded to their question of helping by inviting them to mentor in schools. She noted giving Mr. Donzelli a sign-in sheet from BUPAC and Zonta. Mrs. Dozier attended the very touching annual Community Appreciation Lunch which was a tremendous success (mental health is dealt with); Marshall Bower is the chairman of their board of directors and does a good job. Three were recognized for their outstanding community work; she sent congratulatory letters on behalf of the Board. She received legislation a few days ago but it's not current now; she'll travel to Tampa tonight for the committee days where input is able to be given on the FSBA legislative platform which will be developed/finalized this week. Mrs. Dozier met with Dr. Mark Levine who's doing research on Florida school board governments, and he asked her to be in a pilot sample group; he's surveying Boards, and she'll be supporting his post-Ph.D. research. No one in the country has done this kind of research re board governments/student achievement.

Mrs. Dozier shared another quality customer satisfaction survey used at Tropic Isles Elementary (they survey all who come into the office) and noted if we're to be a quality organization, we should have a means of surveying customers; she thought it might be good to do elsewhere. Dr. Kuckel feels we should have routine way of doing this and noted ones she receives after services (airlines, oil changes, etc.) or follow-up phone calls; it's a way to receive good feedback in improving operations as deal with the public daily, and she has given Dr. Browder several surveys. Mrs.

Dozier shared with the Board an art poster from Lee Mental Health which describes mental health; the slogan is “where there is no hope, we must invent it.” She and Dr. Browder met last Wednesday evening before the Foundation’s Academy of Teachers; in attendance were several Golden Apple teachers from years ago. There were conversations in how we can better assist classroom teachers (who are overwhelmed with paperwork), and the information put out is very interesting. Conversations will continue like this, and they’ll be coming forth/making suggestions to alleviate some of existing situations that overburden.

Dr. Kuckel, re Mrs. Dozier’s comments, requested Dr. Browder have Mr. Bower do a Briefing update on things done/reorganized—wants to hear about vision/focus. She also wants elaboration on class size amendment re state in putting back on ballot; the Budget & Tax Commission (convenes every 20 years) may have this opportunity. Teacher unions and FSBA have come to an agreement re class size amendment; Mrs. Dozier believes individuals are working on the language to present for consideration of putting on the ballot. Though it didn’t go anywhere with the governor of two years ago, it can’t afford to be kept on the books the way it is now. Dr. Browder explained it would be a school average plus 5 (if 18 students, then 23), and he noted the commission recognizes the extreme cost of class size and next several years’ cost; the amendment the way it is now will substantially reduce things in what we need for students. Dr. Browder added that the group was very impressive, asking ad valorem tax questions and everything around tax base in state; they were keen on the class size. Legislative liaison work is continuing and will be submitted to Broward who will forward to the Consortium on their behalf (there was a two-hour window we were invited to be part of re the commission). Dr. Kuckel noted non-support of anything that wasn’t a two-part process—looking at it now and looking at sales tax exemptions; this is from her perspective and she wouldn’t want to mess with it unless better way to fund schools. She noted that (not exact figures) \$20 billion is collected but \$40 billion in sales tax exemptions are given away; many have been since the 1940’s and are obsolete to her. To bring the average state funding to the national level, about \$3-5 billion needed (not quite 10% of the exemptions’ amount given away in). She feels we should get consensus from the Board; Dr. Kuckel wouldn’t want class size watered down but look at better funding of monies, and input is wanted. If the commission has latitude to get something on the ballot, this could be another priority; Dr. Browder noted this was presented to that group. Mrs. Dozier noted revenue would be continuous and not just come around when hurricanes and have legislature look at tax exemptions and put amendment in place that would have them buy into tax exemptions every so many years; she apologized for not saying this. Separately, Dr. Kuckel is looking forward to tomorrow’s FSBA meetings; she’s Technology Committee co-chair and they’ll be looking at tools for schools (to make better during Mrs. Dozier’s administration).

Dr. Scricca attended the recent DAC meeting where new officers elected, noting it will be a very vivid year and administration. As Board liaison, she’s been attending the Calendar Committee meetings and next week should conclude things; she commended Ms. Mutzenard and Mrs. McDaniel. Dr. Scricca watched a wonderful process for the committee and was absolutely impressed with group members’ conversations/dialogues as they’re attentive, considerate, and diplomatic re suggestions. She noted the upcoming Pride & Patriotism event where over 1,200 art and poetry entries received; this speaks for the volume of interest. She noted Estero High’s art entries being mailed to hospitals in Iraq and Afghanistan with student messages on the reverse side; Dr. Scricca offered an invitation to other art teachers to do this, noting the many veterans from the U.S. She congratulated Estero’s principal for encouraging this activity/allowing the art teacher to do this; this is significant, and these students will remember.

2. **Audit Plan/Next Steps** – Mrs. Dozier noted her asking for this to be on the agenda, feeling it appropriate for Mrs. Nieminski to provide her suggestions around the plan on how it currently exists. Mrs. Nieminski explained she was going to start an ESE audit; the state came and mandated ESE perform a self-assessment, excluding the gifted program. She sat in a conference call with DOE and ESE staff; we have draft of their processes for self-assessment. There is still work on the draft. Self-assessment is coming down from the federal level in that states are required to do a rugged performance target and submit annual report re targets. The report is to be ongoing (for all districts in state). Scope is pretty much of what Mrs. Nieminski was going to target in her audit objectives (accuracy of data going into files, appropriateness of services for ESE students, etc.). It’s mainly designed for timely corrections of noncompliance. She believes she can be effective in implementing processes for ESE to do self-assessment; will be smoother next year (this is a learning control). Mrs. Nieminski will try to identify internal control weaknesses and inconsistency among schools—a nice partnership with project. ESE self-assessment deadline is end-January. Dr. Scricca made inquiry since Mrs. Nieminski will be gone after 11/30/07. Per Mrs. Nieminski, there will be scoring and reviewing re the indicators. All would have to be done but the sample will be selected by the state. Mrs. Nieminski’s thought is that when they develop a plan/approach to do, her role would be most beneficial then—to see how program runs/steps to test. She’ll shadow staff at schools to see about consistency; that’s where we have to

develop what's needed to be done. They'll be fine to complete test work. Dr. Scricca confirmed Mrs. Nieminski's prefatory work will help ESE get to the January deadline; the latter feels her help will be with the planning phase and plan development of the attack to do. Mrs. Dozier noted there were 300 hours extra on the audit plan we devised, working with Mrs. Nieminski, and being part of the Board's audit Plan. Mrs. Dozier suggested the Board come to consensus to direct the Human Resources Department to begin advertising the Board Auditor position if it's going to be filled and possibly refrain from the 300 hours until such time a new individual is hired and their suggestions can be given. Mrs. Dozier noted bringing to mind, re Dr. Scricca's concern, the 300 hours could be reallocated to the new Auditor if they're hired quickly. Dr. Scricca would like to discuss and gain consensus that some of the 300 hours—prior to Mrs. Nieminski's leaving—would be for Mrs. Nieminski to formally develop a summary of everything she's done thus far (not in detail), summary of audit reports she's done with an evaluation of fiscal health of system, and the District at this point so that it would minimize any effort on anyone's part to indicate that perhaps Mrs. Nieminski really meant this and left us with many doubtful positions on different things. Dr. Scricca would like a clean bill of health but it has to be realistic/truthful and one that the media quote and not given to interpretation. The reason Dr. Scricca is bringing this proposal is: reading with dismay and disappointment where a Board Member had said, re Mrs. Nieminski, that our internal controls were not what they should be—i.e., we had an individual telling the media what Mrs. Nieminski is saying. Dr. Scricca wants Mrs. Nieminski to say—with her credentials, experience, and expertise; she wants summarized what Mrs. Nieminski's done (though some may be repetitive/some reports received) re evaluating status and fiscal health.

Mrs. Dozier noted her conversations with the Superintendent on the Board's 'short marriage' with Mrs. Nieminski. Re the article Dr. Scricca mentioned, Mrs. Dozier noted being interviewed for the article and the latter apologized for not reading it before today due to being out of town. It was noted that the article didn't have Mrs. Nieminski cited, with "gotchas." Mrs. Dozier noted Mrs. Nieminski doesn't have 300 hours remaining to work but she would support a summary of what the latter has done; consensus reached. Mr. Chilmonik asked if he heard Dr. Scricca say she and Mrs. Dozier had a conversation; Mrs. Dozier responded that wasn't said nor any conversation, further stating there was no violation of Sunshine Law and this is a business. Mr. Chilmonik noted he made the comment in the Bonita paper; he stated that in looking at the audit, the comments are clear on controls but he'll present tonight more information. Mr. Chilmonik commented he wasn't hinting at a Sunshine violation but did feel his notification of Mrs. Nieminski's resignation was a day later than others. Mrs. Dozier noted a dedicated fax line is paid for Mr. Chilmonik and there were repeated attempts that late afternoon to fax him (no success). Mr. Chilmonik noted receiving faxes via his computer but there's been a problem. Dr. Kuckel commented that if we're to change processes (e.g., currently to fax all the Board), the Board needs to talk about pros/cons; it may be a mute point. Dr. Kuckel noted Mr. Chilmonik chose not to receive faxes (in returning the fax purchased for him). Mrs. Dozier noted that in cases of when she can't open documents, she has them faxed to a hotel where she's currently staying on business. Mr. Teuber noted his faxes can be received on his phone. Dr. Scricca asked to go back to what she had suggested in the beginning in asking for a summary to provided, evaluation, and fiscal health of the District. Dr. Kuckel concurs, assuming it won't take 300 hours and with a portion of what they agreed upon in that audit. Dr. Kuckel agrees with posting the position immediately. Dr. Scricca noted that perhaps Mrs. Nieminski could give an estimated amount of what it would take timewise for her suggestion; the results of Mrs. Nieminski's work on this would be something that could be given to the media for when they report it (substantially and according to what's on paper).

It was noted to gain consensus on direction to provide Dr. Browder for replacing Mrs. Nieminski. Dr. Scricca has given some thought and suggested that rather than hiring Mrs. Nieminski's replacement, maybe an agency/organization could be contracted to which the Board would give direction as to every audit we want done; advantages may be that it's cheaper and other—we could have several audits going on at same time so to provide public, taxpayer, and the media with fiscal health and fiscal conditions. An example of desired audits could be ESE and construction; an agency/organization would be in lieu of the onerous task of sending out direction to look for candidates, screening, interviewing, etc. Dr. Browder would screen what agencies are out there, their prices for several audits, their estimates to the number of hours of what it take to do an audit of a certain kind, etc. Dr. Kuckel noted this crossed her mind also; there is a month's worth of time. Dr. Browder can gather information; a different group could be contracted for each audit. Dr. Kuckel wants information on different groups out there and cost comparisons of a full-time person. It could be workshopped. Mrs. Dozier noted there are several suggestions today; she noted it could be put on the Board Retreat agenda. Dr. Scricca noted Dr. Browder could be given direction today, with consensus, for some information to be provided at the Retreat for discussion. Mrs. Dozier noted, to sum up, we're basically asking Mrs. Nieminski to do a report/summary and Dr. Scricca asked for consensus to have Dr.

Browder to collect data for Retreat discussion. Mr. Chilmonik noted (for consensus) that as long as it's collecting information and not committing. Consensus reached.

C. **ACADEMIC SERVICES** – none

D. **HUMAN RESOURCES** – none

E. **ADMINISTRATIVE/SUPPORT SERVICES** – none

F. **BUSINESS SERVICES** – none

G. **EXECUTIVE SERVICES**

1. **Gwynne Building** – Dr. Browder, at last Gwynne discussion, brought a recommendation; he had staff review conditions and what we had to do. There was an AMRC air quality inspection sampling again which was okay/clean; this is preventative for down the road. The cost of what we need to do otherwise is \$480,000 (\$150,000 more than original). The Foundation is poised already for when we do this; District still owns the building (if we sell, we get our money back). We'll abate old asbestos, put new ceiling tile, put drywall, spray, and encapsulate it. Dr. Browder doesn't feel this Board would have this work again (during their tenure). Dr. Browder wants to provide assurance of what we need to do. Mr. Bower is prepared to assume responsibility. Dr. Kuckel requested something in writing (Foundation's commitment) before we do; Dr. Scricca agreed and noted the real estate market is soft. Dr. Browder doesn't anticipate us selling the building as he feels the Foundation wants to be there quite a while. He can get something in writing; Messrs. Chilmonik and Teuber concurred also.

H. **PUBLIC COMMENT** – Sue Jacobse noted the Auditor's upcoming departure/remaining days to help ESE re an audit and self-assessment; the request for Mrs. Nieminski for a financial health review of the District; and summary of work to-date. Ms. Jacobse noted the issue of a Board Member/fax machine matter and Board philosophy of working together.

I. **BOARD ATTORNEY / BOARD INTERNAL AUDITOR / SUPERINTENDENT'S COMMENTS** – Mr. Martin did a School Law Minute on new bill legislation establishing high school steroid testing program, placing numerous requirements on schools. In response to Dr. Scricca, it was noted 1% of students active in those sports are tested; she expressed disappointment. Separately, Mrs. Nieminski noted, as a licensed CPA, she can render a financial opinion. She didn't do audits on financial audits; Cherry Beckert will be rendering their opinion of the District's financial state (the appropriate office). Mrs. Nieminski can give what she requests on a summary report (not full District) but cautions against a comfort level of the full District; Dr. Scricca noted Board Auditor's parameters can be indicated. Dr. Browder noted technology and the Olympic group, and he will be bringing more information. He thanked Dunbar High for the "Be There" campaign and the Academy of Teachers for binging us back to earth. Meeting was adjourned at 4:06 p.m.

/dwm

MINUTES BOOK NO. 44 - FY08

Elinor C. Scricca, Ph.D., Meeting Chair

ATTEST:

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

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