

THE SCHOOL BOARD OF ALACHUA COUNTY, FLORIDA
APPROVED MINUTES OF REGULAR BOARD MEETING
July 18, 2000

The School Board of Alachua County, Florida, met in regular session duly called at 7 p.m. in the Boardroom, 620 East University Avenue, Gainesville, Florida. Present were: Barbara Sharpe, chairman; Judy Brashear, vice-chairman; Bill Cake, Bev Carroll, and Chester Leathers, members; Lawrence L. Marazza, superintendent; and James F. Lang, attorney for the Board.

The meeting was called to order by Chairman Sharpe, followed by the Pledge of Allegiance to the Flag.

APPROVAL OF
MINUTES

Motion by Mrs. Carroll

Seconded by Dr. Leathers

Moved to approve the minutes of June 20, 2000, as presented.

The question was called.

Upon Vote: Motion passed 5-0

ADOPTION OF AGENDA

Motion by Mrs. Carroll

Seconded by Dr. Leathers

Moved to adopt the agenda for the meeting of July 18, 2000, as presented.

Delete the following items: A.7.b., Employee Service Recognition; B.1.b., Teacher Intern Program; and B.2.h.(1), Student Case No. 00-05-X. Pull for separate vote Consent Agenda Item C.24., Articulation Agreement with Santa Fe Community College.

The question was called on the agenda as amended.

Upon Vote: Motion passed 5-0

BOARD MEMBER
ANNOUNCEMENTS

Chairman Sharpe expressed the Board's condolences to the families and friends of former students Kurt McConnell and Jessica Renee Slater, and former employees Nancy Russell, Henry David Ye'le' and Edna Hart.

RECOGNITION—Little
Red Schoolhouse
Competition Winners—
Chiles Elementary and Oak
View Middle Schools

Ms. Grace White, Public Information Officer, informed the Board that the Little Red School House Awards are sponsored annually by the Florida Association of Elementary and Middle School Principals and gives recognition to a maximum of 20 schools with exemplary programs in the areas of curriculum and organizational development. This year only 18 awards were presented from 50 statewide entries.

The following two schools were recognized for exemplary

achievements: Chiles Elementary School received the top honor for the outstanding simultaneous chess tournament during the past school year at which all staff and students were instructed in the game of chess by members of the Alachua County Scholastic Chess Association. The culmination was a 625 Board simultaneous demonstration where all students had an opportunity to play chess.

Oak View Middle School was also presented with a Little Red School House Award for the *Heroes in Our Midst* publication and video featuring stories from local veterans. The project linked youth with elders to document the oral history of soldiers, pilots and nurses.

CITIZEN INPUT

The following suggestions/recommendations were presented to the Board for consideration:

- Ms. Jackie Garrett, director, Chance Charter School, and parent of three special needs children, informed the Board that based on the memorandum from the Governor and Cabinet concerning Chance Charter school's appeal to Tallahassee, the decision has now been remanded back to the School Board. She noted that several of the conditions presented in the Governor's letter have been addressed. She stated that Mr. Danny Wheelock, Office of School Choice and owner of a private financial consulting firm has offered to work with Chance on financial matters and assist in setting up a budget, if the School Board desires to renew the charter contract for next year. She noted that he is also willing to work with Chance to help repay capital outlay funds and SIT funds and will assist in developing a preliminary budget to present to the School Board. She requested the Board reconsider its previous position and renew Chance Charter School's contract.
- Mr. Brad Phillips, parent, Chance Charter School, urged the Board to allow the students who attend Chance Charter School to continue to receive a free and equal education.
- Mr. Darnell Rhea, former Board member, stated that the Board has not provided Superintendent Marazza with the support a new superintendent requires.
- Ms. Barbara Gallant, Pro Kids Consult, expressed serious concerns with the Code of Student Conduct noting that the Board has not included prevention in the Code, but only speaks to discipline. She suggested a clearinghouse for school prevention plans to share among schools and also suggested school advisory councils develop a plan on how to make students safe.

- Mr. John Elton, High Springs resident, expressed serious concerns with the lack of due process afforded an assistant principal and the involvement of a board member. The Board was urged to offer the administrator a public apology and reassignment to his previous position. He also suggested that the Board member involved immediately resign.
- Mr. Albert Crowley, Special Communications, reported that Chance Charter School currently owes his company over \$10,000 in speech and occupational therapy services provided through the spring of this year and requested the Board take into consideration the outstanding debt prior to reinstating the charter.
- Mr. Ralph Hess, citizen, stated that several months ago a sexual harassment complaint was filed by a female school board employee against her superior, an employee of the school district. He provided for Board review copies of Florida Statutes and urged the Chairman to decree that there is no probable cause to proceed further, or to expedite the investigation in good faith as it states in the referenced statutes until the Board arrives at a finding. He requested the Chairman follow the letter of the laws provided and state the Board's intentions this evening.

Chairman Sharpe stated she could not respond to the request at this time.

- Mrs. Ruth Brown, president, NAACP, urged the Board to take formal action on the termination of the superintendent's contract. She stated that the NAACP has been concerned over the last two years with the punitive enactment of the student Code of Conduct as it is applied to black students of Alachua County. The other major concern includes low test scores, thus the failing grades for some schools. The Board was urged to move with deliberate speed on the issue of the continued employment of the present Superintendent and to direct their energies to the education of students and the serious gap between minority students and non-minority students of this district.

Chairman Sharpe stated that according to the Florida Sunshine Law the Board can take official action only on those items legally noticed and listed for Board action on the meeting agenda.

REPORT—Update on
Chance Charter School
Project, Inc.

Mr. Tom Wittmer, staff attorney, provided copies of a letter received from the Commissioner of Education related to the appeal heard in Tallahassee on July 11, 2000, due to the Board's action on May 2, 2000, to terminate Chance Charter school's contract. He noted that

both the Commissioner and the Governor commended the school district for the open and welcoming way it has approached charter schools and there was no finding of any wrongdoing of any kind on the part of this Board in handling the matter. He pointed out that the choices available were to accept the Board's action or to remand it with a recommendation. The Commissioner made a motion, which was accepted by the State Board for the remand and the six (6) recommendations are provided in the letter (see Supplementary Minutes). Statute now provides that the Board has 30 days from the date of receipt of this recommendation to take action and it will be presented as an action item within the next 30 days.

Dr. Leathers referred to the letter from the Commissioner and noted that the actions they recommended should have been done before the letter was initiated. He stated that he has been extremely supportive of Chance Charter School from the beginning and feels very positive about its intent. He pointed out that it is a matter of finance and everyone is concerned about the education of the students attending Chance—it is a population that everyone wants to succeed. He has many reservations about the approach, but noted that the state is not going to make up the deficit and felt it was an extremely questionable precedent to set.

Mrs. Brashear, referring to Mr. Crowley's request for reimbursement, requested a list of debts and the total amount of the outstanding debt in order to ascertain if this is a single incident, or if there are others.

Ms. Garrett reported that there are several ongoing investigations related to financial matters and federal funds that were not turned over to Chance Charter School. From the general discussion of the State Board in Tallahassee, most charter schools in the state receive their IDEA funding. She reported that the current list of outstanding debts which include payroll, IRS taxes, etc., total \$47,000. She also noted that due to the matrix changes, an additional \$14,000 would be remanded back to Chance, plus additional corrections totaling \$11,000-\$15,000. IDEA funds may total \$54,000-\$110,000 for the three years Chance has been in operation. The amount of money Chance has been in the red every year equals the amount of IDEA funds or services that Chance should have been receiving and that is the reason Chance filed the appeal and the reason the Governor and Cabinet sent it back to this Board.

Chairman Sharpe stated that this board has never had any doubt that Chance Charter school's educational programs were not adequate. It has always been a fiscal management problem and remains so to this day. She stated that the problem she has with the Department of

Education (DOE) is that the district has followed the letter of the law, and she is not certain whether DOE wants the district to reopen the school due to the federal funds still owed or whether they are pushing charter schools and vouchers. She noted that the very first item on the list from DOE is for the Chance Charter Governing Board to immediately begin a concerted effort at fundraising to abolish the current debt and build a base for future fiscal viability. She expressed hope that Mr. Crowley's \$10,000 fees for therapy will be repaid.

The regular Board meeting was recessed and a Public Hearing convened.

PUBLIC HEARING—
PROPOSED
AMENDMENT TO
STRATEGIC PLAN

Ms. Jeanine Cawthon, candidate, District 2 School Board, expressed concern with the possibility of the School Board approving the strategic plan at this time. She stated that while everyone agrees that long and short-term planning for the school system are necessary, this is not the best time to approve the plan. She has heard comments from individuals who have served on various committees who felt that their recommendations were not being listened to, or taken seriously and felt uncomfortable with the end result of the Strategic Plan. At this time of uncertain leadership in the school district, she suggested postponing any major decisions until leadership issues are resolved. She also suggested that the Board pull the most vital issues of the plan and act on them independently, such as addressing the need for reduction of class size. In addition to hiring more teachers it may be cost effective to hire paraprofessionals to work in classrooms to help reduce the adult to child ratio.

Mrs. Barbara Gallant, Action Team member, commended the strategic planning process, but she began to become disappointed in the process when she discovered that the action plans were for one year, but the School Board had five years to implement them. She expressed concern with the lack of citizen and community input and did not feel that the \$70,000 expenditure was necessary to realize that the district required smaller classes and higher teacher salaries. She urged the Board not to spend additional money on Phase II and III.

Mr. Dwayne Mundy, Action Team 5 member and parent, advised the Board that now is not the time to push through a major implementation of the plan when it is lacking in community support for it to be a success. He felt that raising teacher salaries and reducing class size are a priority and the Board does not need to adopt a plan to implement those two priorities. He stated that Action Team 9 unanimously agreed to support the Sterling system and urged the Board to seriously look at it as a mechanism for continuous change. He suggested the Board send a letter to the 700 members that have participated and get their

feedback for the future to avoid making the same mistakes.

Dr. Jeff Smith, Team Leader for Action Team 8 and parent, shared his experience as an action team leader and urged the Board to support the plan. He clarified that 100% approval was required from each of the team members for each action plan to be approved and noted that attrition is something that occurs. He urged the Board to move forward with the Strategic Plan.

Mr. Dan Cromer, parent and member of Action Team 4, voiced his support of the strategic planning process and noted that the plan received full community support. He urged the Board to support the plan.

Mr. Roger Brower, citizen, suggested the Board delay approval of the Strategic Plan due to the superintendent's position and suggested the Board consider waiting until there is a better understanding as to school board leadership.

Mr. Ralph Hess, citizen, voiced his opposition to consultants and suggested the Board hire employees to do the work, or hire local consultants and suggested the Board thoroughly review the budget requested for the five-year strategic plan with caution.

Mr. Bob Rohrlack, parent, requested the Board consider postponing adoption of the Strategic Plan.

The Public Hearing was adjourned and the regular board meeting reconvened.

PROFESSIONAL
SERVICES FOR
PROJECTS SBAC
CB946—LINCOLN
MIDDLE/SANTA FE
HIGH SCHOOL
GYMNASIUM HVAC
ENGINEERING
SERVICES

Mr. Ed Gable, director, Facilities, reported that interviews were conducted July 12, 2000, for the selection of the engineering professional on this project.

Motion by Mrs. Brashear Seconded by Mr. Cake

Moved the superintendent's recommendation to accept the following firm rankings: (1) Tilden Lobnitz Cooper Engineering, Jacksonville, Florida; (2) Ingley, Campbell, Moses & Associates, Inc., Gainesville, Florida; and (3) Brian Cumming & Associates, Inc., Maitland, Florida, with fees to be negotiated and presented to the Board at a later date.

The question was called. Upon Vote: Motion passed 5-0

BID AWARD FOR
PROJECT SBAC CB632—

Mr. Gable reported that bids for the construction of this project were received July 12, 2000. All bids exceeded the established construction

WESTWOOD MIDDLE
SCHOOL ADDITIONS
AND RENOVATIONS

budget.

Motion by Mrs. Carroll

Seconded by Mr. Cake

Moved to reject all bids and authorize staff to reevaluate the project, revise to accommodate budget parameters and schedule a rebid as appropriate.

Responding to a question by Dr. Leathers, Mr. Gable explained that staff will reevaluate the scope of the work, meet with local contractors, re-scope the project and resubmit to the Board for approval within 60 days. He noted that there was no one in the bidding process that would be prohibited from bidding in the future.

The question was called.

Upon Vote: Motion passed 5-0

BID AWARD PROJECT
SBAC CB712—SANTA
FE HIGH SCHOOL SITE
IMPROVEMENTS

Mr. Gable reported that bids for the construction of this project were received July 13, 2000.

Motion by Mrs. Carroll

Seconded by Mrs. Brashear

Moved the superintendent's recommendation to accept the low base bid of \$61,300 and award a contract for construction totaling \$61,300 to Robert Kelly Construction, Inc., Gainesville, Florida, with completion of the project to be within sixty (60) consecutive calendar days from the date indicated in the "Notice to Proceed."

Responding to a citizen question related to budgeting an amount on Sidney Lanier, Mr. Gable reported that staff is proceeding as quickly as possible with in-house staff and outside annual contractors and estimate \$12,000 to proceed with the three identified areas.

The question was called.

Upon Vote: Motion passed 5-0

SUPERINTENDENT
EVALUATION

Chairman Sharpe stated that at this time last year when the Board prepared the Superintendent's evaluation and Mr. Cake was chairman, each Board member was asked to bring their evaluations and present a recommended supplement, if any. A supplement was requested and Mr. Cake made the calculations and the Superintendent received a \$10,000 supplemental increase. This year was a bit different and evaluations were completed as required by the contract, except there was no recommendation for supplemental pay, except for Mrs. Brashear who recommended that in the future it be considered, but no Board member recommended performance pay at this time.

Mr. Cake informed the Chairman he was not aware of what she had in

mind when she placed this item on the agenda and stated that he had some comments he would like to read from a prepared statement relative to the Superintendent's evaluation, especially the process, and then he would present a motion for the Board's consideration and discussion.

Even though we were all aware a formal evaluation of our Superintendent was forthcoming, we were reminded in writing by Mr. Lang that our contract required this evaluation by each board member to be completed by July 31, 2000. (The Board was dragging its feet if he hadn't reminded the members, the Board would probably not have met a deadline.)

Four board members and Mr. Rhea had spent considerable time in a previous workshop trying to develop an acceptable form that would incorporate those elements that each Board member considered to be priorities. They may not have been priorities for each board member, but each member was able to get their own priorities in. Mrs. Brashear then developed the final form which the Board used last year, it came up in Master Board training that other districts were even considering using it, if they hadn't used it. They thought it was a pretty well written document, brief and to the point. Although the document was far from perfect, it was all the Board had available this year. As far as I am concerned, the form wasn't the important criteria. A written narrative that accurately expresses an individual's views regarding an employee's strengths and weaknesses is all that is necessary. After review of all five evaluations, which I believe Chairman Sharpe sent to each Board member, it is important to note that a majority of this Board agreed that Dr. Marazza was meeting or exceeding expectations in many areas. However, in two areas, which I consider to be very critical, one was employee morale and the other communication and accessibility to Board and employees, all five Board members indicated that Dr. Marazza does not meet expectations in these two areas. I want to reemphasize that I, and I am not speaking for any other Board member, but I consider these two items to be critical to the success of any viable organization, and I think three Board members know that every time we had issues affecting personnel, I was always the one to stomp my foot and say, "make sure we do not adversely affect employee morale." To me that is an important criteria for any organization, especially at the school level. This is an important and critical time for every school district in this state. We have spent a number of hours today in a budget workshop and in negotiations. Budgets are being developed and finalized and advertised all over this state to meet the state required deadlines. Negotiations should be nearing finalization because I know it is a priority of this Board that salaries be set prior to school opening. We

are one month away from schools reopening and this is no time for distractions of any kind. We need to start the school year on a positive note building on the academic successes of this past school year, which are many. Add to this the strategic plan, which is one of the most important endeavors this district has embarked upon, a plan whose process and results are now clouded by the present controversies and the climate. Based on the fact that morale and internal communications have deteriorated to a point that is not acceptable to me and appears to not be acceptable to four other Board members, I would suggest that critical changes need to be made and healing needs to take place. Therefore, I reluctantly would like to point out that if Dr. Marazza would agree to be placed on paid administrative leave, it would allow this Board to negotiate a severance package and he would not have any distractions, duties or responsibilities. It would allow negotiations to proceed and be concluded more quickly

I would like at this point to ask Dr. Marazza if he would agree to be placed on paid administrative leave for a period of two to four weeks in order that you and this Board can negotiate a severance package and conditions under which your employment contract can be terminated. I am asking you for a yes or no at this time, unless you would like for me to ask that again.

Dr. Marazza: I think I would answer, but not without reference. In the first instance this was not what I contemplated to be Superintendent Evaluation.

Mr. Cake: Again, I did not know what Mrs. Sharpe had in mind.

Dr. Marazza: I would call to your attention Sunshine Law would require that agenda be publicized, Mr. Cake. I will avail myself of the U.S. Constitutional Contract and the State of Florida rights. I am happy to answer your question in consultation with my attorney. My suggestion is that my attorney would call your attorney.

Mr.Cake: So you are not saying yes or no then.

Dr. Marazza: That is right.

Mr. Cake: Then I would move, and this is a motion Mrs. Sharpe, that you with Mr. Lang's assistance would negotiate a possible severance package with Dr. Marazza, in consultation with he and his attorney, and the termination of his employment with this Board and then report back to the whole Board for consideration and approval.

Motion by Mr. Cake

Seconded by Dr. Leathers

Moved that Chairman Sharpe, with Board Attorney Lang's assistance, negotiate a possible severance package with Dr. Marazza and his attorney and the termination of his employment with the Board and report back to the entire Board for consideration and approval.

Dr. Leathers asked Mr. Lang if there was anything illegal with the motion.

Mr. Lang responded that it is a motion that can be made and if adopted, negotiations would begin on the matter.

Mrs. Carroll thanked Mr. Cake for his thoughtful words and asked Mr. Lang if this process would also take into account any new information.

Mr. Lang responded that during the time of negotiations whatever may information may come will certainly be considered as part of the negotiations.

Mr. Cake stated that he based his recommendation and request to Dr. Marazza solely on the two items, morale and communication, which he felt each Board member felt strongly enough to place in their narratives, which are now public knowledge.

Mrs. Carroll stated that a dollar package will be negotiated and any information may affect that package.

Mrs. Brashear expressed concern that there was no time limit mentioned in the motion and asked Mr. Lang if it would be better to include a time limit or to leave it out.

Mr. Lang stated that until negotiations begin there is really no way to know how long it may take and the tenor of the motion is that it not drag on.

Dr. Leathers expressed his frustration that the results of the investigative report are still pending. He stated that his evaluation did not relate to the results of the investigative report and was an entirely separate process. He pointed out that none of the evaluations made any reference whatsoever to the investigation.

Mr. Cake reiterated that his recommendation is based solely on the critical areas of morale and communication with this Board.

Chairman Sharpe felt that if the Board did not place a time limit on the motion, it could go on indefinitely. She suggested a time limit be

added which states: "Pending any unfavorable information or reports and at which time the negotiations then would be reassessed."

Mr. Cake stated that it should be left to the Chairman and the Board attorney to decide if unfavorable information would affect negotiations.

Chairman Sharpe felt that it was important for the Board to place a time frame on the motion because the Superintendent is entitled to a hearing, and it is up to this Board to provide him with one if he so chooses, but he would be responsible for attorney fees.

Mrs. Brashear suggested adding the word 'expeditiously' to the motion, which is an indication of all due speed without a definite date so that there is some flexibility and it is on the record as a commitment by the Board to move forward quickly. She also thanked Mr. Cake for his thoughtful motion and noted that the district has some serious difficulties.

She noted that during Master Board training, when the Board dealt with the superintendent's evaluation, the Board learned that it needs to speak with one voice on very clear guidelines and expectations. She stated that the entire Board made a commitment to improve the current evaluation form that was hastily prepared. She noted that whether it is good enough for other districts, or whether other people like it, she felt the Board knew when it was accepted that the Board did not think it was good enough to be the Board's final product. She felt that many things have been said that probably shouldn't have been said and some of them have been placed in writing, but she felt the Board needs to move as expeditiously as possible to move forward.

The mover, Mr. Cake, and seconder, Dr. Leathers, of the motion agreed to add the word "expeditiously" to the motion, which reads as follows:

Moved that Chairman Sharpe, with Board Attorney Lang's assistance, expeditiously negotiate a possible severance package with Dr. Marazza and his attorney and the termination of his employment with the Board and report back to the entire Board for consideration and approval.

Chairman Sharpe felt it important to note that the Board did not hastily prepare the superintendent's evaluation form. Each Board member and the superintendent sat down and came up with items that each wanted to see in a superintendent. At that particular time Mr. Cake was the chairman and he assigned the responsibility to Mrs. Brashear to put all suggestions together and come back with an instrument the Board could live with. The Board held a workshop (and possibly two) and the entire Board agreed that this would be the instrument the Board would

use. At that point in time there was no concern from anyone that the instrument was less than adequate. If the instrument was adequate enough to give a supplemental increase, she is certain that it must be adequate enough for the Board to complete their evaluation. Everyone knows that you do not change the instrument for evaluating anyone every year. The subject did arise about Board development and one of the areas the Board chose to look at was a different evaluation instrument. Had the Board had a different instrument at this point in time, it would not have affected the evaluation whatsoever. There are many components that go along with that—critiquing, workshops and reviewing and she defended the evaluation instrument the Board developed.

Dr. Marazza stated that he did not realize the resolution would lead into so much discussion. He plainly, both on the record and with this Board as individuals and as a group, objected to the evaluation procedure last year. He opposes individual evaluations as opposed to a Board view because the superintendent works for the Board, not individuals convened individually.

He stated that if the Board is proposing discussing separation and a termination resolution, he wishes the record reflect all of the due process that has not been afforded him, and all of the public notification as well as a hearing. He has a lot to say and looks forward to the time and opportunity to say it. He has been quiet for months and everybody knows that, especially the media.

Chairman Sharpe stated that she and Mr. Lang will get together to begin the process as soon as possible. According to Dr. Marazza's contract he may have a hearing and this Board will give him written notice of the Board's intentions, but the Board could not do this before now.

Mr. Lang reiterated that the motion is an attempt to negotiate a buying-out of the contract and has nothing to do with any charges made or anything of that nature, therefore; a hearing is not involved. The motion is not an attempt to terminate the superintendent, but an attempt to see if there could be a reasonable compromise made between the Board and the superintendent for a possible buying out of his contract.

Chairman Sharpe asked if the Board is placing Dr. Marazza on administrative leave.

Mr. Cake stated that the motion was to authorize the Chairman, with Mr. Lang's assistance, to negotiate a possible severance package with Dr. Marazza and his attorney and the termination of his employment

with this Board and then report back to the entire Board for consideration and approval. If Dr. Marazza had agreed to a paid leave of absence then he would have made a different motion.

Chairman Sharpe felt the motion could have gone a bit further.

Mr. Lang informed the Board that the motion does not attempt to try to terminate the employment of the Superintendent. The motion is to see if a work-out can be accomplished between both sides and if that can happen then at least it would come back to the Board and the Board Chairman would not have the right to enter into a binding agreement. It would have to come back to the Board for consideration by the Board and in the meantime Dr. Marazza is still the Superintendent of Schools.

Mrs. Carroll clarified that the motion is to negotiate with the Chairman and Board attorney for an expeditious possible severance package. She again asked Dr. Marazza if he would voluntarily accept a paid administrative leave.

Dr. Marazza stated that his answer was firm the first time.

Dr. Leathers requested Mr. Lang expand on the administrative leave issue.

Mr. Lang stated that if the motion passes, there is going to be an attempt for some type of settlement to be worked out and in the meantime Dr. Marazza would continue to serve as Superintendent of Schools. If it cannot be worked out to the satisfaction of either side, then the Board would have to consider other possibilities. He feels that if the motion passes, there will be an expeditious attempt to work something out.

Dr. Leathers requested Mr. Cake address the issue of voluntary leave and since that was not accepted, the reason he did not make it a directive.

Mr. Cake responded that he did not include paid administrative leave in his motion following consultation and advice from legal counsel.

Chairman Sharpe requested Mr. Lang advise the Board on whether it can possibly place Dr. Marazza on paid administrative leave.

Mr. Lang advised the Board to follow through on the motion and if it doesn't work, then the Board can take other action if it deems necessary to do so.

Chairman Sharpe stated that she will not deliberately go against Mr. Lang's advice, but against her better judgement, she will support Mr. Cake's motion and immediately begin negotiations. She noted Mr. Lang will be out-of-town for a week, beginning the next day.

The question was called.

Upon Vote: Motion passed 5-0

PROPOSED POLICY
5.44, SCHOOL
UNIFORMS—SECOND
READING

A public hearing was held June 20, 2000, to consider proposed Policy 5.44, School Uniforms.

Motion by Mrs. Brashear

Seconded by Mrs. Carroll

Moved the superintendent's recommendation to adopt proposed Policy 5.44, School Uniforms, as presented.

A parent stated that uniforms should not be mandated and requested the Board address the following concerns for consideration:

- short planning time
- costs for uniforms
- motivating parents
- low percentage of students actually cause problems in school and does not understand the need to mandate uniforms for all students
- reinforce/strengthen current dress codes
- involve parents in improving student behavior
- improve current policies and procedures

Mrs. Carroll stated that this policy is not a mandatory districtwide policy, but will support schools that wish to have such a policy.

A parent pointed out a problem with the policy, which involves students attending magnet programs. The Board was urged to consider requiring the faculty and administration to wear uniforms. The Board was asked what accommodations will be made for students in magnet programs.

Mrs. Brashear stated that the policy does address students attending magnet programs because the policy allows the school site to make a commitment by requiring a high percentage (80%) of commitment from that school.

The Board members were asked if they would overturn a school decision where there exists a magnet program since the Board cannot give those parents the comparable opportunity at another school.

Mrs. Carroll stated that the Board would need to abide by the policy

and could only make changes by amending the policy. She assured the parent that at this time high schools are the most resistant to uniforms and noted the 80% requirement as a large commitment by a school. She stated that she supports this policy because school communities have asked the Board to provide legal backing when they have their 80% super majority.

Chairman Sharpe stated that she does not support the 80% rule. She does not know of any households in the United States that go to any school advisory council, any teacher or anyone else to ask them what clothes they are going to buy for their children. She made the following points related school uniforms:

- Anything less than a mandatory uniform policy is setting schools up to fail
- Uniforms promote unity
- Refocuses students minds on education
- Levels the playing field
- Safety (identifies people on campus)
- Role models wear uniforms

She stated that the point that uniforms are not helpful is invalid from the legal point of view. There have been very few schools that have been sued, but the ones that have been sued the courts upheld the school boards because they said it is incumbent upon the Board to do what is best for students in any school district.

She feels that the 80% rule sets schools up for failure and will cause chaos. She also expressed concern with providing students an option to attend another school, which will overtax the school bus system. She pointed out that she initiated voluntary uniforms four or five years ago at Prairie View Elementary and Kanapaha Middle schools, but those programs did not succeed because they did not require mandatory uniforms. She has heard from many parents who are supportive of mandatory uniforms, but noted that you will never have the population of Alachua County in total agreement on everything. It is the Board's responsibility to do what is best for the safety of students. It helps teachers to be in charge of their classrooms rather than spending time disciplining students.

The question was called.

Upon Vote: Motion passed 4-1

Yes: Mrs. Brashear
Mr. Cake
Mrs. Carroll
Dr. Leathers

No: Mrs. Sharpe

REVISIONS TO THE
CODE OF STUDENT
CONDUCT—SECOND
READING

A public hearing was held June 20, 2000, to consider revisions to the Code of Student Conduct.

Motion by Mr. Cake

Seconded by Mrs. Carroll

Moved the superintendent's recommendation to adopt the revisions to the Code of Student Conduct as presented.

Mrs. Brashear stated that she understands the reasons for changes in the reporting procedure. She requested that an informational flyer or an addition to the Code be made available to parents and the community informing them of the changes in the reporting procedures.

Chairman Sharpe stated that she still has many unanswered questions since the public hearing. She understands that the Code is adhering to the law; however, she believes there should be clear definitions and training to ensure fairness and equity among all students. She felt that words such as 'extortion' and 'forgery' for elementary students leaves too much room for error and gives one or two people too much power and she sees that it may ruin some lives if the Board does not provide the type of training required. She noted that what could be a violation to one person, may not to another and expressed concern with the criminal intent aspect and who is going to define criminal intent. She is not satisfied with what is included, but will support the Code with severe reservations. She believes strongly that training and clear guidelines are necessary to make it fair and equitable for every school.

Mrs. Gallant informed the Board that the law does not require cases of forgery to be reported to law enforcement, but states that you must work with law enforcement on areas that may be considered a crime if they take place elsewhere. She felt School Resource Officers at the high school level and Behavioral Resource Teachers are on campus to handle situations rather than calling law enforcement. The law indicates that the Board should work with law enforcement, but it really does not define criminal intent.

Mrs. Carroll referred to Bear Bryant's memo related to criminal intent. The new wording in the Code allows school administrators to notify law enforcement if there is a gray area of which they are unsure. Law enforcement would then gather the facts and determine if a crime has occurred and will document the facts in a report if needed. The word common sense is associated with the word zero tolerance and she hopes all parties utilize those words. She also pointed out the need for parents to become involved.

Mr. Cake reemphasized the need for good communication with people

in authority at the schools, especially with elementary school principals. They must understand the Board's concerns and that there are situations they can discuss that would show that common sense is the word of caution. He also agreed that the public needs to be informed of the new reporting procedures.

Chairman Sharpe restated the need for common sense, guidelines and assurance of equity.

Ms. Kathy Black, director, Student Support Services, referred to the law, which clearly states if a delinquent act or crime is committed, it must be reported and the principal is the individual held responsible. She pointed out that what is unclear in statute is who makes the decision. The discipline committee felt it was best to have everyone together helping to make that decision.

She informed the Board that training will be provided to principals and resource officers the first week of school and continuous monthly training thereafter. She also noted that guidelines and definitions will also be provided and there will be an ongoing effort to train and inform parents.

Mr. Cake stated that he has confidence in principals and they need to be assured that they are the number one officer at their school and they make those critical decisions. With the Board's help and staff's help, they will do what is right for this district.

The question was called.

Upon Vote: Motion passed 5-0

CAPITAL LEASE OF
INFORMATION
RESOURCES SYSTEM
PRINTERS

Mr. Dan Cromer, director, Information Resources, reported that the current Information Resources primary system printer is more than 12 years old and has printed more than 50 million copies. Though it is under maintenance contract, it is no longer dependable. After extensive research, a capital lease of two Oce' printers has been determined as the best value for replacement, leased IAW School Board of Palm Beach County bid 99C-69E from Ikon Office Solutions, Jacksonville, FL. By redeployment of Information Resources funds, this lease can be paid out of current budget with no change. The current printer budget is \$45,000.

Motion by Mr. Cake

Seconded by Mrs. Carroll

Moved the superintendent's recommendation to approve a five-year capital lease of two Oce' printers from Ikon Office Solutions, with a lease price of \$2481.52/month plus \$500 service/month plus \$2400/month per 500,000 copies at a total annual cost of \$64,578.24.

Responding to a question from Dr. Leathers, Mr. Cromer stated that he preferred to purchase, but cannot do so with the current budget and this option is the only thing available through September, which is the best choice at the moment. He noted that the Board has the option to pay off the lease at any time, or purchase at the end of the five years for \$1. He was not certain if at the end of five years if these printers would be the best technology then or something else would be more appropriate.

Responding to Chairman Sharpe, Dr. Chambers stated that she recommended this item be placed on the agenda as an action item because it is a five-year financing with an annual opt-out clause included. She informed the Board that Mr. Cromer does have the money available in his budget and this has always been a recurring expenditure.

Chairman Sharpe asked if extensive research had been done on this item due to the high cost.

Mr. Cromer thanked Mr. Wes Eubank, technical support manager, and Mr. Wayne Hackett, purchasing manager, for conducting research over the past two years and stated that he is very confident with the choice.

The question was called. Upon Vote: Motion passed 5-0

STUDENT CASE
NO. 00-4-X

Mr. Tom Wittmer, staff attorney, reported that the student is charged with possession of firearm at school. The parent did not request a hearing.

Motion by Dr. Leathers Seconded by Mr. Cake

Moved the superintendent's recommendation to expel the student through the 2000-2001 extended school year.

The question was called. Upon Vote: Motion passed 5-0

STUDENT CASE
NO. 00-41-X

Mr. Wittmer reported that the student is charged with battery on a female student. The parent did not request a hearing.

Motion by Mr. Cake Seconded by Dr. Leathers

Moved the superintendent's recommendation to expel the student through the first semester of the 2000-2001 school year.

The question was called. Upon Vote: Motion passed 5-0

CONSENT AGENDA

Motion by Mr. Cake

Seconded by Mrs. Brashear

Moved to approve the Consent Agenda as described in items 1-25, with item 24 pulled for separate action. (See Supplementary Minutes Book.)

The question was called.

Upon Vote: Motion passed 5-0

ARTICULATION
AGREEMENT WITH
SANTA FE
COMMUNITY COLLEGE

Mrs. Brashear questioned the terms of the agreement on page 17 relating to the automatic renewal and suggested slightly amending the wording to include an opt-out clause at the end of each year.

Mr. Lang agreed with Mrs. Brashear's suggestion and stated that he believes the law requires school boards to be able to get out of such a contract if they wish.

Mrs. Linda Lanza-Kaduce, director, High School Dual Enrollment Program Santa Fe Community College (SFCC), informed the Board that SFCC had a Board of Trustees meeting this afternoon and signed the revised articulation agreement. She reported that SFCC administrative staff met on June 15 with school board staff to make an attempt to review the articulation agreement and move forward instead of applying for charter school status. She has worked with Mr. Wittmer on a daily basis, but when she arrived at 6:45 p.m. this evening she was told that the ten-year clause needed to be removed from the contract.

She stated that when SFCC applied for a charter school, SFCC was aware that there would be a four-year term and if there were no problems then there would be a 15-year renewal. SFCC wanted to be able to incorporate something to that affect in the revised articulation agreement in order to be insured stability and program longevity for high school students. She stated that she cannot speak to any revision that is made to the terms of agreement, but hopes to meet very soon and adjust the language if necessary. She must take the suggestion back to SFCC, but is hoping not to have to wait for another school board meeting in order for the agreement to be signed.

Mrs. Brashear asked if the School Board could amend this agreement knowing that SFCC has already approved this document and then send it to them. She preferred the flexibility that the contract may be cancelled by either party and the flexibility needs to be included in the agreement.

Motion by Mr. Cake

Seconded by Mrs. Carroll

Moved to refer the agreement back to staff, work with SFCC staff to address the language concern and present the agreement to the Board at the July 24, 2000, Special Meeting under Consent Agenda.

The question was called.

Upon Vote: Motion passed 5-0

Motion by Mr. Cake

Seconded by Mrs. Carroll

Moved to add the Santa Fe Community College Articulation Agreement as an item on the agenda of the July 24, 2000, Special Board Meeting.

The question was called.

Upon Vote: Motion passed 5-0

BOARD MEMBERS/
SUPERINTENDENT
REQUESTS

There were no Board member announcements.

ADJOURNMENT

The meeting was adjourned at 9:22 p.m.