



VISION:
To be a world-class school system.

THE SCHOOL BOARD OF LEE COUNTY
School Board Meeting / Annual Organization of the Board
(School Board Meeting Room, 2855 Colonial Blvd., Fort Myers, FL)
Tuesday, November 17, 2009 - 6:00 P.M.

Attending

Mr. Robert D. Chilmonik, Member	Dr. James W. Browder, Secretary and District Superintendent
Mrs. Jeanne S. Dozier, Member	Mr. Keith Martin, Board Attorney
Mr. Steven K. Teuber, J.D., 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, November 17, 2009, at 6:00 P.M. in the School Board Meeting Room for a Regular School Board Meeting and the Annual Organization of the Board. Dr. Browder explained that pursuant to Florida Statute 1001.371, the Superintendent acts as Chairman until the Organization of the Board is completed.

B. Invocation (*Mr. Teuber*)

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

- Cadet Lieutenant Colonel Kenson Badeau, Fort Myers High School JROTC
- Master Sergeant Jesse Bryson, JROTC Instructor

II. Special Presentations

A. Organization of the Board

1. Election of Chairman

Dr. Browder called for nominations for Chairman. Mrs. Dozier nominated Mr. Teuber. Hearing no other nominations, Dr. Browder called for the vote. Mr. Teuber was elected Chairman of the Lee County School Board for the coming year by **unanimous vote**.

2. Election of Vice Chairman

Dr. Browder called for nominations for Vice Chairman. Mr. Teuber nominated Dr. Scricca. Hearing no other nominations, Dr. Browder called for the vote. Dr. Scricca was elected Vice Chairman of the Lee County School Board for the coming year by **unanimous vote**.

3. Establishment of School Board Action Meeting Dates and Times for the Ensuing Year

Dr. Browder recommended that Regular School Board Action Meetings for the period December 2009 through November 2010 be scheduled at 6:00 P.M. on the following days:

December 8, 2009	June 22, 2010
January 12, 2010	July 29, 2010 with <u>Special Board Meeting at 5:05 P.M.</u>
January 26, 2010	August 10, 2010
February 9, 2010	August 31, 2010
February 23, 2010	September 14, 2010 with <u>Special Board Meeting at 5:05 P.M.</u>
March 9, 2010	September 28, 2010
March 23, 2010	October 5, 2010
April 20, 2010	October 19, 2010
May 4, 2010	November 2, 2010
May 18, 2010	November 16, 2010

Motion by Mrs. Dozier, seconded by Dr. Scricca, and carried 4-0 to accept the Superintendent's recommendation to establish the meeting dates and times of School Board Action Meetings for the period December 2009 through November 2010 as presented.

The Organization of the Board having been completed, Dr. Browder turned the meeting over to Mr. Steven Teuber, Chairman.

B. Adoption of the Agenda as the Order of Business

Motion by Dr. Scricca, seconded by Mrs. Dozier, and carried 4-0 to accept the agenda as the Order of Business.

C. Recognitions (None)

D. Resolutions

1. Inclusive Schools Week: December 7-11, 2009 (Dr. Scricca)

Motion by Dr. Scricca, seconded by Mr. Chilmonik, and carried 4-0 to adopt the Resolution proclaiming the week of December 7-11, 2009, as Inclusive Schools Week.

2. Employee Learning Week: December 7-11, 2009 (Mrs. Dozier)

Motion by Mrs. Dozier, seconded by Dr. Scricca, and carried 4-0 to adopt the Resolution proclaiming the week of December 7-11, 2009, as Employee Learning Week.

3. 2010 United States Census (Mrs. Dozier)

Motion by Mrs. Dozier, seconded by Mr. Chilmonik, and carried 4-0 to adopt the Resolution proclaiming The School District of Lee County is fully committed to partnering with the United States Census Bureau to help ensure a full and accurate count in 2010.

E. Presentations to the Board (None)

F. Staff Presentations to the Board (None)

III. Public Comment

Thirty-seven individuals requested to address the Board. Pursuant to Board Policy 1.09(5)(a)2., if there are more than 30 individuals desiring to speak, the maximum amount of time each individual is allotted to speak shall be reduced to one minute.

Eighteen speakers provided positive comments regarding The Sanibel School and its administration: *Chris Heidrick**, *Scott Carter*, *Susan Callion*, *Mark Tesoro*, *Jeff Turner*, *Jennifer Tomlinson*, *Linda Reynolds*, *Kathy Jones*, *Dan Budd*, *Blanaid Colley*, *Richard Johnson*, *Carol Smith*, *Jean Gruss*, *Laurie Sanders*, *Jennifer McSorlen*, *Lisa Williams*, *Sandy Zahorchak**, and *Melissa Congress*. (*Handouts provided by Mr. Heidrick and Ms. Zahorchak are on file with the official minutes.)

Thirteen speakers, while being mostly supportive of The Sanibel School in general, raised concerns about the school's administration and/or bullying: *Heidi Marinello*, *Mark Marinello*, *Loretta Gonzalez*, *Whitaker Avedekian*, *Savannah DeBarr*, *MG Whitaker*, *Ben Beckmann*, *Katrina Salokar*, *Monica DeBarr*, *Claudia Foster*, *Tom Foster*, *Kirsten Harlow*, and *Charlotte Harlow*.

Additional speakers and the topics they addressed were as follows: *Tinna Rubin*, special needs students; *Karen Taylor*, exceptional student education; *John Traube*, educational issues; *Gail Burkham*, FCAT scores and Intensive Reading; *Debbie Johnston*, Florida's anti-bullying law; and *Bob Rushlow*, National Educational Support Day.

Mr. Teuber thanked the speakers for coming to this evening's meeting and apologized for the abbreviated speaking-time allotment. He stated that the matter related to The Sanibel School is currently under investigation by Dr. Browder; acknowledged the Bi-Polar Foundation represented by Ms. Rubin; requested that Dr. Browder follow up with MG Whitaker and Loretta Gonzalez regarding the information they requested at the November 3rd Board Meeting; stated that state laws drive FCAT scoring and added that the Board and Superintendent are working with legislators for changes; thanked Debbie Johnston for her perseverance with regard to the anti-bullying law; thanked Mr. Rushlow for all he does to represent the District's support staff.

IV. **Consent Action Items**

Motion by Dr. Scricca, *seconded* by Mrs. Dozier, and *carried 4-0* to approve the Consent Agenda as presented.

A. Executive Services – Dr. James Browder

1. Approval of minutes of School Board Meetings:
 - October 30, 2009, School Board Organizational Planning Meeting
 - November 3, 2009, School Board Special Meeting
 - November 3, 2009, School Board Briefing Meeting
 - November 3, 2009, School Board Action Meeting

B. Academic Services – Dr. Constance Jones

1. Approval of the Services Agreements for Speech-Language, Occupational Therapy and Physical Therapy Services with Soliant, Health Inc. at an estimated maximum cost to the District of \$176,000 for the 2009-10 school year.
2. Approval of the School Improvement Plans submitted by the 91 schools and special centers for the 2009-2010 school year.
3. Approval of the Clerk Specialist position funded through the IDEA, ARRA (Stimulus) Grant for the 2009-10, 2010-11 school years. This position will be located in the transportation department during this time.

4. Approval of the funding for Driver Education teacher certification in the amount of \$7,650.00 and authorization for the Superintendent to execute all necessary documents.
5. Approval of the Statement of Agreement with Child Care of Southwest Florida to identify the District's high schools and High Tech Central as "providers" of the Child Care Training Courses.

C. Administrative Services

1. Approval to accept the audit report for The Foundation for Lee County Public Schools, Inc., for the fiscal year ended June 30, 2009.

D. Business Services

1. Approval to authorize the elected Board Chairman and the Secretary and Superintendent of Schools to sign checks on the following School Board of Lee County bank accounts: Service Account with Bank of America; Accounts Payable Imprest with Bank of America; Payroll Imprest with Bank of America; Food Service Account with Bank of America; Public Interest Checking with Bank of America. If a new Board Chairman is selected, it is further recommended that the Board approve the continued use of the former Chairman's facsimile signature until a new facsimile is ordered and received.
2. Approval of expenditures estimated at \$4,278 for out-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.
3. Approval of the Budget Amendment dated September 30, 2009 to amend the 2009-10 annual school budget.
4. Approval of the Monthly Budget Report for the period ending October 16, 2009.
5. Approval to remove from the Official Property Records, 542 items listed on the attached report titled Property Records Asset Retirement by Bar Code/Tag Number.
- ~~6. Approval of Bid No. B096829LO for doors and related hardware (purchase and/or install) to be awarded to Stanton Door Co. for the period of November 17, 2009 through November 16, 2010, at an estimated annual expenditure of \$125,000 and authorization for the Superintendent to execute all documents. Pulled from the agenda prior to the meeting.~~
7. Approval of Bid No. B096832SW for combination locks and padlocks to be awarded as outlined on the bid tabulation for the period of November 17, 2009 through November 16, 2010, at an estimated annual expenditure of \$40,000 and authorization for the Superintendent to execute all documents.
8. Approval to award ITN No. N096819LO for ceiling tile and acoustical walls installation and purchase of related material on an as needed basis to Acousti Engineering Co. of FL based on evaluation, ranking and negotiation at an estimated annual expenditure of \$190,000 beginning November 17, 2009 through November 16, 2010 with renewal options for two additional one year periods upon the written agreement of the vendor and the School Board and authorization for the Superintendent to execute all necessary documents.

9. Approval to piggy-back State Contract No. 518-020-10-1 for rental vehicles to Avis Rent-a-Car System, Inc. and Enterprise Leasing Company of Florida through September 29, 2010 at an estimated annual expenditure of \$25,000 and authorization for the Superintendent to execute all documents.
10. Approval of purchase requisitions in the total amount of \$780,731.25; and authorization for the issuance of the seventeen (17) purchase orders as described.

E. Human Resources – Dr. Gregory Adkins

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

F. School Support Services – Mr. William Moore

1. Approval to award Bid #CS269 for Skyline Elementary School Cafeteria Floor Replacement to Taylor-Pansing, Inc. in the amount of \$28,497.00 plus an amount not to exceed \$5,000.00 for contingency, if required, at the District's discretion and authorization for the Superintendent to execute all necessary documents.
2. Approval to award Bid #CS270 for Ray V. Pottorf Elementary School Miscellaneous Upgrades to Boran Craig Barber Engel Construction Company, Inc. in the amount of \$68,224.00 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. Florida School Boards Association – 2010 Legislative Platform.

Motion by Mrs. Dozier, seconded by Dr. Scricca, and carried 4-0 to accept the Superintendent's recommendation that the Board ratify the Florida School Boards Association's 2010 Legislative Platform.

C. Award ITN No. N096828LO – Air Conditioning Units (Supply/Install).

Motion by Dr. Scricca, seconded by Mrs. Dozier, and carried 4-0 to accept the Superintendent's recommendation that the Board approve awarding ITN No. N096828LO for air conditioning units (supply/install) on an as-needed basis to C.S. Service Experts based on evaluation, ranking and negotiation at an estimated annual expenditure of \$100,000 beginning November 17, 2009 through November 16, 2010 with renewal options for two additional one year periods upon the written agreement of the vendor and the School Board; and to authorize the Superintendent to execute all related documents.

VII. Attorney's Recommendations – Mr. Keith Martin

A. Appointments to the Value Adjustment Board.

Motion by Dr. Scricca, seconded by Mrs. Dozier, and carried 4-0 to accept the Attorney's recommendation that the Board approve the appointment of Dr. Jane Kuckel as the School

Board member to the Value Adjustment Board, with Mr. Robert Chilmonik as the alternate School Board member

VIII. Public Hearing

Dr. Browder presented his recommendation for this evening's public hearing item.

A. Deletion of Chapter 3 Policies, Curriculum and Instruction, and Adoption of "New" Chapter 3 Policies, Curriculum and Instruction.

Mr. Teuber recessed the Board Meeting and opened the Public Hearing at 7:15 P.M. He asked if anyone would like to address the Board regarding the one issue on the agenda for Public Hearing.

John Traube commented on the availability of information regarding the policies that are the subject of this evening's Public Hearing.

There being no further requests to address the Board, Mr. Teuber closed the Public Hearing and reconvened the Board Meeting at 7:18 P.M.

Dr. Browder explained that the policies were discussed at the last two Briefing Meetings and the School Board Organizational Planning Meeting, are available on the School District's website, and were advertised for Public Hearing. He added that the revisions are a procedural matter related to renumbering and reorganization of all of the District's current policies.

A. Deletion of Chapter 3 Policies, Curriculum and Instruction, and Adoption of "New" Chapter 3 Policies, Curriculum and Instruction.

Motion by Mr. Chilmonik, seconded by Mrs. Dozier, and carried 4-0 to accept the Superintendent's recommendation that the Board approve the deletion of all "current" policies contained in Chapter 3, Curriculum and Instruction, and approve the adoption of "new" policies as outlined as Chapter 3, Curriculum and Instruction, effective November 18, 2009.

IX. Other Business

A. Board Members' Comments/Reports

Mr. Chilmonik: congratulated Mr. Teuber and Dr. Scricca on the Chairmanship and Vice Chairmanship, respectively, and stated that he looks forward to their leadership; stated that he would be addressing reading scores at an upcoming Briefing Meeting; thanked speakers and acknowledged that Dr. Browder is conducting a review of the Sanibel matter; stated that while he would still like to ride a school bus, he respects the Superintendent's authority in the area of transportation and will not force his way on a school bus without permission.

Mrs. Dozier: congratulated Mr. Teuber and Dr. Scricca; thanked all of the parents who spoke this evening; thanked Dr. Browder for pulling Item IV.D.6. from the agenda and for agreeing to look into the situation; related a recent incident involving Fox-4's efforts to secure an interview and publicly invited the reporter to call her at any time to request to schedule an interview.

Dr. Scricca: thanked the speakers who addressed the Sanibel issue for their comments but clarified that this is an administrative matter and, as such, it is something that Dr. Browder, at the direction of the Board, is handling; confirmed with Dr. Browder that he has made arrangements for an outside party to examine the District's entire Transportation Services area; stated that the District is not trying to conceal the fact that the bus commutes are lengthy for some students and questioned what would be accomplished by having Board Members ride the buses.

Mr. Teuber: thanked the other Board Members for electing him Chairman and stated that his goal for the coming year is to keep the District out of the media so that everyone's focus may remain on students; expressed appreciation to Frank Maletti (*sp?*), a former New York school bus driver, who met with him recently regarding transportation.

During Dr. Scricca's comments, she asked Mr. Martin for a legal opinion regarding Board Members riding school buses. Mr. Martin stated that while there is no state law that addresses this, it is his opinion that, pursuant to School Law Rules, the day-to-day operations of the District, including transportation, are the responsibility of the Superintendent. He added that school bus drivers are charged with allowing only authorized individuals on a bus and, therefore, would need to obtain permission from a Transportation Director or the Superintendent before allowing anyone to board. Mr. Martin further stated that he would not suggest that two or more Board Members ride the same bus at the same time due to perceptions related to the Sunshine Law.

B. Attorney's Comments/Reports

Mr. Martin: congratulated Mr. Teuber and Dr. Scricca and stated that he looks forward to working with them during the coming year.

C. Superintendent's Comments/Reports

Dr. Browder: congratulated Mr. Teuber and Dr. Scricca; expressed sympathy for the families of Barbara Browning and Kevin Rich who recently passed away; attributed the longer bus rides that some students are experiencing to the choices parents are making about schools for their children to attend, the reduction in the number of buses on the road this year as a cost-saving measure, and the fact that more students overall are riding school buses now than ever before.

D. Next Scheduled Meetings of the Board:

- December 8, 2009 – 2:30 P.M., Special School Board Meeting
- December 8, 2009 – 2:30 P.M. (*immediately following Special School Board Meeting*), School Board Briefing Meeting
- December 8, 2009 – 6:00 P.M., School Board Action Meeting

X. Adjournment

Motion by Dr. Scricca, seconded by Mr. Chilmonik, and carried 4-0 to adjourn the November 17, 2009, School Board Meeting.

The meeting adjourned at 7:57 P.M.

Steven K. Teuber, J.D., 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.