

The District School Board of Indian River County met on August 9, 2016, at 6:00 p.m. The meeting was held in the Teacher Education Center located in the School District Office at the J.A. Thompson Administrative Center located at 6500 – 57th Street, Vero Beach, Florida 32967. District School Board Members attending were: Chairman Dale Simchick, Vice Chairman Shawn R. Frost, and Board Members: Matthew McCain, Claudia Jiménez, and Charles G. Searcy. Dr. Mark J. Rendell, Superintendent of Schools; and Suzanne D’Agresta, School Board Attorney, were also present. Prior to the meeting, an invocation was given by Rabbi Michael Birnholz from Temple Beth Shalom.

Business Meeting Minutes

- I. Meeting was called to order by Chairman Simchick.
 - II. Pledge of Allegiance to the Flag by Chairman Simchick
 - III. **ADOPTION OF ORDERS OF THE DAY**
Chairman Simchick asked Board Members if they had any items they wanted to move from Consent Agenda for discussion. Mr. Searcy requested to move Consent G, I, and K. Mr. Searcy moved approval of the Orders of the Day, moving Consent G, I, and K. Mr. McCain seconded the motion and it carried unanimously, with a 5-0 vote.
 - IV. **PRESENTATIONS**
No Presentations
 - V. **CITIZEN INPUT**
No requests.
 - VI. **CONSENT AGENDA**
Chairman Simchick called for a motion. Mr. McCain moved approval of the Consent Agenda, moving Consent G, I, and K. Ms. Jiménez seconded the motion. Board Member recognized donations received from Education Foundation of Indian River County and Community Credit Union; and thanked the members of the School Health Services Plan for their hard work. The Board voted unanimously in favor of the motion, with a 5-0 vote.
- A. Approval of Minutes – Dr. Rendell**
- 1. Superintendent Workshop held 7/26/2016
 - 2. Discussion Session held 7/26/2016
 - 3. Special Meeting, Public Hearing on Budget and Millage held 7/26/2016
 - 4. Business Meeting held 7/26/2016
Superintendent recommended approval.

B. Approval of Personnel Recommendations – Dr. Fritz

Attached was a list of personnel recommendations that included personnel additions, terminations, and/or changes. Superintendent recommended approval.

C. Approval of the 2016- 2017 Charter School Transportation Agreement – Dr. Fritz

Attached was the 2016-2017 Transportation Agreement with Indian River Charter High School to provide transportation, substitute bus drivers, and spare buses for students of the charter school. This agreement was for one year. The charter school agreed to reimburse the District for the actual costs associated with transporting students. Superintendent recommended approval.

D. Approval of Donations – Mr. Morrison

1. The Curriculum and Instruction Department received a donation in the amount of \$1,500 from the Education Foundation of Indian River County/VALIC for Professional Development. The funds would be utilized by Professional Development for training and meetings.
2. A donation in the amount of \$2,500 was received from the Community Credit Union. The funds would be used by Professional Development for training and meetings for new teachers.

Superintendent recommended approval.

E. Approval of Revision of Job Descriptions – Dr. Fritz

A number of District job descriptions listed the number of days for the position as “work days” when in fact the number of days denoted was the length of their calendar. For example, it may say “254 work days,” when that was inclusive of vacation days when the employee did not actually work. The Human Resources Department requested that the School Board authorize a correction to all job descriptions with this improper denotation, from “work days” to “calendar,” so that there was proper clarity on the work calendar. This did not change cost, pay rates, or the work days for employees. It was a correction needed to properly denote the obligation of employees. Upon authorization by the Board, this change would be made to all applicable descriptions. Superintendent recommended approval.

F. Approval to Dispose of Surplus Property – Mr. Morrison

This request was for approval to dispose of surplus property in accordance with Florida Statutes 274.05 and 274.06. The attached lists represented property to be deleted from various inventories and/or for items that had been declared surplus. After Board approval, property would be recycled and/or auctioned/sold. Superintendent recommended approval.

G. Approval of Grant Application for Title I, Part A, Improving the Academic Achievement of the Disadvantaged for 2016-2017 – Mrs. Dampier

Moved

H. Approval of Grant Application for Title I, Part C, Migrant Education Program for 2016-2017– Mrs. Dampier

The purpose of this program was to ensure that the educational needs of migrant children were identified and addressed. This program supported high-quality and comprehensive educational programs for migrant children in order to help reduce the educational disruptions and other education related problems that resulted from frequent moves. This program also attempted to ensure that migrant students who move between States were not put at a disadvantage because of disparities in curriculum, graduation requirements, content, and student academic achievement standards. The program promoted interstate and intrastate coordination of services for migrant children, including providing for educational continuity through the timely transfer of pertinent school records. FY 2016-2017 Allocation: \$55,778.00. Superintendent recommended approval.

I. Approval of Grant Application for Title II, Part A, Teacher and Principal Training and Recruiting Fund for 2016-2017 – Mrs. Dampier

Moved

J. Approval of Grant Application for Title III, Part A, English Language Acquisition, Language Enhancement and Academic Achievement Act for 2016-2017 – Mrs. Dampier

Funding Purpose/Priorities: To improve the education of English Language Learners (ELLs) by assisting them in learning English and meeting the challenging and rigorous state academic content and student academic achievement standards. FY 2016-2017 Allocation \$135,986.76. Superintendent recommended approval.

K. Approval of Grant Application for Individuals with Disabilities Education Act (IDEA) Part B for 2016-2017 – Mrs. Dampier

Moved

L. Approval of Indian River County School Health Services Plan for 2016-2018 – Mrs. Dampier

Section 381.0056, F.S., required each local Department of Health to develop, in collaboration with the Local School District and School Health Advisory Committee, a School Health Services Plan. This bi-annual plan was required under Chapter 64F-6.002, Florida Administrative Code (F.A.C.). The changes to the Local Implementation Strategies and Activities were incorporated based on Statutory and Program Standard Requirements. Superintendent recommended approval.

M. Approval of Student Transfer from Indian River County for 2016-2017 School Year– Mrs. Dampier

This was a request to attend school in St. Lucie County from Indian River County. All necessary documents had been received. Superintendent recommended approval.

N. Approval of Student Admissions for 2016-2017 School Year– Ms. Dampier

This was a request to attend schools in Indian River County from Brevard County and St. Lucie County. All necessary documents had been received. Superintendent recommended approval.

Items moved from Consent Agenda:

G. Approval of Grant Application for Title I, Part A, Improving the Academic Achievement of the Disadvantaged for 2016-2017 – Mrs. Dampier

Title I, Part A, was intended to help ensure that all children had the opportunity to obtain a high-quality education and reach proficiency on challenging State Academic Standards and Assessments. As the largest federal program supporting elementary and secondary education, Title I targeted these resources to the schools where the economic needs of students were the greatest. The 2016-2017 Title I schools were: Citrus Elementary, Dodgertown Elementary, Fellsmere Elementary, Glendale Elementary, Indian River Academy, Pelican Island Elementary, Treasure Coast Elementary, Vero Beach Elementary, Oslo Middle, Sebastian Elementary, and St. Peter’s Academy Charter Schools. All of the District’s Title I Schools operated a school-wide program to upgrade the entire educational program in the schools to improve the academic performance of all students, particularly the lowest-achieving students. FY 2016-2017 Allocation: \$4,675,551.00. Superintendent recommended approval.

Mrs. Dampier and Mrs. Blanco answered questions from the Board. Board Members talked about statistics, teacher experience, and history of the stipend for Title I teachers. It was noted that this would be a topic that could be discussed further at a Discussion Session, with data provided by staff. Chairman Simchick called for a motion. Mr. McCain moved approval of the grant application for Title I, Part A, Improving the Academic Achievement of the Disadvantaged for 2016-2017. Mr. Frost seconded the motion and it carried unanimously, with a 5-0 vote.

I. Approval of Grant Application for Title II, Part A, Teacher and Principal Training and Recruiting Fund for 2016-2017 – Mrs. Dampier

Local Educational Agencies (LEAs) and schools were held accountable for improvements in student academic achievement. Projects were intended to increase student academic achievement through strategies; such as, improving teacher and principal quality and increasing the number of highly-qualified teachers in the classroom and highly-qualified principals and assistant principals in schools. FY 2016-2017 Allocation: \$741,415.00. Superintendent recommended approval.

Mr. Searcy moved approval of the grant application for Title II, Part A, Teacher and Principal Training and Recruiting Fund for 2016-2017. Mr. McCain seconded the motion and it carried unanimously, with a 5-0 vote.

K. Approval of Grant Application for Individuals with Disabilities Education Act (IDEA) Part B for 2016-2017 – Mrs. Dampier

IDEA funds: (1) Must be expended in accordance with the applicable provisions of this part; (2) Must be used only to pay the excess costs of providing special education and related services to children with disabilities, consistent with paragraph (b) of this section; and (3) Must be used to supplement State, local, and other Federal funds and not to supplant those funds. FY 2016-17 Allocations: IDEA Part B, Preschool \$106,837.00 and IDEA Part B, Entitlement \$3,734,188.00. Superintendent recommended approval.

Ms. Sandford, ESE (Exceptional Student Education) spoke to the question on charter school allocation of funds. Mr. Searcy moved approval of the grant application for Individuals with Disabilities Education Act (IDEA) Part B for 2016-2017. Mr. Frost seconded the motion and it carried unanimously, with a 5-0 vote.

VII. ACTION AGENDA

A. Approval of Release of Final Payment to Pirtle Construction Company for the New Administration Complex (SDIRC 2014-22) – Mr. Morrison

Approval was recommended for release of final payment in the amount of \$83,248.70 to Pirtle Construction Company for the New Administration Complex Project (SDIRC 2014-22). On February 8, 2014, the Board approved preconstruction fees in the amount of \$116,710; on October 7, 2014, the Board approved the Guaranteed Maximum Price (GMP) for Phase I in the amount of \$1,117,629.00; and on November 5, 2014, the Board approved the Guaranteed Maximum Price (GMP) for Phase II in the amount of \$5,399,380.00 for a total project amount of \$6,633,719.00. The final construction cost for this project totaled \$6,531,298.33. The unused portion of the GMP, in the amount of \$102,420.67, was a savings to the District. Final payment for this project was being brought to the Board for approval in accordance with Florida Statute 1013.50. The final payment to the contractor consisted of the project retainage that was held until project completion. Superintendent recommended approval.

Mr. McCain moved approval of the release of final payment to Pirtle Construction Company for the new Administration Complex (SDIRC 2014-22). Ms. Jiménez seconded the motion. There was a discussion on the use of the word “savings” in the description. The Board voted unanimously in favor of the motion with a 5-0 vote.

B. Approval of Agreement Renewal between the East Coast Technical Assistance Center (ECTAC), Seminole County School Board, and the School Board of Indian River County for 2016-2017– Mrs. Dampier

The purpose of the East Coast Technical Assistance Center (ECTAC) was to provide technical assistance to a collaborative network of member School Districts regarding selective programs contained in the Elementary and Secondary Education Act (ESEA) and Every Student Succeeds Act (ESSA). The programs were: Title I Part A, Title I Part C, and other grant funded programs as they interacted with the Title I Program. ECTAC provided technical support and professional development that assisted local School Districts in their efforts to ensure that all children had a fair, equal, and significant opportunity to obtain a high-quality education while maintaining compliance with federal program requirements. ECTAC was a collaborative network comprised of 42 Florida School Districts. The ECTAC membership renewal fee was \$12,000 and Title I Part A funds were designated for ECTAC services. The agreement would be in effect through June 30, 2017. Superintendent recommended approval.

Mrs. Blanco spoke to the history. She highlighted the services provided and resulting clean audits and best practices recognition. Chairman Simchick called for a motion. Mr. McCain moved approval of the agreement renewal between the East Coast Technical Assistance Center (ECTAC), Seminole County School Board, and the School Board of Indian River County for 2016-2017. Mr. Frost seconded the motion. Board Members discussed the services. The Board voted unanimously in favor of the motion, with a 5-0 vote.

C. Approval of Superintendent’s Evaluation Tool, Goals, and Timeline for 2016-2017 – Chairman Simchick

On July 26, 2016, the Board discussed the goals and evaluation tool. Attached was the revised evaluation tool and goals. Also attached was the timeline that was in compliance with the Superintendent’s contract. Chairman recommended approval.

Chairman Simchick stated that the goals and rating legend points were added to the evaluation tool. She also noted that the rating description language was revised to be in line with the Superintendent’s contract language. Chairman Simchick called for a motion. Mr. Frost moved approval of the Superintendent’s evaluation tool, goals, and timeline for 2016-2017. Mr. McCain seconded the motion. Board Member noted that there were measurable outcomes for each of the five goals. The Board voted unanimously in favor of the motion, with a 5-0 vote.

VIII. SUPERINTENDENT'S REPORT

Dr. Rendell encouraged the public, parents, and staff to attend the free speaking engagement with the award-winning champion of public education and author of the highly acclaimed book, *Schools Cannot Do It Alone*, at Vero Beach High School's Performing Arts Center on Monday at 4 p.m. and a second time, same day, at 6 p.m. Dr. Rendell noted that tomorrow was the first day of school. He stated that Indian River Charter High School started on Monday. Dr. Rendell said that he would begin his day tomorrow by sending off buses at 5 a.m. at Sebastian River High School. He stated that teachers were back and the District was ready to begin the new school year.

IX. DISCUSSION

No discussion items

X. SCHOOL BOARD MEMBER MATTERS

Ms. Jiménez welcomed everyone back, including the District's Community Partners.

XI. INFORMATION AGENDA

No information items

XII. SUPERINTENDENT'S CLOSING

No closing remarks.

XIII. Conduct a Closed Session on Pending Litigation: Federal Court Desegregation Order and other Pending Litigation Matters

A. Estimated Duration of the Closed Session: 90 Minutes

B. Names of Those Who Attended the Closed Session were:

Dale Simchick, Chairman

Shawn R. Frost, Vice Chairman

Charles G. Searcy, Board Member

Claudia Jiménez, Board Member

Matthew McCain, Board Member

Mark J. Rendell, Ed.D., Superintendent of Schools

John W. Borkowski, Esq., HuschBlackwell, Litigation Counsel

Suzanne D'Agresta, Esq., School Board Attorney

Certified Court Reporter

Chairman Simchick recessed the meeting at 6:33 p.m. to discuss settlement negotiations or strategy related to litigation expenditures. (This session was recorded by a certified court reporter and was held in the Superintendent's Conference Room.)

XIV. Reopen Public Meeting

Chairman Simchick reconvened the business meeting at 9:04 p.m.

XV. Action Agenda

A. Possible Action on Federal Court Desegregation Order and other Pending Litigation Matters

Charter School Millage Dispute:

Mrs. D'Agresta stated that she had requested that the Board hire an expert witness to testify and to provide consulting services, with a budgetary cap not to exceed \$50,000, in regard to the litigation matter filed by the charter schools on the millage dispute. Mr. McCain moved approval to hire an expert witness regarding the charter schools millage dispute, with a budget not to exceed \$50,000. Mr. Searcy seconded the motion and it carried, with a 4-1 vote. Mr. Searcy, Mr. McCain, Ms. Jiménez, and Chairman Simchick voted in favor of the motion. Mr. Frost voted against the motion.

Federal Court Desegregation Order:

Mr. Frost moved approval to direct the Attorneys and Superintendent to prepare a proposed joint motion for partial unitary status. Mr. McCain seconded the motion and it carried unanimously, with a 5-0 vote.

Dr. Rendell stated that in regard to the analysis prepared by the firm of HuschBlackwell on the status of the District's Desegregation Order, there was a lot of data gathered with that analysis. He said that the data would be released to the NAACP for their purposes, by the end of the week.

XIII. ADJOURNMENT – Chairman Simchick

Meeting adjourned at approximately 9:06 p.m.