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**THE SCHOOL BOARD OF LEE COUNTY**  
**School Board Briefing Meeting – M I N U T E S** (Approval 9/11/07)  
**Tuesday – August 28, 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  
Mr. Steven K. Teuber, Board Member  
Dr. Elinor C. Scricca, Board Member  
Mr. Keith Martin, Board Attorney  
Mrs. Denise Mangus, Recording Secretary

*(Mr. Chilmonik called the meeting to order at 2:53 p.m.)*

**A. ITEMS WITH GUEST(S) – none**

**B. BOARD MEMBERS**

- 1. Special Areas of Board Involvement/Reports** – Mrs. Dozier showed a Legislative Platform mock-up (schoolhouse shaped fold-out) stated the information contained is old (Printing Services will receive new data). She noted attending the NSBA President’s Retreat where there’s a push for community engagement programs; Lee County is out there already doing different types such as altering Choice, forums, Board Members serving on boards, etc. and Mrs. Dozier will bring additional ways for community engagement. She noted her meetings with individuals and planning for the FSBA Board of Directors’ Retreat (to be held locally here next week). Mrs. Dozier thanked Mr. Teuber for attending Horizon Council for her, and she congratulated everyone for the opening of school. Dr. Kuckel expressed her pleasure with schools’ opening; she spoke to the Bonita Lyons Club and noted their support of schools in southern Lee—about \$100,000 is given to schools. Dr. Kuckel noted the Compliance Advisory Committee, their focus on auditing, and moving forward current processes; she’s talked with community business members to apply for the Committee. Dr. Scricca mentioned attending, as well as Dr. Kuckel, the first-ever Substitute Teachers’ Orientation and noted her pleasure in the turnout and it being positive. Dr. Scricca has visited 13 schools the first week of school and hopes to finish the other 7 soon; she commented that principal and school morale is good, and support staff has done a wonderful job. Mr. Teuber noted a good, fluid start-up of school; the Finance Advisory Committee met last week, with Dr. Browder attending, and there was good dialogue (the Cape Coral budget review process was mentioned at the meeting). Separately, Mr. Teuber talked about taking home games to parents (a new parent involvement activity fostering learning/improvement in school by going home and playing/reinforcing; Colonial will have their first family night 9/7. Mr. Chilmonik noted visiting schools and the great start of school; he saw Dr. Browder and Lt. Gov. Kottkamp, an honor for the latter’s visit, at Tanglewood the first day. Mr. Chilmonik mentioned that world-famous author Howard Gardner will be speaking about “Multiple Intelligences in Multiple Spaces” at Edison College on 10/27.
- 2. Policy 1.06, Authority of the School Board (Tabled on 7/31-Scheduled for PH 9/11)** – Mr. Chilmonik noted previous robust conversations re the Board Auditor. There were changes made two years ago to satisfy Board Member(s). He commented that the new policy may not be fine for the independence of the Board Auditor. He noted Policy 1.06 is straightforward. Mrs. Dozier stated that she’s ready to proceed and supports it. Mr. Chilmonik noted the OPPAGA auditor had the person to be independent.
- 3. Policy 1.14, School Board Internal Audit Functions (Tabled on 7/31-Scheduled for PH 9/11)** – Mrs. Dozier commented to Mr. Chilmonik that this is the policy he has concerns with (being addressed second); she noted the lined-out text (two sentences) in the first paragraph (“~~The School Board and Superintendent will be notified of any potential problem areas. The School Board’s Internal Auditor may on occasion have discussions with individual Board Members concerning significant findings identified during audits before the final report is presented to the School Board.~~”) and asked Mrs. Nieminski about normal business procedures for auditors (Mrs. Dozier has had a conversation with Mr. Martin and Mrs. Nieminski). Mrs. Nieminski noted that for international standards/practices, standard ethic code and due diligence—in order to maintain the process—she would discuss with the department being audited and work with them re recommendations/action plan, she would discuss with the Superintendent as it’s his people being audited, and findings would be discussed with the Board after her report to the Board. Mrs. Dozier noted Mrs. Nieminski is employed by the Board which only exists as a whole when together. Mr. Teuber questioned Mrs. Nieminski on how the policy should read re professional auditing standards/best practices; she noted that if the sentences being struck are taken out, it’s still best practices under general acceptable auditing standards. Dr. Kuckel noted being okay with the two sentences being stricken and that she wouldn’t want discussions with the Board (or Board Member) until after a final report. Mr. Teuber noted (4)(c); Mrs. Nieminski goes to the supervisor and their

supervisor (the Superintendent)—this is how auditors work—and then the School Board. Mr. Teuber wants the reporting process pure and intact with government accounting standards; Mrs. Nieminski confirmed to him that he's on track. Mrs. Nieminski noted sharing her report with the Board Attorney, as this is another set of eyes to look at it, and she feels it's appropriate and keeps it ethical/confidential; Mr. Martin knows state statutes. Mr. Teuber noted adding, in the last sentence of (4)(c), the Board Attorney; Dr. Scricca asked to have supervisor be listed as supervisor(s). If striking the two sentences in the first paragraph of the policy, there would be nothing to prohibit—after the final report—Board Members asking the Board Auditor questions; it wouldn't change the report but be done for clarification.

Mr. Chilmonik wants an Auditor General opinion, noting the District's a \$1.7 billion operation; he feels that if something significant were to happen, the Board—who are like a Board of Directors—would be the last to know, and he offered to draft a letter to the Attorney General. Mr. Chilmonik has concerns about being in the dark though it may not happen here; he feels it puts Mrs. Nieminski on the spot if he's seen talking with her. Mr. Teuber feels the Board Attorney is in the loop and this would satisfy this, as Mr. Martin has a responsibility to the Board. Mr. Martin noted his general purpose of draft review—accuracy in statements re the law and in accordance with statute (his primary purpose). If there were findings of possible law violations, it would be the CEO—the Superintendent; Mr. Martin wouldn't see his place in the process in making a report to the Board of something that needs to be done, as the Superintendent would do/be responsible. Mrs. Dozier asked Mrs. Nieminski if she were to identify steps of a critical nature, would it not be the Auditor responsibility to request a meeting of the Board to go above the Superintendent; Mrs. Nieminski confirmed affirmatively. Mr. Chilmonik asked that this be put in the policy. Mrs. Nieminski explained that 'significant' would be if she didn't get action from the Superintendent or if there were no other way to get it corrected; she noted there hasn't been any problem with this, as responses from staff and the Superintendent have been good. She mentioned being careful on the 'significant' wording. Mrs. Dozier believes we have professionals hired, and she has every confidence Mrs. Nieminski can identify what's significant/critical nature; Mrs. Dozier doesn't see the reason to add language and doesn't want the Auditor diminished as a professional. Mrs. Dozier is satisfied with the language/current changes and is ready to move forward; she reminded that when something is tabled re policy, it will be out six weeks and can't be brought to the next Board Meeting and feels she should've noted this (at a prior meeting). Mrs. Dozier commented that Mrs. Nieminski has made her feel confident that the striking of the two sentences is a good suggestion and good business on our part; and with the additions today, Mrs. Dozier's ready to move forward. Dr. Kuckel noted the Board can always come back. Mr. Chilmonik is uncomfortable and feels Mrs. Nieminski is in a different situation (versus the Board); if the Board has given consensus, he'll move on but is not comfortable.

Mr. Martin provided clarification of when the motion comes to amend policy off the table, the form with revisions, and a motion needed that evening if desiring to add language to (4)(c); Mrs. Dozier asked Mr. Teuber since his suggestion. Separately, Mr. Chilmonik noted concern with (1)(b) on the Auditor not being involved with a School Board political candidate. Dr. Scricca feels it should be there; Mr. Teuber noted it protects Mrs. Nieminski and makes her immune from outside pressure. Mr. Chilmonik feels it should be the same way as the Superintendent; Dr. Kuckel noted, for point of order, that the discussion is on this policy currently. Mr. Chilmonik feels one employee is singled out and not able to exercise their political rights; he doesn't see a difference between Superintendent and Auditor. Mr. Chilmonik then noted (lines 29-30) of daily work direction to the Auditor from the Superintendent. Mrs. Dozier inquired of the Board Attorney if his contract is the same on this point, which it is. Mrs. Dozier noted the Superintendent is the CEO and runs the organization and to take away is diminishing authority. Mr. Chilmonik doesn't feel this is corporate/business practice, and noted wholeheartedly disagreeing with Mrs. Dozier. Mrs. Dozier noted this is the language we all agreed on, and she requested that be pulled—prior to tonight's meeting—where he voted on it. Dr. Browder confirmed this language is the same as then.

## **C. ACADEMIC SERVICES**

1. **Student Progression Plan 2007/08 (PH 9/11)** – Dr. Browder apologized for the name typos (cover page) which will be corrected. Dr. Jones went through the some of the changes and noted: page 10—adding physical education (PE) requirement for elementary; page 19—adds middle school retention policy, defining retentions; page 21—grade forgiveness policy, which is important (statute requires high school courses by middle be included in GPA now; teachers must be certified, use high school textbook, follow academic plan, use same end-of-course exam) and middle school student can repeat class with C, D, or F grade; page 25—language removed and added re grade progression, which is a positive step for students (remain with peers instead of repeating 9<sup>th</sup> grade, for example, 2-3 years); pages 26-27—majors' chart (high school course progression/entering freshman '07-08), with 9<sup>th</sup> graders required to declare a major; page 32—math credit changes noted and PE; page 39—adjusted IB curriculum; pages 42-43—cum laude

language changes; pages 44-45—new PE requirement language; page 48—virtual school treated as home school students (if want high school diploma, must re-enroll back last semester of senior year and take FCAT as required graduation requirement; it was clarified, per Dr. Kuckel's question, that a student must be registered in our system to take, as any home school student, the Sunshine State portion of FCAT).

**D. HUMAN RESOURCES** – none

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

**F. BUSINESS SERVICES**

1. **Annual Financial Report 2006/07** – Mrs. Campbell noted this afternoon's draft reports (PowerPoint copy on file); will be completed when charter and Foundation received; Board to receive revised copy. Re ESE 145 report, District's total revenue increased 26.2% to over \$1 billion in FY07 due largely to increase in PECO in Capital Projects, Class Size Reduction/Operating and Capital, and property taxes derived mainly from tax base growth; total programs/services' cost rose 16.45% to \$771.7 million in FY07 (last year 8.9%). Approximately 80% of our expenses relate to student instruction, student services, and schools' maintenance (10% related to Facilities Acquisition and Construction). Re Government-wide activities, there were: \$1,842,958,156 of total assets' net of accumulated depreciation less total liabilities of \$768,067,588 for a net assets total of \$1,074,890,568. Two of the biggest areas for sources of revenue are: state funding, 18% and property taxes, 60%. Re Mr. Chilmonik's question, retiring debt is under operating (comes from capital; can use 2 mill). Re ESE 145 budget amounts compared to actual, none of the funds receive less revenue than budgeted or had greater expenditures than budgeted. The ESE 148 report is a statement of revenues, expenditures, and changes in fund balance for each fund (school internal funds; long-term liabilities' state categorical programs; selected sub-object expenditures; supplementary schedule of Federal Financial Assistance Program expenditures).
2. **FY08 Budget Update** – Mrs. Desamours noted this is the final budget briefing; there have been legislative actions since Tentative and changes (PowerPoint copy on file). Mr. Chilmonik noted today's newspaper article on property tax speculation and if January amendment passes re super-size homestead exemption, with a preliminary estimate of \$245 million impact over 5 years; it depends, per Mrs. Desamours, on how FEFP's responded to (there could be another revenue screen there to replace) but we'll have to wait until special session ("rubber hits the road" in the spring regular session). Mrs. Desamours noted relatively few changes; there are small adjustments, as Mrs. Campbell, mentioned earlier (but will be after final 9/11 Board approval). Per Mrs. Dozier's question for clarification (of not \$20,000 per student as mentioned by a Board Member at another public meeting), Mrs. Desamours noted we receive from the state \$7,000-7,300 per student for funding in FY07 (operating dollars from the state); Mr. Chilmonik responded re clouding the issue but how much we spend on schools (including taxpayer monies) and he noted we're also in debt. He noted it all goes to education but wants to make sure money is spent wisely. Mrs. Dozier reiterated the \$7,000-7,300 clarification. Mrs. Desamours explained the changes since Tentative included: two additional reclasses of maintenance positions (no net position growth); principal on assignment (Charter Schools) to Director (no dollar impact); and fund balances updated. The FY08 Budget highlights are: General Fund--\$789,021,297; Debt Service--\$53,541,948; Capital Projects--\$613,523,172; Special Revenue--\$55,085,687; Internal Service--\$111,117,545; Food Service--\$34,967,211; Total Budget--\$1,657,256,861 (Tentative was \$1,682,611,701). In response to Dr. Kuckel's question on separating out Food Service, Mrs. Desamours noted Transportation is a categorical from the state but part of general (latter accounted for separately as a function); Food Service comes from different revenue sources and is self-supporting. Separately, re the Fund Balance Analysis, debt service increased in the final due to paying off debt in this fiscal. There are 5,271 instructional positions (includes Guidance, Occupational Therapists, etc.—all student instruction). Re operating (utilities), there's \$32 million (per Mr. Chilmonik's question). Mrs. Desamours pulled, for comparison, some peer and larger districts (we continue to increase as schools finalize budget)—of five, we're at 70.2% of dollars to direct instruction (others 72.8-74.6%). Mrs. Desamours noted that although districts are to use same accounting methodology, information is only as good as what's submitted; she noted that maybe there's some things we could do but, for the most part, what's expended at each district is different (these are historical; their carry-forwards may not have shown). Per Mr. Chilmonik's inquiry, Dr. Browder noted a prior method of transferring from DRAs; there was \$11 million sitting in school accounts (brought back/spread among all schools to ensure instructional spending); he noted years ago, we were at 65% but we'll be at around 72% this year and we continue to put as much money to classrooms, per this Board's direction. Mr. Teuber noted children grandfathered re transportation and to look at size of our district versus what's spent for transportation. Lee is 4<sup>th</sup> largest in state and growth continues. Re Mr. Chilmonik's question re maintenance and buying motors—98% of maintenance goes from

capital to operating and comes from 2 mill amount (huge amount). Mrs. Desamours noted the budget book will be finalized/sent to the Board for review prior to the 9/11 Final Hearing.

- 3. **FTE Audit Results/FY06** – Dr. Browder noted the prior document sent and that it continues to improve but processes will be reviewed. We’re appealing Headstart transportation for students (20 years allowed; won’t count in the future); we compare favorably with what we’re doing, and Dr. Browder heard complimenting statements about our Transportation documents as best seen in the state. Mr. Chilmonik noted we’re not getting material fines and complimented the results.

**G. EXECUTIVE SERVICES**

- 1. **Discussion/Remote Board Meetings** – Dr. Browder noted we’ll schedule if it’s the Board pleasure. In response to Dr. Scricca’s question on remotes’ cost, it’s \$3,000 each; she feels at this point, re possible cuts, foregoing until we see what happens. Dr. Kuckel supports this, noting it’s easier to show presentations here. Greater attendance isn’t seen from areas. Mrs. Dozier commented that, in the spirit of compromise, she’d go along but for community engagement, this is one thing done; she noted the Public Education Center is now a more central location. She wants us to think of the next generation of parents in that expectations are different than the past (want us to bring community to them); Mrs. Dozier will support for the purpose of cost reduction but wants this revisited. Dr. Scricca feels we can do in other ways and into our districts rather than a town hall meeting—e.g., focus groups with parents and talk with them; Dr. Kuckel supports this idea. Dr. Browder noted he’s heard three Board Members say to step away; town hall meetings will be suspended this first semester. Mr. Chilmonik noted the SAC meetings with parents (he’ll attend those).

- H. **PUBLIC COMMENT** – Mr. Castellano (TALC) spoke on FY08 pupil progression’s twice-quarterly assessments; there’ll be increased workloads and instructional time lost (not lightening load as talked). Maybe ParentLink could be better used. He commented on kindergarten-level teachers comments on adding 4 assessments yearly. School-based information specialists will have additional loads. Mr. Castellano noted Dr. Jones has addressed some concerns; he asked all to speak into their microphones as there was difficulty hearing today. Mr. Rushlow (SPALC) talked about increasing specialists’ workload 25% more (re additional assessments); he noted the impact on working conditions and that the rubber band can only be stretched so far. Mr. Chilmonik noted the increased paperwork load. Dr. Kuckel asked Dr. Browder to follow-up.

- I. **BOARD ATTORNEY / BOARD INTERNAL AUDITOR / SUPERINTENDENT’S COMMENTS** – Mr. Martin provided a School Law Minute on new legislation for teacher stipend (teacher classroom materials/supplies; now includes prek-12 teachers and charters). Mrs. Nieminski distributed a memo packet “School Board Audit Office Annual Report—FY2006-07” (copy on file with minutes). Dr. Browder thanked Lt. Gov. Kottkamp publicly for his spending the first day of school in Lee, which was perceived as a very positive opening for the District. The Superintendent will be bringing a recommendation for the Gwynne Building; his position was to work it through and determine where we needed to be; after much discussion with Marshall Bower, we will go ahead and do some cosmetic things and develop a lease for the Foundation. After Dr. Browder had several talks with Board Members, if the opportunity for the Gwynne should come back up, maybe there could be magnet-type programs—arts, finance, etc. Separately, Dr. Browder noted we’ve grown 3,000 students to-date in the District and the numbers continue to increase; the East Zone has the largest growth, with the West as second with 800-900 (South dropped 350 less than last year). We may be 500-600 less than 4,000 (but are over 3,000), and Dr. Browder feels we’re one of the largest with growth in the state. He noted Dr. Tihen will be sharing information at the second September Briefing and how that group coming to us is doing (and those who’ve been with us a long time). Today’s meeting was adjourned at 4:54 p.m.

/dwm

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MINUTES BOOK NO. 44 - FY08

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**Robert D. Chilmonik.,** Meeting Chair

ATTEST:

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

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