

**NON CONSENT  
ITEM 4**

**ORLANDO, FLORIDA  
December 14, 2004**

The School Board of Orange County, Florida, met in public hearing and regular meeting on Tuesday, December 14, 2004, at 5:40 pm. Present were: Timothy Shea, chairman; Karen Ardaman, vice chairman; Joie Cadle, Judge Richardson Roach, Kathleen B. Gordon, Anne Geiger and Jim Martin, school board members; Henry Boekhoff, chief financial officer; Frank Kruppenbacher, school board attorney and Ronald Blocker, superintendent.

At 5:00 p.m., the board entertained the following persons: Glenn W. Mullins, Vice President, Regional Manager, PPI Construction Management, 3452 Lake Lynda Dr., Suite 400, Orlando, Florida, 32817; Christopher Hassall, PSA Constructors, Inc., 1516 E. Hillcrest Street, Suite 310, Orlando, Florida, 32803; and Hudie Stone, 533 Peterson Place, Orlando, Florida, 32805. They shared information about the Construction Coalition Foundation (CCF) including the format and plan of the CCF and its intent to partner with school districts, the impact of the apprenticeship program on students and programs of the school district and an explanation of the needs of the industry for this program.

There was discussion by board members and consensus to schedule a work session with the Construction Oversight Value Engineering Committee (COVE) to discuss this issue further.

The meeting adjourned at 5:15 p.m.

The chairman called the board meeting to order at 5:40 p.m.

A moment of silence was followed by the Pledge of Allegiance.

The chairman announced that any individual who would like to address an item on the agenda could do so by completing the appropriate form at the board table.

**Recognitions:** Shaunna Spear, Regional Field Director, Florida Department of Education, presented the district with a \$4.9 million School Infrastructure Thrift (SIT) Award. The district received the award for saving almost \$10 million on the construction of Freedom High School. This was the sixth largest SIT Award ever earned in this program. Mr. Shea and Mr. Blocker accepted the award on behalf of the district and Mr. Shea acknowledged Dr. Henry Boekhoff, chief financial officer, Dr. Patrick Herron, chief facilities officer, and the COVE Committee for their efforts.

Next, Mrs. Cadle recognized the accomplishments of Winter Park High Assistant Principal Michelle Erickson, who was selected as Assistant Principal of the Year at the high school level by the Florida Department of Education and the Florida Association of School Administrators. Ms. Erickson was presented with a Certificate of Appreciation.

Mrs. Cadle also recognized the Winter Park High Girls Volleyball Team for winning the Class 6A State Championship. Awards of Excellence were presented to team members and Certificates of Appreciation were presented to the coaches.

Mr. Shea announced that the Winter Park High Boys Cross Country Team would be recognized upon their arrival.

**Adoption of Agenda:** Mr. Blocker requested the following changes to the agenda: an addendum to 1.1 (Request Approval of Personnel Agenda Dated December 14, 2004, Including the Designation/Creation of Positions to be Filled, the Minimum Job Qualifications for the Positions, Salary Schedules, Appointments and Terminations of Select Personnel) including the resignation of employee RA and the withdrawal of employee LS which will brought back at the January 11, 2005, board meeting; the addition of 1.3 (Request Approval of Settlement of Workers' Compensation Claim: Bonnie Valenti v. Orange County School Board), 3.7 (Request Approval of Agreement With the Orange County Health Department for Volunteer Nursing Services), 9.13 (Request Approval of Resolution of Necessity for Condemnation of Land for Purposes of Campus Expansion of Gotha Middle School) and 11.6 (Approval to Conform all Current Agreements With The Central Florida Regional Transportation Authority (d/b/a/LYNX), The Florida Virtual School and Orange County Public Schools for Lease Office Space on the Third Floor of the Educational Leadership Center); a correction to 4.3 (Request Approval of the Amendment to the Charter Agreement for Nap Ford Community School); the withdrawal of 9.1 (Request Approval of Site for Construction of Apopka High School Relief) and 9.6 (Request Approval of Change of Site for Construction of Camelot Relief Elementary) and the move of 8.5 (Request Approval of the Capacity Enhancement Agreement Subject to the Provisions of Sunsetting, Assurance of Site Availability, and Limitations on Receipt of Building Permits – Pulte Home Corporation (Cypress Creek Golf Course) to Nonconsent #5.

The chairman found good cause to amend the agenda as requested.

It was moved by Mr. Roach and seconded by Mrs. Gordon that the agenda as amended be approved.

The motion passed 7-0.

At the prerogative of the chairman, public input on the consent agenda was accepted during this portion of the meeting.

In regard to item 9.7 (Request Approval of Real Estate Donation Agreement for Donation of Middle School Site From Avalon Park Foundation), Beat Kahli, 10001 Focusers Drive, Orlando, Florida, 32828, discussed his company's partnership with the district and its donation of the school site.

There were commendations by board members on Mr. Kahli's generosity to Orange County Public Schools.

**Adoption of Consent Agenda:** It was moved by Mrs. Cadle and seconded by Mrs. Ardaman that the consent agenda be approved.

1. Human Resources and Labor Relations *(Legally Required Board Action)*
  - 1.1 Request Approval of the Personnel Agenda Dated December 14, 2004, Including the Designation/Creation of Positions to be Filled, the Minimum job Qualifications for the Positions, Salary Schedules, Appointments, and Terminations of Select Personnel as Shown Thereon **Addendum**
  - 1.2 Request Approval of Settlement of Workers' Compensation Claim: Rochal Saunders v. Orange County School Board

- 1.3 Request Approval of Settlement of Workers' Compensation Claim: Bonnie Valenti v. Orange County School Board **Addition**
2. Approve Student Expulsions *(Legally Required Board Action)*
  - 2.1 Request Approval of the Expulsion of a Student for the Remainder of the 2004-2005 School Year/JW University High School
  - 2.2 Request Approval of the Expulsion of a Student for the Remainder of the 2004-2005 School Year, Including Summer School, and the Entire 2005-2006 School Year, including Summer School/WV Colonial High School
  - 2.3 Request Approval of the Expulsion of Students in Conjunction With the Waivers of Out-of-School Student Expulsion and The District Behavior Contracts
3. Approve Grant Applications *(Legally Required Board Action)*
  - 3.1 Request Approval of the Submission of a Grant Application to the Toyota Tapestry Grant Program at University High School
  - 3.2 Request Approval of a Contract to Renew Funding for an Early Education Program in Orange County Public Schools Within the City of Orlando
  - 3.3 Request Approval of a Subcontract Agreement Between Orange County Public Schools and Valencia Community College Through the Title II, Part A – Teacher and Principal Training and Recruiting Fund Grant
  - 3.4 Request Approval of the Submission of a Grant Application to the Florida Department of Education for the Challenge Grant Collaborative Curriculum Project
  - 3.5 Request Approval of the Submission of a Grant Application to the U.S. Department of Education Under the Advanced Placement Incentive (API) Program
  - 3.6 Request Approval of Application for Adult Education and Family Literacy – State Leadership, Section 223 Grant
  - 3.7 Request Approval of Agreement With the Orange County Health Department for Volunteer Nursing Services **Addition**
4. Approve Education Services Related Items *(Legally Required Board Action)*
  - 4.1 Request Approval of Application for Voluntary Public School Choice Mentee District Project for \$100,000
  - 4.2 Request Approval of Agreement With the West Orange Healthcare District to Provide a Physician at an Elementary School
  - 4.3 Request Approval of Agreement With a Qualified Firm on an Emergency Basis for Nursing Services **Correction**
  - 4.4 Request Approval of Addendum to Agreement With the West Orange Healthcare District
  - 4.5 Request Approval of Affiliation Agreement Between the Board of Trustees of the University of Central Florida, Florida and the School Board of Orange County
5. Approve Work Force Education Issues *(None)* *(Legally Required Board Action)*
6. Approve Exceptional Education & Multilingual Srvcs *(None)* *(Legally Required Board Action)*
7. Approve Operations Issues *(Legally Required Board Action)*
  - 7.1 Request Approval of Bids to be Awarded – December 14, 2004
  - 7.2 Request Approval to Amend Consulting Contract With Jim Julian in Food & Nutrition Services
8. Approve Business and Finance Functions *(Legally Required Board Action)*
  - 8.1 Request Approval of the Monthly Financial Statements for Year to Date Ending September 2004

- 8.2 Request Approval of Budget Amendment #2 to the Capital Outlay Budget for Fiscal Year 2005
- 8.3 Request Approval of the Annual Investment Report for the Fiscal Year Ending June 30, 2004
- 8.4 Request Approval of the Fixed Asset Deletion and Restoration Report
- 8.5 Request Approval of the Capacity Enhancement Agreement Subject to the Provisions of Sunsetting, Assurance of Site Availability, and Limitations on Receipt of Building Permits – Pulte Home Corporation (Cypress Creek Golf Course) **Moved to Non consent #5**
- 8.6 Request Approval of the Capacity Enhancement Agreement Subject to the Provisions of Sunsetting and Limitations on Receipt of Building Permits – Keewin Real Property Company (Shader Road and Eunice Avenue Parcel)
- 8.7 Request Approval of the Capacity Enhancement Agreement Subject to the Provisions of Sunsetting and Limitations on Receipt of Building Permits – American Land Development Company (Sunflower Trails Reserve)
- 8.8 Request Approval to Amend the Capacity Enhancement Agreement to Reflect Actual Units and to Reflect Impact Fee Credit for Infrastructure Improvements – Dublin Homes (Alexandria Place)
- 9. Approve Construction Related Issues *(Legally Required By Law)*
  - 9.1 Request Approval of Site for Construction of Apopka High School Relief **Withdrawn**
  - 9.2 Request Approval of Resolution of Necessity for Acquisition of Bailes Property as Part of Hiawassee Site for a Relief School for Apopka High School
  - 9.3 Request Approval of Resolution of Necessity for Condemnation of Second of Two Parcels for One of Three High School Sites Needed to Serve South Winter Garden and Horizon West Area of West Orange
  - 9.4 Request Approval and Acceptance of Donation of Temporary Access Easement From Cambridge Homes for Improving Access for the Bonneville/Columbia Relief Elementary School
  - 9.5 Request Approval of an Access Easement for Adjoining Property Owners Along Access Road to Bonneville/Columbia Relief Elementary School
  - 9.6 Request Approval of Change of Site for Construction of Camelot Relief Elementary **Withdrawn**
  - 9.7 Request Approval of Real Estate Donation Agreement for Donation of Middle School Site From Avalon Park Foundation
  - 9.8 Request Approval of Contract for Purchase of Middle and Elementary School Sites on Avalon Road in West Orange County, Subject to Completion of all Normal Due Diligence Matters, Authorize the Superintendent to Close on the Site
  - 9.9 Request Approval to Accept Assignment of Contract for Elementary School Site With Arthur Leonhardt
  - 9.10 Request Approval of the Contract for Elementary School Site With Cypress Lakes Investments
  - 9.11 Request Approval to Donate Parcel for Orange County Recreation Project Benefiting Tangelo Park Elementary School
  - 9.12 Request Approval of Construction Managers at Risk for Five Elementary School Comprehensive Projects

- 9.13 Request Approval of Resolution of Necessity for Condemnation of Land for Purposes of Campus Expansion of Gotha Middle School **Addition**
- 10. Approve Change Orders *(None)* *(Board Policy EL11/Legally Require Board Action)*
- 11. Approve Legal/Audit Issues
  - 11.1 Request Approval of Final Payment to the National Conference for Community and Justice (NCCJ)
  - 11.2 Request Approval of the Lease With Secure Communications, Inc. for Rental of Cell Tower Space at Discovery Middle School, Edgewater High School and Odyssey Middle School
  - 11.3 Request for Approval to Write-off Uncollectible Accounts Receivable in School Internal Funds
  - 11.4 Request Approval of the Settlement of the Williams/Jones Claim Against The School Board of Orange County, Florida
  - 11.5 Request Approval of the Settlement of the Scott/Ashley Claim Against The School Board of Orange County, Florida
  - 11.6 Approval to Conform all Current Agreements With The Central Florida Regional Transportation Authority (d/b/a/LYNX), The Florida Virtual School and Orange County Public Schools for Lease Office Space on the Third Floor of the Educational Leadership Center **Addition**
- 12. Accept Superintendent's Monitoring Reports *(None)*

In regard to item 9.12 (Request Approval of Construction Managers at Risk for Five Elementary School Comprehensive Projects), the following persons expressed their appreciation to the board for their selection on the comprehensive projects:

James Auld, Morganti Group, 3380 Lakeville Circle, Orlando, FL 33406  
 Tammy Thomas-Anthony, Emerge Consulting, 224 Datura Street, Suite 415, Orlando, FL 33401

Frank Kruppenbacher, general counsel, stated that each of the companies addressing the board had been recommended for an award and had made a commitment to comply and abide by the board's M/WBE policy which will be closely monitored.

Ed Parker, Biltmore Construction Co., 1055 Ponce De Leon Boulevard, Orlando, FL 33756  
 Bob Menendez, Biltmore Construction Co., 1055 Ponce De Leon Boulevard, Orlando, FL 33756  
 Eric Dodson, McCree, Inc., 500 East Princeton Street, Orlando, FL 32803  
 JaJa Wade, ACE, 500 East Princeton Street, Orlando, FL 32803  
 Mike Mattingly, Barton Malow Company, 840 South Denning Drive, Winter Park, FL 32879  
 Ted Parker, Ajax Building Corporation, 1080 Commerce Boulevard, Midway, FL 32843  
 Derek Gamble, Ajax Building Corporation, 1080 Commerce Boulevard, Midway, FL 32843  
 Eric Palmer, Wharton Smith, Inc., 750 CR 15, Lake Monroe, FL  
 Anderson Hill, HZ Construction, 750 CR 15, Lake Monroe, FL

Brian Butler, JCB Construction 800 West Gore Street, Orlando, FL 32805, addressed the board regarding accountability of firms to the district's M/WBE policy.

Mr. Shea and Mrs. Gordon commended the firms for their commitment to the community.

The motion passed 7-0.

Mr. Blocker introduced the following newly appointed administrators: Andrew Rollins, assistant principal, Blankner School; Karen Finkelstein, principal, Columbia Elementary; Pamela Russo,

assistant principal, Liberty Middle; Patty Harrelson, assistant principal, Lake Gem Elementary; Ginny Kennerly, Principal, Cypress Springs Relief School; Timothy Smith, principal, Hunter's Creek Middle School Relief; Wesley Trimble, principal, Discovery Middle School Relief and Patrice Knowles, acting assistant principal, Rolling Hills Elementary.

Mrs. Cadle recognized the Winter Park High Boys Cross Country Team, for winning the Class 4A State Championship. Awards of Excellence were presented to team members and Certificates of Appreciation were presented to the coaches.

Mr. Roach highlighted 4.3 (Request Approval of Agreement With a Qualified Firm on an Emergency Basis for Nursing Services) stating that this was an unfunded program for students who required constant nursing services at school. He also highlighted 8.2 (Request Approval of Budget Amendment #2 to the Capital Outlay Budget for Fiscal Year 2005) expressing appreciation to Mayor Buddy Dyer and the city commissioners for the Princeton Elementary partnership which gives the students 50 percent usage of the community center and gymnasium they built.

At the request of Mrs. Geiger, John Edwards, associate superintendent, curriculum and student services, provided a detailed explanation of the AVID and Spring Board programs for item 3.5 (Request Approval of the Submission of a Grant Application to the U.S. Department of Education Under the Advanced Placement Incentive (API) Program).

Mrs. Gordon highlighted 9.11 (Request Approval to Donate Parcel for Orange County Recreation Project Benefiting Tangelo Park Elementary School) commending Commissioner Homer Hartage, the city and the county for their help in this effort. She requested that staff share what was actually going to happen.

At the request of Mrs. Gordon, Mr. Kruppenbacher shared that Orange County would be expanding on the YMCA with recreational facilities and the school district would be able to use it during the day.

At the request of Mrs. Gordon, Dr. Herron highlighted several renovation projects currently underway in District 5.

Mrs. Ardaman highlighted 4.3 (Request Approval of Agreement With a Qualified Firm on an Emergency Basis for Nursing Services), asking how the cost could be shifted so easily and what the district could do about.

Mr. Kruppenbacher responded by suggesting that the board have a work session to discuss what the federal statutes are costing the district.

Mrs. Ardaman also requested that James Halscott, director, education services, give a brief explanation of how the pilot program will work at West Oaks Elementary for item 4.4 (Request Approval of Addendum to Agreement With the West Orange Healthcare District).

Dr. Halscott stated that the physician would have parental permission to see the students and it would help students who do not have any medical coverage and save trips to the emergency room. He added that the physician would be at the school part-time.

**Public Hearing: Request Approval of Changes to Superintendent's Document JJ Middle/High School Extracurricular/Athletic Program:** Mr. Blocker gave a brief explanation

of the changes to the policy. Students in grades 6-12 must maintain a cumulative grade point average of 2.0 or above to participate in extracurricular/athletic activities, including extracurricular/athletic activities off campus.

The chairman opened the floor for public input and there were none.

There was discussion by board members.

It was moved by Mrs. Gordon and seconded by Mrs. Ardaman that the Superintendent's Document JJ Middle/High School Extracurricular/Athletic Program be approved.

The motion passed 7-0.

**Approval of Minutes:** It was moved by Mrs. Ardaman and seconded by Mrs. Gordon that the following minutes be approved: Non consent #1 (Minutes – November 9, 2004, Agenda Review), Non consent #2 (Minutes – November 9, 2004, Board Meeting) Non consent #3 (Minutes – November 16, 2004, Reorganization Meeting) with a correction as noted by Mr. Shea and Non consent #4 (Minutes – November 22, 2004, Work Session).

The motion passed 7-0.

**Non consent #5 - Request Approval of the Capacity Enhancement Agreement Subject to the Provisions of Sunsetting, Assurance of Site Availability, and Limitations on Receipt of Building Permits – Pulte Home Corporation (Cypress Creek Golf Course):** Mrs. Ardaman expressed concern that this capacity enhancement agreement would add students to Dr. Phillips High School which currently has an enrollment close to 4,000 students. She also requested that the board discuss this issue at a work session because it impacts schools other than Dr. Phillips High.

There was discussion by board members and consensus to withdraw this item from the agenda and discuss the issue at a work session.

**Non consent #6 – Request Approval of an Amount for School Board Member Compensation for the Period Beginning December 15, 2004 Through December 14, 2005:** At the request of the chairman, Mr. Kruppenbacher gave a history of school board members' salaries.

It was moved by Mrs. Gordon and seconded by Mr. Roach that school board member compensation for the period beginning December 15, 2004 through December 14, 2005, in the amount of \$37,859 as set by the Florida School Boards Association, be approved. Mrs. Gordon amended the motion to include that the issue be finalized on what will be done with the funds.

There was discussion by board members.

The motion passed 4-3 (with Mrs. Cadle, Mrs. Geiger and Mr. Martin voting no).

**Statement of Policy Level Issues the Board Would Like to Agenda for Subsequent Meetings or Work Sessions:** There was consensus by the board that after the first of the year, work sessions would be scheduled on Tuesdays of the weeks when there are no board meetings. The work sessions will begin at 4:30 p.m.

Mr. Shea suggested that the Mondays before the Tuesday board meetings could be used for work sessions as needed. He added that the topics for the January 4, 2005, work session would be the capacity enhancement agreement issue which was withdrawn from tonight's agenda and board members' salaries.

Mrs. Ardaman suggested that the legislative platform be discussed at an upcoming work session and there was consensus to add the topic for the January 4, 2005 work session.

Board members discussed the following issues: steroid use by athletes, the testing of athletes and the legality of this issue, with a report to the board in January; looking at the cost of broadcasting work sessions gavel to gavel; the possibility of putting a map on the website which shows existing school sites, relief school sites and if the sites are in the current five-year plan; looking into incorporating the transition paper and Code of Student Conduct into policies; changing the districts' goals; a plan for zoning students to schools that have capacity; and presenting the findings of the audit for the instructional technology department in a work session.

It was moved by Mr. Roach and seconded by Mrs. Ardaman to authorize general counsel to write, on behalf of the board, a letter to all computer vendors that this board will look to ensure that staff will hold them strictly accountable to contractual requirements, specifically on-site next day service. He added that this did not preclude waiving any rights the board would have for prior failure to honor any contractual requirements.

There was discussion by board members and general counsel.

The motion passed 7-0.

Mrs. Geiger expressed concern for the early dismissal of school on Wednesdays and requested that the superintendent be authorized to conduct a study on the elimination of early dismissal on Wednesdays, for the purpose of increasing instructional time for OCPS students. She added that this study will be based on current revenues, include a preliminary report to be presented at a board work session in February 2005, and conclude with a proposal for action by the board at the February 22, 2005 board meeting.

Mrs. Geiger also requested that the superintendent be authorized to begin a reporting process that will give the board complete data and information about the current conditions and academic performance status of OCPS high schools, including all the best practices and innovations in place. It will also include data and information about high school academies, magnet programs, alternative centers, dual enrollment programs, Hungerford Prep, and Florida Virtual Academy. She added that the report should be presented at a board work session in April 2005, and that the results from the DeJong study that is focusing on the Edgewater, Evans and Jones High School communities will be available around the same time.

Mr. Blocker stated that he would discuss with Mrs. Geiger the data that has already been gathered so she can give him some guidance.

At the request of Mrs. Ardaman, Dr. Herron gave a brief overview of the DeJong community meetings.

Mr. Martin requested that disciplinary action documents exclude the age, race and sex of the employee.

There was discussion by board members and the superintendent.

Mr. Shea suggested that the board discuss this issue at a work session.

**School Board Committee Reports:** Mr. Shea made the following committee assignments:

**Florida School Boards Association**

Director, District 11 – Kathleen “KAT” Gordon  
Joie Cadle

**Council of Great City Schools**

Tim Shea

**Central Florida Public School Boards Coalition**

Rick Roach  
Karen Ardaman

**Property Value Adjustment Board**

Tim Shea  
Jim Martin

**The Foundation for the Orange County Public Schools**

Rick Roach

**Superintendent’s Hispanic Task Force**

Joie Cadle

**Head Start Policy Council**

Anne Geiger

**Superintendent’s African American Advisory Committee**

Kathleen “KAT” Gordon

**Friends of Mead Gardens Advisory Board**

Joie Cadle

**SAFE Advisory Board**

Karen Ardaman

**School Health Advisory Council**

Rick Roach

**Children’s Safety Village– Board of Directors**

Jim Martin

**Orlando Science Center**

Joie Cadle

**COMPACT – Board of Directors**

Anne Geiger

**Orlando Regional History Center**

Karen Ardaman

**Board Committees**

**Governance**

Anne Geiger  
Karen Ardaman  
Tim Shea

**Research and Development Initiative**

Tim Shea, chair  
Rick Roach  
Anne Geiger

**Budget**

Karen Ardaman, chair  
Jim Martin  
Kat Gordon

Mr. Shea added that all board members would be ex officio members of the budget subcommittee and the research and development initiative.

**Information Shared by Board Members:** Board members discussed the following: scheduling a parliamentary training workshop; scheduling May 2 & 3, 2005 for Master Board Training; bicycle ride from Marco Island to Pensacola; children’s health; and Florida on the Move.

**Information and Future Meeting Dates – Superintendent:** Mr. Blocker distributed the State Auditor General’s report and requested that the board make it a part of the record. It was moved by Mrs. Ardaman and seconded by Mr. Martin that the Auditor General’s report be made a part of the record.

The motion passed 7-0.

Mr. Blocker announced the following upcoming meetings:

January 4, 2005	4:30 p.m.	Work Session
January 11, 2005	5:30 p.m.	Board Meeting
January 25, 2005	5:30 p.m.	Board Meeting

**Reports by Attorney:** Mr. Kruppenbacher reported that COVE will submit their annual report to the board in January.

The meeting adjourned at 9:40 p.m.

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Chairman

\_\_\_\_\_  
Secretary

dmm

### **Nondiscrimination Statement**

The School Board of Orange County, Florida, does not discriminate in admission or access to or treatment or employment in its programs and activities on the basis of race, color, religion, age, sex, national origin, marital status, disability or any other reason prohibited by law. The equal opportunity supervisor responsible for compliance is Emma Newton, Chief Human Resources Officer, and she may be contacted at the Educational Leadership Center, 445 W. Amelia Street, Orlando, Florida, 32801, (407) 317-3239.