

THE SCHOOL BOARD OF ALACHUA COUNTY, FLORIDA  
MINUTES OF REGULAR BOARD MEETING  
May 6, 2008

The School Board of Alachua County, Florida, met in regular session duly called at 6 p.m. in the Boardroom, 620 East University Avenue, Gainesville, Florida. Present were: Janie Williams, Chairman; Tina Pinkoson, Vice-Chairman; Ginger Childs, F. Wesley Eubank, and Eileen F. Roy, members; and W. Daniel Boyd, Jr., Superintendent. Absent, James F. Lang, attorney for the Board.

Students from J. J. Finley Elementary School presented a performance of African Music. The meeting was called to order by Chairman Williams, and the students led the Pledge of Allegiance to the Flag.

APPROVAL OF MINUTES      Motion by Mrs. Childs                      Seconded by Mrs. Roy

Moved to approve the minutes of the Informal Board Meeting of April 15, 2008, and the Board meeting of April 22, 2008, as presented.

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

ADOPTION OF AGENDA      Motion by Mrs. Pinkoson                      Seconded by Ms. Childs

Moved to adopt the May 6, 2008, meeting agenda as amended.

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

BOARD MEMBER/  
SUPERINTENDENT  
ANNOUNCEMENTS

Mrs. Childs announced the World's Greatest Baby Shower, to be held on May 10 at Lincoln Middle School, sponsored by the Kiwanis Clubs of Gainesville and other community groups.

Mrs. Pinkoson reminded everyone of the Food Drive, *Hunger Doesn't Take a Summer Vacation*, to be held on May 10, 2008, from 10 a.m. to 5 p.m. at the Oaks Mall. She hopes many will bring canned foods.

Mrs. Roy added that Postal Service workers will be conducting a food drive also on Saturday, May 10.

RECOGNITION

The Board recognized:

- School-Related Employees of the Year.
- March of Times Top Schools: Howard Bishop Middle, Buchholz High.
- Council for Exceptional Children (CEC) Teacher of the Year, Rookie of the Year, Paraprofessional of the Year and Guidance/Clerical of the year.

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PUBLIC HEARING --  
BYLAW 0149.3,  
BOARD-STAFF

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

There was no public input.

COMMUNICATIONS,  
AND POLICIES 1112,  
3112 AND 4112,  
BOARD-STAFF  
COMMUNICATIONS.

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

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CITIZEN INPUT

Williams Elementary PTA President requested information on the status of the planned Williams Media Center renovation. Since her emails were not received by Board members, they requested she resend it. It was also suggested that she speak to the school principal regarding contact with the Facilities Department director.

Dr. Gunnar Paulson, ACEA president, reported on the recent trip to meet with state officials in Tallahassee.

CONSENT AGENDA

Motion by Mr. Eubank                      Seconded by Mrs. Pinkoson

Moved the Superintendent's recommendation to approve the Consent Agenda as described in items 1- 14, with Item 5, Student Case(s), being pulled for discussion.

Mrs. Roy advocated the benefits of anger management training and suggested it for the student involved in Item 5.

Motion by Mrs. Childs                      Seconded by Mr. Eubank

Moved to amend the motion by changing the Final Order in Item 5, Student Case No. 0708-09-X, to extend the expulsion through the first semester of the 2008-09 school year.

The question was called on the amendment to the motion.

Upon Vote: Motion passed 5-0

The question was called on the original motion as amended

Upon Vote: Motion passed 5-0

WAIVER REQUEST  
FOR FT. CLARKE  
MIDDLE SCHOOL

Ft. Clarke Middle School requests a waiver to Article IX, Section 12 (c) of the collective bargaining agreement to provide an extended advisement period once a week. The waiver request has been approved by the faculty, the School Advisory Council, and ACEA.

Motion by Mrs. Childs                      Seconded by Mr. Eubank

Moved the Superintendent's recommendation to approve the waiver request for Ft. Clarke Middle School as presented.

The question was called.

Upon Vote: Motion passed 5 – 0

WAIVER REQUEST  
FOR MEBANE  
MIDDLE SCHOOL

Mebane Middle School is requesting a waiver to Article IX, Section 12 (c) of the collective bargaining agreement to implement a flexible block schedule. The faculty and School Advisory Council have approved the waiver request.

Motion by Mr. Eubank

Seconded by Mrs. Pinkoson

Moved the Superintendent’s recommendation to approve the waiver request for Mebane Middle School, provided the school can meet class size mandates within their earned allocation.

The question was called.

Upon Vote: Motion passed 5-0

RENEWAL OF  
FLORIDA SIA TECH  
CHARTER SCHOOL

Florida SIA Tech has operated as a charter school in Alachua County for the last five years. Their current charter expires June 20, 2008. Curriculum staff questions have been satisfactorily answered.

Motion by Mrs. Pinkoson

Seconded by Mr. Eubank

Moved the Superintendent’s recommendation to approve the 10-year renewal of the Florida SIA Tech Charter School as presented.

Dr. Paulson expressed his belief that SIA Tech funding is unfair, in that they receive federal funds, as well as FEFP funds—twice the money as that provided for other students.

Dr. Steven Stark, director, Research and Evaluation, explained that SIA Tech did not administer the NRT and the District informed them they were out of compliance with Florida Statute. The DOE did not sanction SIA Tech. At Mr. Eubank’s concern about approving a ten-year contract under these circumstances, Mr. Tom Wittmer, Staff Attorney, stated that the Board would still be free to address any possible future violation.

The question was called.

Upon Vote: Motion passed 5-0

FINANCIAL, AND  
FEDERAL SINGLE  
AUDIT OF THE  
ALACHUA COUNTY  
DISTRICT SCHOOL  
BOARD, FOR FISCAL  
YEAR ENDING JUNE  
30, 2007

A Financial, Federal and Single Audit Report has been prepared for the fiscal year ending June 30, 2007, for School Board approval.

Motion by Mr. Eubank

Seconded by Mrs. Pinkoson

Moved the Superintendent’s recommendation that the Report of Independent Certified Public Accountants prepared by Ernst & Young LLP, for the year ended June 30, 2007, and accompanying Management Letter be filed as part of the public records of the School Board.

The question was called.

Upon Vote: Motion passed 5-0

INTERNAL ACCOUNT  
AUDITOR’S REPORT –  
FISCAL YEAR ENDING  
JUNE 30, 2007

An Internal Account Auditor’s Report has been prepared for the fiscal year ending June 30, 2007, which is to be filed as a part of the public records of the Board.

Motion by Mr. Eubank

Seconded by Mrs. Pinkoson

Moved the Superintendent's recommendation to approve the Independent Auditor's Report prepared by Davis Monk & Co. for the School Board of Alachua County Internal Accounts, for the year ended June 30, 2007, and that it be filed as part of the public records of the School Board.

The question was called.

Upon Vote: Motion passed 5-0

ANNUAL CHARTER  
SCHOOL AUDIT  
REPORTS

Annual Audit reports for the District's 14 Charter Schools and the Alachua County Public Schools Foundation have been prepared:

- Alachua County Public School Foundation
- Alachua Learning Center
- Caring and Sharing Learning School
- Desoto High School
- Einstein Montessori School
- Expressions Learning Arts Academy
- Genesis Preparatory School
- Healthy Learning Academy
- Hoggetowne Middle School
- Love to Learn Educational Center
- Micanopy Area Cooperative School, Inc.
- Micanopy Middle School
- Martin Luther King Academy, Inc.
- One Room School House Project, Inc.
- Florida School for Integrated Academics and Technology

These entities are considered component units of our District and their audit reports are required to be approved by the Board and entered into public record.

Motion by Mrs. Pinkoson

Seconded by Mrs. Childs

Moved the Superintendent's recommendation to approve the audit reports for the charter schools and the Alachua County Public Schools Foundation for the year ended June 30, 2007, as presented and that they be filed as part of the public records of the School Board.

At a question concerning the financial status of Healthy Learning Academy, Mr. Eubank was informed they are in a neutral position at this time.

The question was called.

Upon Vote: Motion passed 5-0

NOTICE OF INTENT  
TO TERMINATE  
CHARTER CONTRACT—  
LOVE TO LEARN  
EDUCATIONAL  
CENTER, INC.

Love to Learn Educational Center, Inc., a Florida corporation not-for-profit, has operated a K-5 charter school at 125 N.W. 23rd Avenue in Gainesville since the 1999-2000 school year. The initial charter contract was approved by the School Board on May 4, 1999, and the renewal charter contract was approved on March 19, 2002, for a term of ten (10) years.

The District staff has carefully reviewed the ongoing operations and functions of this charter school. In at least twelve areas, the School has failed to comply with applicable state requirements or has failed to fulfill the purposes and mission for which it was established. Those areas are identified in the Statement of Reasons. Termination is appropriate, in view of the substantial and continuing deficiencies in the operations of this charter school.

The Board has the authority to terminate the charter contract, under section 1002.33(8), Florida Statutes, and paragraph 1.6 of the charter contract. The Board is required to notify the governing body of the proposed action at least 90 days prior to terminating a charter contract. The school's governing body may, within 14 calendar days after receiving the notice, request an informal hearing before the Board. The Board shall conduct the informal hearing within 30 calendar days after receiving a written request.

Motion by Mr. Eubank

Seconded by Mrs. Pinkoson

Moved the Superintendent's recommendation to give notice of its intent to terminate the charter contract with Love to Learn Educational Center, Inc., effective August 11, 2008.

Mr. Daniel Woodring, attorney representing Love to Learn Educational Center, Inc., addressed the Board, stating that they would like to work cooperatively with the District to resolve the issues. He cited various disagreements with the charges.

Dr. Lavetta Palmer, Love to Learn principal, addressed the Board requesting reconsideration of the intent to terminate the Love to Learn Charter. She read a letter from Caring and Sharing Charter School, in which assistance was offered. Dr. Bonnie Mitchell, member, Love to Learn Board of Directors, also addressed the Board, stating that Dr. Palmer deserves School Board support.

Mr. Eubank stated that if the allegations set forth in the Statement of Reasons document are true, they are extremely serious, perhaps bordering on illegal.

Dr. Diana Lagotic, Elementary Curriculum Director, stated that the school was provided notification in January, when identical packages of information were sent to the DOE Professional Practices Office and to Dr. Palmer. Dr. Palmer's package was returned to the School Board marked 'Refused.'

Mrs. Pinkoson believes that, with their low grades in math and reading, students cannot afford another year of the same. She also feels that the children's safety has been put at risk.

Mrs. Childs reviewed some of the charges and expressed her concern for the best interests of the children.

Mrs. Roy was concerned about the allegation that Love to Learn enrolled public school students for only a few days during the time of FTE week, thereby collecting funds that rightfully belonged to the school that the student actually attended.

Dr. Lagotic verified that there have been problems over a long period of time, but insufficient documentation previously to recommend school closure.

Mr. Eubank feels that if the allegations are true, state funds that were provided for public school students have instead been diverted to Love to Learn's surplus. He is ready to move forward with the termination process.

Mrs. Williams expressed concern for the fact that no learning gain is taking place with the students, year after year.

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

ADOPTION OF LICENSE  
AGREEMENT WITH  
CUSTOM KICKS AND  
APPAREL, INC.

Custom Kicks and Apparel, Inc., a Florida corporation, has proposed the manufacture and sale of shoes and other items of apparel using the insignia and logos of our District high schools.

Motion by Mr. Eubank Seconded by Mrs. Childs

Moved the Superintendent's recommendation to approve the License Agreement with Custom Kicks and Apparel, Inc., as presented.

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

PROFESSIONAL  
SERVICES AGREEMENT  
WITH ADAMS BENEFIT  
CORPORATION

The Board will be re-negotiating its current group health insurance provider for the final year of the contract, which begins January 1, 2009. To assist the Board with negotiations and to establish fair and reasonable rates for 2009, it is proposed that the Board contract with Adams Benefit Corporation, a consultant firm.

To assist the Board with negotiations and to establish fair and reasonable rates for 2009, it is proposed that the Board contract with Adams Benefit Corporation. The scope of work would include, but not be limited to review of the Board's past claims history; review and analysis of the ancillary benefit plans (Life, dental/vision, disability income, cancer/medical reimbursement, dependent care) to determine the feasibility of achieving lower health care costs with no increase in or change to the costs or benefits associated with the ancillary plans; research and evaluation of benefits offerings by other carriers and comparison with those of the current provider to determine if proposed plan costs for 2009 are fair and reasonable; and attendance at two (2) insurance committee meetings to discuss strategies, plans and rates with committee members.

Compensation would be no less than \$24,500 and no more than \$50,000.

The fee would be calculated based on real savings achieved by the Contractor through reduction in the single premium coverage to be paid by the Board for its active employees.

Superintendent Boyd stated that he agrees with the Insurance Committee that a consultant is necessary, citing the District's insurance cost of \$23 million, including retirees.

It was explained that this is a performance-based contract, with a cap of \$50,000. Mrs. Roy requested to see the contract, in order to understand exactly what is being paid for.

Motion by Mr. Eubank

Seconded by Mrs. Childs

Moved the Superintendent's recommendation to approve the Professional Services Agreement with Adams Benefit Corporation, as presented.

The question was called.

Upon Vote: Motion passed 5-0

CONTRACT WITH  
DES OF FLORIDA, LLC

The current contract with DES of Florida, LLC, provides a means for administrators and professional/technical employees to retire when they complete DROP and be subcontracted by the School Board, if pre-approved by the Superintendent. This current contract ends June 30, 2008. The proposed new contract would commence on July 1, 2008, and continue in effect until June 30, 2009.

Motion by Mrs. Childs

Seconded by Mrs. Pinkoson

Moved the Superintendent's recommendation to approve continuation of the contract with DES of Florida, LLC, which allows administrators and professional/technical employees to retire when they complete DROP and be subcontracted by the School Board, if pre-approved by the Superintendent.

Mr. Eubank gave a brief history of the DROP program. He believes that, rather than a savings, there is an increased cost to the District for the DES program as presently implemented.

Motion by Mr. Eubank

Seconded by Mrs. Pinkoson

Moved to amend the motion to state that there will be no Letter Purchase Orders (LPO) issued until such time that the Superintendent brings back to the Board for discussion and approval, information showing the criteria that needs to be met before someone is *invited* to participate in DES.

Mr. Eubank described some situations where he feels it would be appropriate to keep an employee through the DES program.

At a question from Mrs. Roy, Mr. Eubank affirmed that his thrust is toward changing the DES hiring process, rather than doing away with the DES program.

Mrs. Williams suggested scheduling a workshop on the subject of DES.

Mrs. Childs felt the subject of DES criteria is internal and the contract approval should be separate.

Dr. Boyd pointed out that by statute, teachers are allowed five years of DROP, plus three additional years. He feels it is a failing of the legislature that administrators have not been extended the same option. He stated that principals are the District's top 1% of highly trained individuals, and they hold the most difficult job in education: an effective school manager. He stands behind every DES recommendation he has made to the Board.

Mrs. Pinkoson is disturbed by attitudes toward the District by specific employees who state that they do not work for the School Board, they work for DES.

Mrs. Childs pointed out that all DES appointments should be of talented, experienced people, and that there should be demanding criteria for teachers, as well as administrators. She believes the DES contract should be approved, with the Board discussing the matter of criteria at a subsequent time.

Mrs. Roy also felt the Board should vote for the DES contract and then set criteria for future decisions, taking all of the responsibility from the Superintendent and have recommended appointments come before the Board for a decision.

Mr. Eubank withdrew his motion to amend and Mrs. Pinkoson withdrew her second.

Mr. Eubank reviewed the background for teachers' DROP extension. He also pointed out that Professional/Technical employees are not offered vacation/sick benefits on DES, as are administrators. He stated that he believes there is abuse of the DES system, possibly affecting future retirees.

The question was called.

Upon Vote: Motion passed 3 – 2

Yes: Childs

Pinkoson

Williams

No: Eubank

Roy

CITIZEN INPUT

A representative of the Howard Bishop Middle School band parents addressed the Board concerning the potential loss of one of their assistant

band director, due to budget cuts.

A school nurse addressed the Board concerning elimination of school nurses and cutback of hours for other staff, due to budget cuts.

Mrs. Pinkoson responded to the citizen by pointing out that since 85% of the District budget goes to personnel costs, the Board must make some very difficult decisions. It does not mean that the programs and/or people are not valued.

Mrs. Williams feels it is important that the public let their legislators know how badly the District is being affected.

Mrs. Childs stated that the Board is trying to make the best decisions they possibly can, concerning these unavoidable budget cuts. She warned that next year is also predicted to be difficult.

Mr. Eubank pointed out that band instructors are allocated according to the number of students enrolled in band.

BOARD MEMBER/  
SUPERINTENDENT  
REQUESTS

There were no Board member or Superintendent requests.

ADJOURNMENT

The Chairman declared the meeting adjourned at 8:42 p.m.