



VISION:
To be a world-class school system.

THE SCHOOL BOARD OF LEE COUNTY
School Board Meeting - MINUTES
(School Board Meeting Room, 2855 Colonial Blvd., Fort Myers, FL)
Tuesday, January 26, 2010

Attending

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

I. Opening Exercises

A. Call to Order

The School Board of Lee County, Florida, met on Tuesday, January 26, 2010, in the School Board Meeting Room for a Regular School Board Meeting. Board Chairman Steven Teuber presided and called the meeting to order at 6:00 P.M.

Mr. Teuber noted that Superintendent's Recommendation Item VI.C., Annual Expenditure for RFP No. R086715SW, had been pulled from this evening's agenda.

***Motion** by Dr. Scricca, **seconded** by Dr. Kuckel, and **carried 5-0** to adopt the agenda as the Order of Business.*

B. Invocation (*Mrs. Dozier*)

C. Presentation of Colors / Pledge of Allegiance (*Mr. Chilmonik*)

- Cadet Lieutenant Colonel Tia Hayes, Cape Coral High School JROTC
- First Sergeant (Retired) Clarence W. Finnie, Army Instructor, JROTC

II. Special Presentations

A. Recognitions

1. Hoar Construction/GMAC Bowl Annual Reading and Writing Competition (*Mrs. Dozier*)
 - Megan Galbreath, Cape Elementary School
2. 2009 Excel Award (*Dr. Scricca*)
 - Andrea Garber, Tropic Isles Elementary School
 - Kathy Himes, Fort Myers High School
 - John J. Plesa, Cypress Lake High School
3. 2010 Lee County Educational Support Person of the Year (*Dr. Kuckel*)
 - Johnny Weeks, Building Supervisor, Bonita Springs Middle School

B. Resolutions

1. Florida Mentoring Month: January 2010

Motion by Mrs. Dozier, seconded by Dr. Scricca, and carried 5-0 to adopt the Resolution proclaiming the month of January 2010 as Florida Mentoring Month.

RESOLUTION

WHEREAS, mentoring has a positive impact on youth statewide and helps to build a strong future for them and their communities; and

WHEREAS, thousands of Florida's children are in need of strong role models who will help them recognize their value, their hopes, and their potential; and

WHEREAS, mentors of various ages, interests, and backgrounds contribute significantly to the extension and enrichment of the education of our youth; and

WHEREAS, the Teen Trendsetters™ Reading Mentors program recruits and trains high school students to mentor elementary school students in reading; and

WHEREAS, this one-on-one mentoring does more than help elementary students improve their reading skills, it also forges a rewarding relationship for the younger students and creates a lasting sense of achievement and responsibility for their teen mentors; and

WHEREAS, The School District of Lee County, recognizing the value of such an initiative, has established strong programs at Cape Coral High School, Cypress Lake High School, Fort Myers High School, and North Fort Myers High School; and

WHEREAS, The School District of Lee County is committed to building and growing this program within its other high schools, thereby adding to the 135 mentors and 101 mentees currently benefiting from their involvement;

NOW, THEREFORE, BE IT RESOLVED that The School Board of Lee County, Florida, hereby proclaims the month of January 2010 as

FLORIDA MENTORING MONTH

Adopted at a regular meeting of The School Board of Lee County, Florida
This Twenty-sixth day of January 2010

2. School Volunteer Month: February 2010

Motion by Dr. Scricca, seconded by Mr. Chilmonik, and carried 5-0 to adopt the Resolution proclaiming the month of February 2010 as School Volunteer Month.

RESOLUTION

WHEREAS, the spirit of community is one of the philosophies upon which our nation was founded; and

WHEREAS, citizens from all walks of life, in Florida and Lee County, are giving the gift of their time, talents, and resources to public education; and

WHEREAS, volunteers of various ages, interests, and backgrounds contribute significantly to the extension and enrichment of the education of our youth; and

WHEREAS, working under the direction and guidance of teachers and administrators, family and community members provide valuable assistance with individualized instruction, skills, and attention that are vital to a student's education; and

WHEREAS, family, business, and other community volunteers exhibit genuine interest in the development of children and the learning process; and

WHEREAS, the recognition of school and community partnerships provides a basis for continuing commitment by all persons interested in school improvement to increase involvement of the community in the public school classrooms in Lee County; and

WHEREAS, all citizens are urged to recognize and support the thousands of Lee County residents who unselfishly give of their time, talents, and resources to serve as school volunteers, thereby improving the quality of education;

NOW, THEREFORE, BE IT RESOLVED that The School Board of Lee County, Florida, in conjunction with the Governor and Cabinet of the State of Florida, do hereby proclaim the month of February 2010 as

SCHOOL VOLUNTEER MONTH

Adopted at a regular meeting of The School Board of Lee County, Florida
This Twenty-sixth day of January 2010

3. National School Counseling Week: February 1-5, 2010

Motion by Dr. Kuckel, seconded by Mrs. Dozier, and carried 5-0 to adopt the Resolution proclaiming the week of February 1-5, 2010, as National School Counseling Week.

RESOLUTION

WHEREAS, school counselors are employed in public and private schools to help students reach their full potential; and

WHEREAS, school counselors are actively committed to helping students explore their abilities, strengths, interests, and talents as these traits relate to career awareness and development; and

WHEREAS, school counselors help parents focus on ways to further the educational, personal, and social growth of their children; and

WHEREAS, school counselors work with teachers and other educators to help students explore their potential and set realistic goals for themselves; and

WHEREAS, school counselors seek to identify and utilize community resources that can enhance and complement comprehensive school counseling programs and help students become productive members of society; and

WHEREAS, comprehensive developmental school counseling programs are considered an integral part of the educational process that enables all students to achieve success in school;

NOW, THEREFORE, BE IT RESOLVED that The School Board of Lee County, Florida, in collaboration with the American School Counselor Association, hereby proclaims the week of February 1-5, 2010, as

NATIONAL SCHOOL COUNSELING WEEK
“Celebrate School Counseling”

Adopted at a regular meeting of The School Board of Lee County, Florida
This Twenty-sixth day of January 2010

C. Special Presentations to the Board (None)

D. Staff Presentation to the Board (None)

III. Public Comment

Speakers and the topics they addressed:

John Traube: length of bus rides; equal educational opportunities for all students

Don Armstrong: transportation issues

Adam Cogan: sovereign power (*copy of packet provided is on file with the official minutes*)

Donna Mutzenard, Executive Director of Island Coast FEA and co-facilitator of the Calendar Committee: approval of the 2010-11 School Calendar

Melissa Thomas: Sanibel School (*copies of documents provided are on file with the official minutes*)

Joe Lentini: length of bus rides; proposed swim complex in Cape Coral; signs prohibiting weapons

Mr. Teuber responded to comments made by speakers; however, there were no directives given to the Superintendent related to the comments.

IV. Consent Action Items

Motion by Dr. Scricca, seconded by Dr. Kuckel, and carried 5-0 to approve the Consent Agenda as presented.

A. Executive Services – Dr. James W. Browder

1. Approval of minutes of School Board Meetings:
 - January 12, 2010, School Board Student Hearings
 - January 12, 2010, School Board Briefing Meeting
 - January 12, 2010, School Board Action Meeting
2. Approval of the following change to the Finance and Construction Advisory Committee: appointments of Cathleen Morgan to the Finance Advisory Committee and Peter Shawinsky, to the Construction Advisory Committee, effective January 26, 2010 through the date of the regular School Board meeting in September 2010 at which the Board takes action to appoint members to the Board Advisory Committees.

B. Academic Services – Dr. Constance Jones

1. Approval of one grant proposal at 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 new contract for Occupational Therapist Rose Farnsworth, and authorize the expenditure of an estimated total cost \$13,250 effective January 27, 2010 through June 30, 2010.
3. Approval of three transition high schools, one in each zone. The cost will not exceed \$330,000 in FY10.

C. Administrative Services – Mr. Michael McNerney (None)**D. Business Services**

1. Approval of the Monthly Budget Report for the period ending November 30, 2009.
2. Approval of the Budget Amendment dated November 30, 2009 to amend the 2009-10 annual school budget.
3. Approval of the expenditure estimated at \$19,956.08 for out-of-state travel for School District employees to pursue the development, business, and leadership needs of the School District. Approval authorizes the Superintendent to also provide reimbursement for incidental travel costs, and to execute related documents.
4. Approval to award Bid No. B096839SW for annual purchase of unleaded regular gasoline and diesel small quantity lots (local depot) for Maintenance Services to be awarded to Evans Oil Company, LLC for item numbers one and two and option (A) mobile fueling for diesel and to Palmdale Oil Company, Inc. for item number three and option (A) mobile fueling for unleaded regular gasoline for the period of January 26, 2010 through January 25, 2011, at an estimated annual expenditure of \$32,000 and authorization for the Superintendent to execute all documents.

5. Approval to award Bid No. B096846SW for annual purchase of petroleum products for Transportation Services to BV Oil Company, Inc. for items 1a, 6, 7, 8, 15, 21b, 24, 28 and 30; Edison Oil Company for items 4 and 5; Evans Oil Company, LLC for items 13, 14, 16 and 19; Palmdale Oil Company, Inc. for items 1, 2, 2a, 3, 3a, 9, 10, 11, 12, 17, 21c, 22, 23, 25, 26, 27, and 29 for the period of January 26, 2010 through January 25, 2011, at an estimated annual expenditure of \$198,000 and authorization for the Superintendent to execute all documents
6. Approval of ITN No. N096841SW for on call security guard services be awarded to Allegiance Security Group, LLC for the period of January 26, 2010 through January 25, 2011, at an estimated annual expenditure of \$165,000 and authorization for the Superintendent to execute all documents.
7. Approval of the purchase requisitions in the total amount of \$109,976.29; and authorization for the issuance of the (11) purchase orders as described.
8. Approval to reject Bid No. B096847SW for termite control and authorization for the solicitation to be reissued utilizing revised specifications.
9. Approval to renew Bid No. B076622JM for the purchase of Beverage Products (a la carte) for Lee County Schools on an as needed basis to Southwest Food and Beverage, LLC and D. S. Waters Incorporated for the period of January 26, 2010 through January 25, 2011, pursuant to the same terms and conditions as previously approved by the Board, at an annual estimated expenditure of \$750,000 and authorization for the Superintendent to execute all documents.
10. Approval to renew Bid No. B066515SW for remanufactured transmissions to Reliable Transmission Service, Inc., for the period of February 12, 2010 through February 11, 2011 pursuant to the same terms and conditions as previously approved by the Board at an estimated annual expenditure of \$175,000 and authorization for the Superintendent to execute all documents.
11. Approval to renew Bid No. B076630SW for purchase of pianos on an as needed basis district wide, for the period of February 10, 2010 through February 9, 2011 to Jay and Kay's Organ and Piano Company pursuant to the same terms and conditions as previously approved by the Board at an estimated annual expenditure of \$25,000 and authorization for the Superintendent to execute all documents.

E. Human Resources – Dr. Gregory Adkins

1. Approval of the general personnel recommendations including certificated, support and substitute staff, out-of-field appointments, and correction to an item previously approved by the Board.
2. Approval of the affiliation agreement with Florida Gulf Coast University effective January 27, 2010, through January 27, 2013, to provide student interns for the District's Employee Wellness Program. There is no cost to the Board for this program.

F. School Support Services – Mr. William Moore

1. Approval of the total project cost of \$652,037.00 for the Three Oaks Middle School HVAC Project and authorization for the Superintendent to execute all necessary documents.

2. Approval of the revised Energy Savings Guarantee for with FPL Services, LLC and the revised payment schedule with SunTrust Equipment Financing & Leasing Corp. for Phase II of the Energy Performance Contracting Program.
3. Approval of the Easement Agreement to Florida Power & Light Company for an easement 10 feet in width to provide utility service to the County park adjacent to Lexington Middle School.
4. Approval to award Bid #CS272 for Early Childhood Renovations at ALC Central to Taylor-Pansing, Inc. in the amount of \$143,700.00 plus an amount not to exceed \$10,000.00 for contingency, if required, at the District's discretion and authorization for the Superintendent to execute all necessary documents.

V. Unfinished Business/Tabled Items (None)

VI. Superintendent's Recommendations

A. Good Cause (None)

B. Approval of the 2010-11 Instructional Calendar.

Motion by Mr. Chilmonik, seconded by Dr. Scricca, and carried 5-0 to accept the Superintendent's recommendation that the Board approve the 2010-11 Instructional Calendar as presented.

~~C. Annual Expenditure for RFP No. R086715SW – Consumable Office Supplies and Related Items.~~ Pulled from the agenda prior to the meeting

VII. Attorney's Recommendations – Mr. Keith Martin (None)

VIII. Public Hearing

Dr. Browder presented his recommendation for this evening's Public Hearing item.

A. Revisions to Policy 4.30, Student Assignment Under the No Child Left Behind Act (NCLB).

Mr. Teuber recessed the Board Meeting and opened the Public Hearing at 7:00 P.M. He 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, Mr. Teuber closed the Public Hearing and reconvened the Board Meeting at 7:01 P.M.

A. Revisions to Policy 4.30, Student Assignment Under the No Child Left Behind Act (NCLB).

Motion by Mrs. Dozier, seconded by Dr. Scricca, and carried 5-0 to accept the Superintendent's recommendation that the Board approve the revisions to Policy 4.30, Student Assignment Under the No Child Left Behind Act (NCLB,) to allow the District flexibility in communicating and implementing federal legislation. The U.S. Department of Education and the Florida Department of Education encourage districts to provide families with information about No Child Left Behind and student achievement as early as possible. The effective date of the proposed Rule will be January 27, 2010.

IX. Other Business**A. Board Members' Comments/Reports**

Dr. Scricca: in reference to a speaker's comments, stated that she would be willing to participate in a town hall meeting if she is provided the information; stated that she is convinced that the strides in academic achievement evidenced over the past seven years are a result of the School Choice system and that while School Choice will be reviewed, it will not be abandoned; expressed a desire for the Superintendent to pursue an audit of the District's transportation services.

Dr. Kuckel: observed that while the District could save money by not busing students, she has seen a rise in academic performance and a narrowing of the achievement gap due to School Choice; opined that neighborhood schools are not practical for the District; stated that there has not been a deluge of e-mails regarding transportation and that those who are disgruntled need to understand all of the facts.

Mrs. Dozier: stated that the District continues to evaluate and improve the School Choice program; stated that there are ways, such as school grades and parent/community member surveys, that the District is rated; wished everyone luck during the second semester.

Mr. Chilmonik: stated that he would be willing to participate in a mini town hall meeting; stated that a decision regarding the Cape Coral swimming center proposal is in the hands of the City's elected officials; distributed a copy of the 2004 OPPAGA Report and stated that he looks forward to further discussions about School Choice and audits. *(A copy of the OPPAGA Report is on file with the official minutes.)*

Mr. Teuber: stated that the Board's goal is to provide every student the opportunity for an equal education; observed that Board Members speak at many events that are open to the public.

B. Board Attorney's Comments/Reports

Mr. Martin: referred to an event scheduled for this Saturday (January 30th) and reminded the Board Members that should more than one of them attend, the event would need to be advertised since the potential for a discussion on School Board business exists.

C. Superintendent's Comments/Reports

Dr. Browder: distributed a memorandum clarifying comments made at this afternoon's Briefing Meeting with regard to a "significant deficiency" that was reported as a result of the audit conducted by Cherry, Bekaert and Holland; distributed a Comprehensive System Evaluation from TracAnalysis™ outlining their auditing services. Following discussion, it was the consensus of the Board to direct the Superintendent to move forward with this firm for the transportation audit and to bring a recommendation to the next Board meeting for action as it relates to the costs associated with the audit. Mr. Chilmonik requested that the Superintendent share with the Board a copy of the audit (currently being conducted by TracAnalysis™) of the Orange County School District's transportation program.

Dr. Browder distributed two letters sent today to Office Depot notifying the company that he was providing seven days' notice to terminate the District's contract with the company. He added that the District had received \$297,000 from Office Depot as a refund for overcharges. *(Copies of all documents distributed are on file with the official minutes.)*

D. Next Scheduled Meetings of the Board:

- February 9, 2010, 2:30 P.M.*, School Board Briefing Meeting (**Immediately following Student Hearings and/or a Special School Board Meeting, if scheduled*)
- February 9, 2010, 6:00 P.M., School Board Action Meeting

X. Adjournment

Motion by Dr. Scricca, **seconded** by Mr. Chilmonik, and **carried 5-0** to adjourn the January 26, 2010, School Board Meeting.

The meeting adjourned at 7:53 P.M.

Steven K. Teuber, Board Chairman

ATTEST:

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

An audio-visual recording of this meeting has been produced to provide a verbatim record of the proceedings and may be viewed on the School District's Website at www.leeschools.net/board/stream/welcome.htm Members of the public wishing to obtain a copy of the recording of this or any meeting of the School Board must make a request through the District's Communications Department at (239) 337-8327.