

THE SCHOOL BOARD OF MONROE COUNTY

Board Meeting Minutes

A.J. Henriquez Adm. Bldg.

May 28, 2009

*original meeting date was May 26th, 2009

PRESIDING: Andy Griffiths, Chair

PRESENT: Steven Pibransky; Duncan Mathewson; Debra Walker; John Dick; Randy Acevedo, Superintendent and School Board Attorney Richard Collins

CLOSED EXECUTIVE SESSION CONCERNING COLLABORATIVE BARGAINING – 2:30 PM

The Board met in a closed executive session and discussed collaborative bargaining. They returned to the dais at 3:30 pm.

WORKSHOP – IMMEDIATELY UPON CONCLUSION OF EXECUTIVE SESSION – Time Approx. 3:30 pm

1. Update on the Forensic Investigation – Mr. Richard Fechter presented the status of the investigation. The investigation is complete and has written a final report and submitted it to LT Lafferty and will mutually present it to the Board on June 9th. His report deals with four areas PCards, Adult Ed Cash Receipts and travel and hostile work environment. Mr. Pibransky questioned the cross use of pcards and this was brought forth on the final report with proper public purpose. Mr. Pibransky asked whether Mr. Fechter has discussed with Mr. Lafferty if any violation of policy that would rise to the level of termination. Mr. Fechter has not had that type of discussion with Mr. Lafferty. He will bring that point to Mr. Lafferty. Mr. Dick asked if charges are not approved by the supervisor how is the bank paid? Mr. Fechter stated that in the sampling there were instances of not receiving the entire package. Mr. Dick feels the public view should stop any attempt of fraud. Mr. Fechter suggested the district conduct random checking and sampling in the future. In the random sampling 8 came in from Ms. Acevedo none of which were different than what the Attorney General found. It happened because everyone assumed someone else was doing the review process and the type of review was different for each level. No one was taking accountability for substantive review; no policy and no training on how to do it. People were not afraid of who she was or her position Mr. Fechter stated. A natural feeling of worry but not well founded fear he stated. He did not find that fear of retaliation was a factor. Mr. Fechter did find instances of nepotism relating to working with family members. Mr. Dick asked about how many tools were at Marathon High School? Mr. Fechter did not know how many were supposed to be there. An inventory of the power tools would be a good idea. An assessment based on reasonable tests whatever is reasonable for that center. Mr. Fechter stated. He reviewed the cash receipts for adult education. His review of the cash receipts indicated that in 2000 they were marked as cash. There was no cash shortage in 2000. Mr. Dick asked Mr. Fechter if there were personnel changes in that period. Mr. Fechter did not look at that issue. Dr. Walker asked if cash was cash and not money orders and if they'd register as the same. The total shortfall over the 8 year period is estimated at about \$298,000.00. There were no policies and procedures in place for the receipt of funds by Adult Education and transfer of the funds to the finance department Mr. Fechter stated. He recommends cash receipts policies be implemented. Mr. Fechter met with representatives of the 2 travel agencies who did business with the district. One representative has not provided the documentation she stated

she'd provide. Her direct knowledge is probably limited. No refundable tickets were purchased at either agency. It was noted that tickets could be purchased and a credit be issued to the passenger not the credit card with no district tracking. There was no evidence of personal use of those credits. It would be a difficult area to police but suggested a boarding pass be submitted for reimbursements. Analysis of the HOB concession was done. The documentation provided was handed to the Auditor General for review if the Board so chooses. Mr. Dick spoke to Mr. Sanders and stated it would not be part of this year's audit. While he did not want to commit; Mr. Dick stated if Mr. Sanders see if they can do a preliminary audit with that. Mr. Dick got the impression there were findings there already. This will be in the audit next year. Mr. Fechter suggested hiring an outside consulting to review the plans and the costs. Mr. Dick is reluctant to bring in an outside consultant. Mr. Pribramsky asked Mr. Fechter about future assistance in determining liability over the administration of the grants in question. He suggested accruing a certain amount of money from the budget of operating expenses to give back the grant monies in question and not wait. According to Mr. Henriquez the findings are outlined with grants awarded to the district. Mr. Fechter was tasked with looking in to the personnel changes of 2001.

Mr. Collins' report will be added to June 2, 2009.

Review of agreements for Mr. Fechter as listed at the June 2, 2009 meeting.

Mr. Pribramsky would like to see NEOLA at a future meeting to discuss policies changes.

Discussion on Adult Education Budget and Proposed Organizational Chart, Budget Highlights and Budget Details - This item was not discussed and will be on the agenda for the June 2 meeting.

Discussion on Instructional Material, Mike Henriquez stated that the district has prepared the language arts adoption order. The question is whether there is money for them due to the FEFP roll. He needs the approval of the Board to move forward. This year's purchase is not for elementary materials at all. The secondary schools have been diligent to see what is necessary and what is not. He stated there is a skeleton order of \$285,000 for language arts. The math adoption will be next year. FEFP calculations would need to be used with the 09-10 money for the immediate order of the textbooks. He discussed the costs of renewals. Mr. Dick asked about consolidation of software and computer programs. Mr. Henriquez stated all schools are using the same materials and pacing guides are aligned. Dr. Walker reminded the Board that Florida had to meet federal mandates concerning the books. The board agreed to move forward with this adoption.

Responses to RFP on Harris School, Fred Sims provided an over view of the responses received by Mr. Peter Brawn and Carlisle Development. Four appraisals have been done since 2006. Mr. Dick would not entertain either offer. Dr. Walker suggested doing another appraisal if entertaining a sale. Mr. Skomp is representing Mr. Brawn with an all cash offer highlighted where they are on this proposal and with a possible closing date of 2 weeks with an agreeable sale price. He handed the Board a sheet on what the values are now. Mr. Pribramsky suggested a counter offer. Mr. Griffiths agreed.

Mr. Nailor and Mr. Ingraham with the Carsile Group highlighted their responses to the RFP. The respondents will be scheduled for a future meeting to discuss this further.

Response to Auditor General's Report and the District's Audit Response and District's Response with John Dick's inclusions. – Mr. Henriquez spoke regarding the federal programs finding #1. He understands the board's desire for transparency and feels the programs have been improved tremendously and have instituted certain changes already. The grants already come to the Board for approval. Mr. Dick explained what material weakness was in relation to the audit and stated a plethora of finding would be found on the evenstart grant if they were to go back to that. Linking the grants does not seem to be hard to do Mr. Dick stated. Mr. Pribramsky would to examine this from all sides. Mr. Griffiths is looking for the professional Internal Auditor to guide the Board with the appropriate oversight. The district will post grants. Mr. Dick discussed the changes he made to the audit response. Ms. Reitzel spoke about the audit report and spoke on her own perspective of what happened. Neither Mr. Collins nor Mr. Black have any objections to Mr. Dick's version of the response and there is no additional liability. The Federal Finding in response to federal funds and Item C were changed in Mr. Dick's version. By consensus; the Board agreed to Mr. Dick's version with release to Tallahassee for review. Mr. Collins will meet with Mr. Henriquez to work on procedure to implement the changes.

Sigsbee Charter Contract Discussion, Pedro Fraga highlighted the draft contract submitted by Sigsbee. They are asking for ownership of the facility and all assets transferred to them as is; the third piece is they are asking for leaves of absence for the teachers; Mr. Fraga will need board direction and will meet with legal to refine these points. Two minor points are that they are asking for interscholastic activities rights and required necessary certificates provided by the district to them. Dr. Walker would like to see this in a document format and linked in advance for further consideration. Mr. Dick believed that the Board's desire was to give it to them with a reverter. Dr. Walker had some reservations on that. Mr. Dick suggested basing the technology inventory based on student stations. The LOU is pending Captain Holmes' signature. Dr. Walker suggested that because of the Friend of the School status they could get a walk through.

Discussion on the Student Progression Plan - Graduation Ceremony – Mr. Acevedo briefed the Board on the plan concerning a parent's request for graduation ceremony. It would require board approval to change the SPP in order to allow the student to walk in graduation. Dr. Mathewson stated he believed the district was always doing their best in trying to integrate the students that fall in these categories. Mr. Pribramsky asked what school the transcripts state. This poses questions of compatibility between the different programs. Dr. Walker asked what other district's do in this regard. Due to miscommunication at the school level Mr. Griffiths suggested a waiver to allow the student to walk only as the student has purchased a gown and family has made arrangements to attend. Dr. Walker asked if that would be a violation of policy or statute. Mr. Pribramsky is bothered by the us and them. Dr. Walker stated a clear standard has to be made if deciding to revise the plan. Mr. Dick suggested amending a plan. Mr. Acevedo will reevaluate the plan and determine the waiver process. He will bring it back to the next meeting.

BUSINESS MEETING AGENDA – Time Certain 5:00 p.m.
CALLED TO ORDER

THOUGHT OF THE DAY

PLEDGE OF ALLEGIANCE

ADOPT AGENDA AND FORMAT

Upon the recommendation of the Superintendent,

Dr. Walker moved, Mr. Dick seconded that the Board adopt the agenda as amended.

Deletions:

#29 – Contract with W. Barnett, Inc. for asbestos survey for Marathon Manor. This will be brought back to the Board at the next meeting for consideration.

Move:

Expulsion Hearing Case No. 08-09-8S to Consent Item #43

Expulsion Hearing Case No. 08-09-9S to Consent Item #44

Motion passed without objection.

PULLED and MOVED TO ACTION:

20. Approve Renewal of a Three Year (3) Year Commercial Lease Providing Land to The Learning Center of Key West, Inc., a Not-For-Profit Provider of Child Day Care Services. Goal Area 5

26. Approve Contract with Y-Net for Networking/Technology Low Voltage Infrastructure Services. Goal Area 7

27. Approve Contract with Y-Net for Daily Webpage Maintenance of KeysSchools.com as well as Webmaster for All Teachers, and Filing the E-Rate Forms. Goal Area 7

34. Approve Annual Recommendation to Return on Annual Contract for 2009-2010 School Year. Goal Area 4

MINUTES:

Dr. Mathewson moved, Dr. Walker seconded that the Board approve Minutes for March 24, 2009; April 3, 2009; April 21, 2009; April 28, 2009; May 5, 2009; and May 12, 2009

Motion passed without objection

(Copy in SMB 47, page 281)

RECOGNITION

The following were recognized by the Board:

Outstanding Accomplishments

- a. Law Day Participants
- b. Laurie Oxley, Key West High School
- c. Glynn Archer Teachers

CONSENT AGENDA

Upon recommendation of the Superintendent,

Mr. Dick moved, Dr. Mathewson seconded the Board approve

1. Approve the Volunteers Throughout the District. Goal Area 4 (Copy in SMB 47, page 282)
2. Approve the Recommendations for Support Services Personnel Employed and Terminated for the 2008-2009 School Year. Goal Area 4 (Copy in SMB 47, page 283)
3. Approve Requests for Leave. Goal Area 4 (Copy in SMB 47, page 284)
4. Approve the Recommendations for Instructional Personnel Employed for the 2008-2009 School Year. Goal Area 4 (Copy in SMB 47, page 285)
5. Approve the Recommendations for Administrative Personnel Employed for the 2008-2009 School Year. Goal Area 4 (Copy in SMB 47, page 286)
6. Approve Bank Reconciliation for the months of April, 2009. Goal Area 8 (05/22/09 3:34) (Copy in SMB 47, page 287)
7. Approve Schedule of Investments for month ending April, 2009. Goal Area 8 (05/22/09 3:34) (Copy in SMB 47, page 288)
8. Approve Warrant Registers for the month of April, 2009. Goal Area 8 (05/22/09 3:34) (Copy in SMB 47, page 289)
9. Approve Overtime Report for month of April, 2009. Goal Area 8 (05/22/09 3:34) (Copy in SMB 47, page 290)
10. Approve Removal of Tangible Personal Property (TPP). Goal Area 8 (05/22/09 3:34) (Copy in SMB 47, page 291)
11. Approve Financial Statements for the Months of March and April 2009 for Big Pine Elementary Academy and March and April 2009 Montessori Elementary. (05/22/09 3:34) (Copy in SMB 47, page 292)
12. Approve Financial Statements for the Months of February and March 2009 for Treasure Village Montessori. Goal Area 8 (05/22/09 3:34) (UD05/26/09) (Copy in SMB 47, page 293)
13. Approve Minutes for February 9, 2009, February 20, 2009, March 9, 2009, March 30, 2009, and April 3, 2009 from Montessori Elementary Charter School. Goal Area 5 (Copy in SMB 47, page 294)
14. Approve Out of County Travel: A, B, C, D, E, F, G, H (05/22/09) Goal Area 5 (Copy in SMB 47, page 295)
15. Approve After the Fact Travel: A, B, C, D, E, F, G, H (05/27/09), I (05/27/09) Goal Area 5 (Copy in SMB 47, page 296)
16. Approve Contract and Award Bid No. 386 with US Water Services Corporation for Aerobic Sewage Treatment Plant Service . Goal Area 6 (Copy in SMB 47, page 297)
17. Approve to Renew Contract with Daniel Moving for Bid No. 371 for Moving Services. Goal Area 6. Mr. Dick asked that the Board be informed when used to do extensive jobs. Mr. Sims agreed to do so. (Copy in SMB 47, page 298)

18. Approve Contract and Award Bid No. 389 for Concrete, Sand, Rock & Fill to Bella Construction of the Keys, Inc. Goal Area 6 Mr. Dick asked that the Board be informed when used to do extensive jobs. Mr. Sims agreed to do so. (Copy in SMB 47, page 299)

19. Approve Contract Renewal with Tropex Construction Services for Bid No. 349 for Construction. Goal Area 6 Mr. Dick asked that the Board be informed when used to do extensive jobs. Mr. Sims agreed to do so. (Copy in SMB 47, page 300)

21. Approve Contract Addendum with Jeffry Hynes to Provide EMT Serving as Trainer for the Athletics Department at Coral Shores High School to Increase the Amount by \$4,000.00. Goal Area 5. (Copy in SMB 47, page 301)

22. Approve Contract for Exceptional Student Education Related Services for FY2010 with Bilingual School Psychologist, Naylet La Rochelle. Goal Area 5 (Copy in SMB 47, page 302)

23. Approve Renewal of Maintenance Agreement with Business Information Systems, Inc. for the Yearly Maintenance of the Board's Recording Device in the Amount of \$500.00. Goal Area 6 (Copy in SMB 47, page 303)

24. Approve the Interagency Agreement with Seminole County School District to Compile and Calculate Survey Statistics Required by the Agency for Health Care Administration to Participate in the School Medicaid Program. Goal Area 6 (Copy in SMB 47, page 304)

25. Approve Reducing the June 30, 2009 Payment to the Boys & Girls Club Flow Through Grant from the Florida Department of Education by \$827.00. Goal Area 2 (Copy in SMB 47, page 305)

28. Approve Contract with W. Barnett, Inc. for Permit Application and Site Plan for Fill Storage at Marathon Manor. Goal Area 6 (Copy in SMB 47, page 306)

30. Approve Interlocal Agreement with the Monroe County Sheriff's Department for Reimbursement in the amount of \$40,000.000 for Summer Recreation Program. Goal Area 5 (Copy in SMB 47, page 307)

31. Approve Annual AS/400 Consortium Contract in the amount of \$15,225.36. Goal Area 8 (Copy in SMB 47, page 308)

32. Approve Contract Addendum for the 08-09 contract period with Ombudsman Educational Services, Inc. to comply with the Boards 10% Reduction Request. Goal Area 8 (Copy in SMB 47, page 309)

33. Approve Annual Recommendation to Return on Coming into Professional Service Contract for the 2009-2010 School Year. Goal Area 4 (Copy in SMB 47, page 310)

35. Approve Annual Recommendation to Return on Continuing Contract for the 2009-2010 School Year. Goal Area 4 (Copy in SMB 47, page 311)

36. Approve Annual Recommendation to Return on Professional Services Contract for the 2009-2010 School Year. Goal Area 4 (Copy in SMB 47, page 312)

37. Approve Annual Recommendations to Return and Requesting Leave of Absence for the 2009-2010 School Year. Goal Area 4 (Copy in SMB 47, page 313)

38. Approve Annual Recommendation to Return and Resigning for the 2009-2010 School Year. Goal Area 4 (Copy in SMB 47, page 314)

39. Approve Annual Recommendation to Return and Retiring for the 2009-2010 School Year. Goal Area 4 (Copy in SMB 47, page 315)

40. Approve Annual Recommendation to Return from Leave for the 2009-2010 School Year. Goal Area 4 (Copy in SMB 47, page 316)

41. Approve Recommendations to Advertise/Fill Open Positions. Goal Area 4 (added 5/28/09) (Copy in SMB 47, page 317)

42. Approve Monthly Recommendations for Support Services Personnel Employed and Terminated for the 2008-2009 School Year Addendum. Goal Area 4 (added 5/28/09) (Copy in SMB 47, page 318)

CITIZEN INPUT

Capt Ed Davison spoke concerning the RFP response on Harris school and the administration building.
John Stiglitz spoke concerning the investigation and urged the Board to take this out of the press.
Mary Yea spoke concerning the cosmetology program.
Jennie Wolf provided a resolution from the Monroe County Education Foundation.

ACTION ITEMS

Superintendent Acevedo is not making any recommendation on items 1 and 2. They are simply there for informational purposes.

1. Approve Budget Amendments, Resolution No. 722. Goal Area 8
2. Approve Financial Statements for the Month of April 2009. Goal Area 8

Upon the recommendation of the Superintendent,

Dr. Mathewson moved, Dr. Walker seconded the Board approve

Approve Contract with BRPH for Architectural Engineering Services for Plantation Key School.

The Board is not obligating itself to any charges until such time that work begins. A vote to approve moves the process along but does not lock the district into expenditures. Mr. Sims stated that once the contract is signed they'd considering the same addendum that was done at HOB. Mr. Pribramsky is fine with this if we have the protection. Mr. Sims stated we are not moving ahead with any charges.

Motion passed without objection.

(Copy in SMB 47, page 319)

Upon the recommendation of the Superintendent,

Mr. Dick moved, Mr. Pribramsky seconded the Board approve

Approve Settlement in the Wilkoff v. Monroe County School District case. Goal Area 8

Motion passed without objection.

(Copy in SMB 47, page 320)

Ynet Low voltage – Mr. St. James recapped what they would be doing for the district. The technicians and maintenance personnel are not able to provide this service. This contract is less than next year. Mr. Dick wanted to know if we can train someone to do. Mr. Pribramsky would like to put it out for Bid to allow for a Monroe county company to do it. There is no one in Monroe County certified to do the entire package Mr. St. James stated. Dr. Mathewson believes this is the best available option even though he would like a bid and see someone local but does not believe that would be possible. It was the consensus of the Board to put it out for bid.

Upon the recommendation of the Superintendent,

Mr. Dick moved, Mr. Pribramsky seconded the Board approve

Ynet – webpage – Mr. Dick voiced concern over the costs. He discussed the Erate. Mr. St. James invited Mr. Dick to sit with him to do an Erate filing. There are 21 blackberries on the erate. Almost \$800,000 in rebates have come back to the district. This contract was reduced. Mr. Pribramsky would like to see it go out for bid. The roll was called for a vote.

ROLL CALL

MR. DICK	NO
DR. MATHEWSON	YES
MR. PRIBRAMSKY	NO
DR. WALKER	YES
MR. GRIFFITHS	YES

Motion passed.

(Copy in SMB 47, page 321)

Upon the recommendation of the Superintendent,

Mr. Dick moved, Mr. Pribramsky seconded the Board approve

34. Approve Annual Recommendation to Return on Annual Contract for 2009-2010 School Year.
Goal Area 4 Mr. Dick stated that positions are eliminated that should not have been. Mr. Pribramsky questioned whether the non-renewal of positions is politically motivated.

ROLL CALL

MR. DICK	NO
DR. MATHEWSON	YES
MR. PRIBRAMSKY	YES
DR. WALKER	YES
MR. GRIFFITHS	YES

Motion passed.

(Copy in SMB 47, page 322)

Upon the recommendation of the Superintendent,
Mr. Pribramsky moved, Mr. Dick seconded the Board approve

20. Approve Renewal of a Three Year (3) Year Commercial Lease Providing Land to The Learning Center of Key West, Inc., a Not-For-Profit Provider of Child Day Care Services. Goal Area 5
Mr. Pribramsky asked about a kick out clause. It was stated that it would not be an issue.

Motion passed without objection.
(Copy in SMB 47, page 323)

ADJOURNMENT

There being no further business, the Chair adjourned the meeting.

Andy Griffiths
Andy Griffiths, Chair

Randy Acevedo, Superintendent

Mike Henriquez
Michael J. Henriquez, Acting Superintendent 6/23/09