

12 14 10 Work Session

New Business

1. [8:30 - 8:45 AM School Board Comments](#)

Minutes:

Mrs. Fields announced that Larry Ross and Tom Freijo are available as Facilitator for the School Board retreat. She requested the Board's preference between the two.

Mr. Mullenax stated that Florida School Boards Association offers Facilitator services for \$750 plus travel.

Mrs. Sellers requested Master Board training be included as part of the retreat since there are three Board members who have not had the training. The cost is \$3000 and board members are required to attend a minimum of four of the seven training sessions. Mrs. Cunningham suggested that the 22 hour Master Board training be separate from the retreat.

Facilitator choice by consensus - Freijo. One and a half day of training to be held February 4 (half day) and February 24th at the Jim Miles Center.

Dates for Master Board Training - March 10 - 11, Ocala; April 14-15, Gainesville; April 28 - 29. Ocala; and Sept 22-23, Gainesville.

Top 3: March and April (Ocala) and September 22 - 23 - Gainesville.

Mrs. Fields requested nominations for the Charter Review Committee by Friday to replace Hunt Berryman who resigned. Item will be placed on the January 11, 2011 School Board Meeting. Mrs. Cunningham submitted Dr. Violeta Salud's resume for the Committee.

Board Agenda Review

2. [8:45 - 9:15 AM Review December 14, 2010 School Board Agenda](#)

Minutes:

C-49 Project Jewett School of the Arts

Mrs. Cunningham asked why the scope of project costs have doubled.

Mr. Murphy reported that at the beginning of the renovations several areas underground were found that needed more attention: upgrade sewer and water line; replace asphalt; a fire water main extension to entire campus required by fire code and provide fire truck access. Because of significant renovations, fire ratings are required to increase fire wall and fire sprinkler systems.

3. [9:15 - 9:30 AM BREAK](#)

Discussion

Item 4

4. [9:30 - 10:00 AM Contracts with School Board Attorney and Internal Audit Manager](#)

Attachment: [Contract with Internal Audit Manager 12-13-05.pdf](#)

Attachment: [Contract with School Board Attorney 11-21-08.pdf](#)

Minutes:

Mr. Mullenax commented that these two employee contracts differ from each other and with others within the district. The annual term is from January 1 - December 31st. He suggested renewing the contracts for 6 months and then have the annual contract terms begin July 1st. Evaluations would be earlier in the year (same as district employees).

- Contract should not automatically renew, it should be reviewed annually
- Termination notice for us to him is 6 months, him to us is 60 days; it should be the same

- Term should be July 1 - June 30 with evaluation held earlier in the year (March-May)
- Because of economic situation, allow conferences, seminars, and workshops within the state but not national.
- Limit number of employees attending the same conferences

Mrs. Field commented that national conferences allow us the opportunity to see what others are doing: think outside the box. If the funding is there, the opportunity should be open.

Referencing the contracts, Mrs. Sellers suggested the Board Chair address the issue.

Mrs. Wright supports attendance at national conferences if funding is available or if they pay their own way. However, Florida has a unique legal composition, she does not support national conferences for legal division.

Mr. Harris noted that there is a difference in the termination language between the two contracts. He would like them to be the same. The contract also requires a reminder termination notice in November but has no consequences or directions if a notice is not submitted. Paragraph 9 speaks on a requirement of ongoing comments to support any negative rating in the evaluation.

Mr. Harris commented that Sheila is a Senior Manager, her role and responsibility does not fit the title of the position. The district's organizational structure has Directors and Senior Directors whose responsibilities are far less than that our auditor.

Mr. O'Reilly commented that if departments have funds available in their budget for travel it should be allowed.

Mrs. Fields will work on the modifications and bring them back to Board.

Item 5

5. [10:00 - 10:20 AM Potential Conflict of Interest for School Board Staff](#)

Minutes:

Mrs. Fields questioned if it is appropriate for the school board attorney to represent us on Charter School issues since he is married to the Senior Director of Magnet, Choice and Charter.

Wes Bridges, School Board Attorney, stated that there is no legal conflict of interest because he and Carolyn represent the same client - the Polk County School Board; however, he will follow the Board's direction. In years past, John Murphy and Don Wilson (Boswell and Dunlap) represented the School Board on charter issues. Due to outside obligations, Mr Murphy was unable to provide the weekly 10 hours as stipulated in the contract. Recently that has changed and he has worked more for the District, especially during Wes' military leave.

Mrs. Cunningham thought it would be a positive move to have another attorney handle charter obligations. She suggested Wes provide a proposal for a transition period. Mrs. Fields commented that Dr. Nickell should be included in the decision.

Mr. Bridges will continue working with the day-to-day routine issues in the Magnet, Choice and Charter area the same as he does other divisions (Business Services, Transportation, Human Resources, etc) and will work with John Muphy and Dr. Nickell to provide a proposal in January for outside council to handle actions filed by charters.

Mr. O'Reilly feels the Wes and Carolyn Bridges have represented the district professionally. He commented that current Board members have children or relatives either attending or working for charter schools and we do not require them to refrain from voting on charter issues.

Item 6

[6. 10:20 - 10:40 AM Internal Audit of Internal Accounts Report for the Year Ended June 30, 2010](#)

Attachment: [09_10 SBPC Internal Accounts Report final.pdf](#)

Attachment: [2009-10 Internal Funds Financial Stmtts & Notes.pdf](#)

Minutes:

Representatives from McGladrey provided an overview of the Internal Accounts Summary of Findings.

- Audited 30 schools (including Adult and Career Centers).
 - Alta Vista Elementary
 - Dixieland Elementary
 - Dr. N.E. Roberts Elementary
 - Eagle Lake Elementary
 - Garden Grove Elementary
 - Highland City Elementary
 - Kingsford Elementary
 - North Lakeland Elementary
 - Scott Lake Elementary

- o Sikes Elementary
- o Snively Elementary
- o Spessard Holland Elementary
- o Valleyview Elementary
- o Wendell Watson Elementary
- o Boone Middle
- o Daniel Jenkins Academy
- o Lakeland Highlands Middle
- o Lawton Chiles Middle
- o Sleepy Hill Middle
- o Bartow High
- o George Jenkins High
- o Harrison School of the Arts
- o Lake Gibson High
- o Lake Region High
- o Lakeland High
- o Mulberry High
- o Gause Career Academy
- o Traviss Career Center
- o East Area Adult
- o West Area Adult

Biggest area of concern is the deposits (which is not uncommon) and the proper use of procurement cards.

- Cost of Fraud : Tangible and measurable economic costs, insurable in some cases, provides basis for prosecution and/or litigation
- Political costs: loss of integrity, diminished public confidence, can't be measured, difficult to recover.
- Prevent - Detect - Deter

Protecting the entity's assets through an effective internal control system. Assurance must exist that transactions related to assets have been properly processed and that appropriate physical handling and control over assets exists.

Mrs. Sellers commented that in the eight years she has been on the Board there haven't been any consequences for failing to correct the areas of concern. Schools that have no negative comments should receive a type of recognition or plaque for their schools.

Mr. Harris stated there has to be consequences for repeat offenders.

Mrs. Sellers suggested that after procedural training schools be notified of consequences to begin in 2011-2012 for those who fail to follow procedures.

Dr. Nickell supports notifying schools of consequences for future years. Brevard County was named as a district with exemplary audit to review trend analysis and volume.

Item 7

7. [10:40 - 10:50 Amendment 8, Class Size Update](#)

Attachment: [CSR Info December 16, 2010.pdf](#)

Minutes:

Dr. Tonjes reported as the days and weeks go by, the problems in maintaining class size requirements build. Mainly because of mobility; unfilled seats is a big issue.

On October 15, we were at or below class size. Allowing empty seats is very costly to the district. We asked DOE for guidance in maintaining class size but they haven't responded. Those districts that were not in compliance on October 15 and continue to be out of compliance haven't received any type of penalty and aren't spending money on the issue. Our expenses continue to rise as we strive to stay in compliance as much as possible, approximately \$8,000 a day.

Co-teaching was one solution in meeting the class size requirement (substitute placed in classroom with more than maximum students allowed). This results in schools placing all new students in that classroom: two schools with 34 and 35 students in the classroom. Transporting students to seats available at nearby schools would seem like a doable solution. It will be a school by school issue.

Mrs. Sellers reported that at a recent conference it was reported that Legislators will provide transportation relief in October. Mr. Murphy reminded the Board that the district is larger than surrounding districts such as the Seminole. Transporting students from one side to the other is a long ride both ways.

Mr. O'Reilly commented that other districts are not complying - suggested we stop trying to meeting the outrageous demand of class size and return to educating students. Penalty is base upon student allocation plus 50% per student - approximately \$3000 per student. Districts were allowed to submit an appeal and a plan to come into compliance; but to date, no penalties have been issued.

Dr. Nickell commented that schools are striving to increase academic success and the plan to place substitute teachers in a classroom that is over the maximum, is not productive. The main teacher now has to configure student groups and train co-teacher in classroom activities. Substitutes are trained to take over a classroom when a teacher is absent - now you have two controlling individuals with possible conflict on who has authority of class room and

students.

Mrs. Sellers, Mr. Harris, and Mr. Mullenax agreed with Mr. O'Reilly that we are damaging our students as we try to maintain class size when the state has not issued penalties for those that did not comply with the law.

Mrs. Wright asked for data on how many students have been moved. Dr. Nickell reported that the number of students moved and the number of co-teachers will be provided to the Board.

Mrs. Cunningham stated that if there has not been any penalties issued, she concurs with her fellow board members. Do the best we can with the resources available.

Mrs. Fields commended staff for wanting to do what's required by law and what is right for the students.

Item 8

8. [10:50 - 11:00 School Concurrency and Level of Service Update](#)

Attachment: [Level of Service Board Presentation Dec 2010.pdf](#)

Minutes:

Fred Murphy and Larry Helton presented an update on school concurrency that began in 2005.

The Florida Statute states that the school with the highest capacity (level of service) during 2012-13 will set the acceptable level for all schools before developers, municipalities, and county government can be required to provide any additional infrastructure through the interlocal agreements. For example: if Kingsford Elementary continues at 167% capacity at the beginning of 2012 school year, every school within the district has to be at that level before the county can deny development of any subdivision with all amenities involved: roads, water, sewer, parks, schools, fire, police, etc. Our next highest school is Sikes Elementary at 144%. We are building the Gail F. McKinzie Elementary to address the overcapacity at 2-3 schools in that area.

In the near future a plan of action will be needed for the Alturas area: Alturas Elementary.

Mr. Helton provided a review of schools that have no area to add relocatables if they are required to increase to 167%. North Lakeland Elementary

and Cleveland Court are two schools that are limited in the space available for portables or construction.

Rezoning and double sessions are options to consider. Construction of new schools is also an option if impact fees were available but not many new homes are being constructed.

Chain of Lakes Elementary can be built out to its capacity and this will benefit several overcapacity sites.

If we don't comply, DOE will

- reduce our lottery appropriations until we do comply.
- cannot apply for competitive state grant until compliance
- monthly reporting on what we are doing to be in compliance

Double sessions challenges:

- double transportation costs
- increased support staff costs (maintenance, technology, etc)
- students left at home alone (regardless of age)
 - savings: eliminated lunch cost
 - transportation would be a wash

Mrs. Wright asked for data on costs of double sessions vs savings.

Mr. Helton will provide data on sample schools for rezoning/double sessions, etc. at a future work session.

Information

Item 9

9. [School Advisory Council \(SAC\) Membership for 2010-11](#)

Attachment: [SAC District 5.pdf](#)

Attachment: [SAC District 2.pdf](#)

Attachment: [SAC District 6.pdf](#)

Attachment: [SAC district 7.pdf](#)

Attachment: [SAC District 3.pdf](#)

Attachment: [SAC District 1.pdf](#)

Attachment: [SAC District 4.pdf](#)

Minutes:

Mrs. Ferrer reported there are 8 schools that are not in compliance with the SAC 5% membership requirements.

Item 10

10. [2010 Security Equipment Project Grant Application](#)

Attachment: [Security Equipment Project 2010 - Board Summary Impact Statement.pdf](#)

Attachment: [Schools Prioritized for Emergency Equipment.pdf](#)

Item 11

11. [District Title I Parent Involvement Plan](#)

Attachment: [Parent Involvement Plan.pdf](#)

Adjournment

Work Session adjourned at 11:30 AM. Minutes were approved and attested this 11th day of January, 2011.

Kay Fields, Board Chair

Sherrie B. Nickell, Ed. D, Superintendent