

The Indian River County District School Board met on Tuesday, May 22, 2012, at 6:00 p.m. The business meeting was held in the Teacher Education Center located at the J.A. Thompson Administrative Center, 1990 25th Street, Vero Beach, Florida. School Board Members attending were: Chairman Jeff Pegler, Vice Chairman Carol Johnson, and Board Members: Matthew McCain, Karen Disney-Brombach, and Claudia Jiménez. Dr. Frances J. Adams, Superintendent of Schools, and School Board Attorney Suzanne D'Agresta were also present.

Business Meeting

- I Meeting was called to order by Chairman Pegler
- II. Invocation was given by Rev/Doctor Tom H. Harris IV, First Presbyterian Church.

Chairman Pegler called for a moment of silence in memory of Michael Ostrower, a 15-year, ESE Teacher, at Gifford Middle School; and condolences for his family, his wife Lisa, who is a Teacher at Rosewood Magnet School, and for his children, Megan and Ben.

- III. PLEDGE OF ALLEGIANCE TO THE FLAG AND PRESENTATION OF COLORS
BY: Sebastian River High School's Naval Junior ROTC under the direction of James R. O'Neal, MGySgt, USMC(Ret)
- IV. ADOPTION OF AGENDA
Chairman Pegler called for a motion. Mrs. Johnson moved approval of the Orders of the Day with the elimination of Presentation B and Consent C. item 14. Ms. Jiménez seconded the motion and it carried unanimously, with a 5-0 vote.

V. PRESENTATIONS

A. Recognize Judge Kanarek, and School District Hearing Officers – Dr. Adams

Dr. Adams introduced Melinda Gielow, Director of Student Services, who would be retiring the end of this year. She thanked her for her years of service to the students of Indian River County. Mrs. Gielow talked about the history of the Truancy Court K-6 Attendance Program. The School Board and Superintendent recognized Judge Kanarek, Adam Chrzan, Esq., Kris Duer, Esq., and Debra Fromang, Esq., who continued to volunteer their services.

B. Recognize Winners of Bus Safety Poster Contest – Mrs. Lannon. (Rescheduled for June 12, 2012)

**C. Recognize Vero Beach High School's Girls' Lacrosse State Champions
– Dr. Adams**

The School Board and Superintendent recognized Coach Shannon Dean, Assistant Principal David Erickson, Assistant Principal Greg Ahrens (Athletics Coordinator), Athletic Director Lenny Jankowski, and the Girls' Lacrosse State Championship Team Players as follows:

Seven Straight State Champions

Team Members

Meredith Baker
Alexandra Biedenharn
Brianna Blum
Gabriella Darcangelo
Logan Eisinger
Gracee Hendrix
Megan Kroh
Emily Long
Olivia Long
Ashley MacIntyre
Allison McDonough
Caitlyn Miller
Allison Modica
Alexis Moirano
Sydney Murphy
Katharina Nevsimal-Ricci
Hannah Palau
Hannah Pridemore
Mary Katherine Pridemore
Abigail Sarnoski
Lucy Sexton
Abigail Shields
Mackenzie Smith

Head Coach

Shannon Dean

Assistant Coaches

Carrie Niño
Lacey Vatland
Megan Vatland
Amanda Wilton

VI. CITIZEN INPUT

Luke Flynt requested to speak on School Board Policy 1.23.
Beth Weatherstone request to speak on School Board Policy 3.40.

VII. CONSENT AGENDA

Chairman Pegler called for a motion. Mrs. Johnson moved the adoption of the Consent Agenda, with the elimination of Consent C. item 14. Ms. Jiménez seconded the motion and it carried unanimously, with a 5-0 vote.

A. Approval of Hearing Officer's Recommendation – Dr. Adams

It was recommended that the District School Board accept the Hearing Officer's Findings of Fact, Conclusions of Law, and recommendations in regard to Hearing Number 10-35 and 11-152. Superintendent recommended approval.

B. Approval of Minutes – Dr. Adams

1. Budget Workshop Session 3 held 5/8/2012
2. Round Table Discussion held 5/8/2012
3. Vacation and Sick Policies Workshop held 5/8/2012
4. Regular Business Meeting held 5/8/2012

Superintendent recommended approval.

C. Approval of Personnel Recommendations – Mrs. Lannon

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

D. Approval of Donations – Mr. Morrison

Sebastian River High School received a donation in the amount of \$2,000 from Wal-Mart. The funds were to be used for transportation, meals, equipment, banquet, and supplies for the Sebastian River High School Football team. Superintendent recommended approval.

E. 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. Superintendent recommended approval.

F. Approval of Renewal of Transportation Service Agreement with Boys and Girls Clubs of Indian River County (B&GCIRC) for 2012-2013 – Mrs. Lannon

Attached was the renewal of the Transportation Agreement with the Boys & Girls Clubs of Indian River (B&GCIRC) for 2012-2013. This agreement was to provide transportation for a one-year period from July 1, 2012, to June 30, 2013, and would allow the Boys and Girls Clubs of Indian River to use the District's Transportation Services from designated pick-up locations to sites in Indian River County for Boys and Girls Clubs of Indian River sponsored programs. No cost to the District. Superintendent recommended approval.

G. Approval of Renewal of Transportation Service Agreement with the First United Methodist Church (FUMC) for 2012-2013 – Mrs. Lannon

Attached was the renewal of Transportation Agreement with the First United Methodist Church for 2012-2013. This agreement was to provide transportation services for their 2012 summer program. There would be no cost to the School District. Superintendent recommended approval.

H. Approval of Renewal of Transportation Service Agreement with the Environmental Learning Center (ELC) for 2012-2013 – Mrs. Lannon

Attached was the renewal of Transportation Agreement with the Environmental Learning Center (ELC) for 2012-2013. This agreement was to provide transportation for a one-year period from July 1, 2012, to June 30, 2013, and would allow the ELC to use the School District's Transportation Services from designated pick-up locations to sites in Indian River County Environmental Learning Center sponsored programs. No cost to the District. Superintendent recommended approval.

I. Approval of Renewal of Transportation Service Agreement with the Dasie Bridgewater Hope Center, Inc. (DHC) for 2012-2013 – Mrs. Lannon

Attached was the renewal of Transportation Agreement with the Dasie Bridgewater Hope Center Inc. (DHC) for 2012-2013. This agreement was to provide transportation for a one year period from July 1, 2012, to June 30, 2013, and would allow the DHC to use the School District's Transportation Services from designated pick-up locations to sites in Indian River County for Dasie Bridgewater Hope Center, Inc., sponsored programs. No cost to the District. Superintendent recommended approval.

J. Approval of Out of County Student Admissions – Mrs. D'Albora

Parents have requested permission for their children to attend schools in Indian River County. The approved out of county requests signed by the principals of the requested schools and release letters from the students' home counties were attached. Of the seven students, five were currently attending schools in the District. Three were children of employees. There were two new students requesting to attend schools in Indian River County. Superintendent recommended approval.

K. Approval of Students Leaving Indian River County Schools – Mrs. D'Albora

Parents resided in Indian River County and were requesting permission for their children (eleven students) to attend schools in Brevard County and St. Lucie County for the 2012-2013 school year. Superintendent recommended approval.

L. Approval of Sebastian River High School's Boys and Girls Rowing Team Participation in Scholastic Nationals in Philadelphia, PA – Mrs. D'Albora

Principal Gilbertson announced that the Boys and Girls Rowing Teams earned a berth at the Rowing Scholastic Nationals in Philadelphia, PA. He was honored to have them represent Sebastian River High School and the School District of Indian River County. The competition would be held on

Thursday, May 24, 2012. Students would return on Sunday, May 27, 2012. There was no cost to the District. Superintendent recommended approval.

M. Approval of Sebastian River High School's Rugby Team Participation in South East Regional Championship in Kennesaw, GA – Mrs. D'Albora

Principal Gilbertson announced that their Rugby Team earned the right to compete in the South East Regional Championship competition at Kennesaw State University in Kennesaw, Georgia. He was honored to have them represent Sebastian River High School and the School District of Indian River County. The competition would be held on May 18, 2012, through May 21, 2012. Superintendent recommended approval.

VIII. ACTION AGENDA

A. Approval of the Construction Management at Risk Contract with Pirtle Construction Company for the Fellsmere Elementary Renovations/Expansion Project (2012-11) – Mr. Morrison

Approval was recommended for the Construction Management at Risk (CMAR) Contract between the School District of Indian River County and Pirtle Construction Company for the Fellsmere Elementary Renovations/Expansion Project #2012-11. This project would consist of renovations to enlarge the existing cafeteria and construction of additional classrooms. The Overhead and Profit percentage was negotiated between the contractor and the District Negotiation Team on May 9, 2012. Upon Board approval of this contract, negotiations between the contractor and the District Negotiation Team would begin to establish a Guaranteed Maximum Price (GMP) for the project. The final GMP would then be submitted for Board Approval. Superintendent recommended approval.

Mr. Morrison spoke of the revision made to the name of the company from Pirtle Construction/Pinnacle Construction of the Treasure Coast LLC to Pirtle Construction Company. Chairman Pegler called for a motion. Mrs. Disney-Brombach moved approval of the construction management at risk contract with Pirtle Construction Company. Mr. McCain seconded the motion. Board Members discussed the item. Mrs. D'Agresta addressed the issue and stated that it was clear that the responding company was Pirtle Construction Company. With no further discussion, the Board voted in favor of the motion, with a 4-1 vote. Mrs. Johnson, Mrs. Disney-Brombach, Ms. Jiménez, and Mr. McCain voted in favor of the motion. Chairman Pegler voted against the motion.

B. Approval of Donation to the School District of Property Located in Gifford – Mr. Morrison

Approval was recommended for the donation of a .89 acre parcel of property located at 2700 47th Street in Gifford, just north of the Gifford Alternative Education School. An Appraisal was conducted and the parcel was estimated to have a market value of \$15,000. A Phase I Environmental Site Assessment was also performed. The summaries of both the appraisal and the Environmental Site Assessment were attached. At their scheduled meeting On May 1, 2012, the School Board's Land Use and Acquisition Committee recommended the land donation be accepted by the School Board. Superintendent recommended approval.

Chairman Pegler called for a motion. Mrs. Johnson moved approval of the donation to the School District of property located in Gifford. Mrs. Disney-Brombach seconded the motion. Board Members discussed the property. Mr. Morrison stated that the cost for Phase I was \$1,600 and the property appraisal cost was \$500.00. The Board voted unanimously in favor of the motion, with a 5-0 vote.

C. Approval of Release of Final Payment to Proctor Construction Company for Middle School BB (Storm Grove) Project (2007-35) – Mr. Morrison

Approval was recommended for the release of final payment in the amount of \$26,495.23 to Proctor Construction Company for the completion of the Middle School BB (Storm Grove) Project (#2007-35). On January 8, 2008, the Board approved the Guaranteed Maximum Price (GMP) for this project in the amount of \$45,645,106; with the final construction cost for this project totaling \$38,207,271.89. The original approved GMP included \$37,645,106 for construction of the new school and an estimated \$8,000,000 for the Road and Bridge Improvements. The contract sum was later reduced to \$39,064,648.29, when the costs for the Road and Bridge Improvements were finalized. The unused portion of the GMP, in the amount of \$857,376.40, was a savings to the District. In addition, Indian River County reimbursed the School District \$553,419.40 for half of the Road and Bridge Improvement construction fees associated with this project. Final payment of this project was being brought to the Board for approval in accordance with Florida Statute 1013.50. Superintendent recommended approval.

Chairman Pegler called for a motion. Ms. Jiménez moved approval of the release of final payment to Proctor Construction Company for Middle School BB (Storm Grove Middle School) project 2007-35. Mrs. Johnson seconded the motion and it carried unanimously, with a 5-0 vote.

D. Approval of Emergency Item for the Rental of Chiller for Vero Beach High School –Mr. Morrison

A rental agreement was entered into on an emergency basis due to a catastrophic failure of the 450-ton chiller at Vero Beach High School which took place approximately April 1. It was necessary to continue with this emergency rental agreement on a month to month basis until a replacement chiller had been installed. The cost of the first month rental was \$10,230. The cost of each additional month was \$8,400 and this rental would continue through the summer months even though school was out to prevent air quality and mold issues. The District had presented the information regarding the failure to the District insurance provider in an attempt to be reimbursed under the boiler and HVAC policy. This request was for approval of the continuation of this rental agreement as per Board Policy 7.10 (L) Emergency Bids. Superintendent recommended approval.

Mr. Morrison provided pictures of the damage to the chiller. He reported that the District's insurance carrier would help cover the cost of the equipment rental and replacement of the part in the amount of \$100,269.50. Mr. Morrison said that the purpose of this item was to approve the emergency rental. Chairman Pegler called for a motion. Mrs. Disney-Brombach moved approval of the emergency rental of the chiller for Vero Beach High School. Mr. McCain seconded the motion. Board Members spoke to the issue. Mr. Morrison reported that the insurance proceeds were expected to cover twelve weeks of rental, with approximately \$80,000 to replace the chiller component that was damaged. Board Members voted unanimously in favor of the motion, with a 5-0 vote.

Note: Mr. Morrison, after double checking the insurance settlement statement from the insurance company, stated in the Friday Update that the amount represented the repair of the chiller, two service calls, replacement of a broken valve, and seven weeks of rental, less deductible.

E. Public Hearing for Adoption of School Board Policy 3.04 Employment Requirements for Administrative and Instructional Personnel – Dr. Adams

On April 10, 2012, the District School Board moved approval to set the Public Hearing date in order to move forward with the adoption process. The proposed policy revisions addressed the probationary annual contract that was effective July 1, 2011. The proposed revisions also served to delete two paragraphs from the instructional staff section of the policy that were worded to apply to administrative staff and were already contained in the administrative staff section of the policy. The policy change process was followed in accordance with Florida Administrative Procedures Act, Statute

Statutes, and School Board Policy #1.06. Superintendent recommended approval.

Public Hearing

Chairman Pegler asked the Superintendent if the Public Hearing was properly advertised in accordance with State Statutes. Dr. Adams said, "Yes." Chairman Pegler recessed the meeting to conduct the Public Hearing.

Chairman Pegler announced that the Public Hearing was in session. He asked Dr. Adams if there were any written responses to be read. Dr. Adams said, "No." The public was invited to address this issue.

Hearing no requests to speak, Chairman Pegler announced that the Public Hearing was conducted pursuant to notice and that ample opportunity to address this issue was provided to all. The Board meeting was reconvened.

Chairman Pegler called for a motion. Mrs. Johnson moved approval of the adoption of School Board Policy 3.04 Employment Requirements for Administrative and Instructional Personnel. Mr. McCain seconded the motion and it carried unanimously, with a 5-0 vote.

F. Public Hearing for Adoption of School Board Policy 3.07 Non-Degree, Career and Technical, and Part Time Adult Educational Instructional Personnel – Dr. Adams

On April 10, 2012, the District School Board moved approval to set the Public Hearing date in order to move forward with the adoption process. The proposed policy revisions served to implement the annual contract statutory requirements for non-degreed career and technical program employees. The revisions also deleted professional service contracts for this category of employee. The proposed revisions broadened the application of the Adult Education instructional personnel section so that the section would now cover part-time and full-time employees. The policy change process was followed in accordance with Florida Administrative Procedures Act, Statute Statutes, and School Board Policy #1.06. Superintendent recommended approval.

Public Hearing

Chairman Pegler asked the Superintendent if the Public Hearing was properly advertised in accordance with State Statutes. Dr. Adams said, "Yes." Chairman Pegler recessed the meeting to conduct the Public Hearing.

Chairman Pegler announced that the Public Hearing was in session. He asked Dr. Adams if there were any written responses to be read. Dr. Adams said, "No." The public was invited to address this issue.

Hearing no requests to speak, Chairman Pegler announced that the Public Hearing was conducted pursuant to notice and that ample opportunity to address this issue was provided to all. The Board meeting was reconvened.

Chairman Pegler called for a motion. Mrs. Disney-Brombach moved approval of the adoption of School Board Policy 3.07 Non-Degree, Career and Technical, and Part Time Adult Educational Instructional Personnel. Mrs. Johnson seconded the motion and it carried unanimously, with a 5-0 vote.

G. Public Hearing for Adoption of School Board Policy 3.14 Contracts for Instructional Personnel – Dr. Adams

On April 10, 2012, the District School Board moved approval to set the Public Hearing date in order to move forward with the adoption process. This proposed policy revision addressed professional service contracts no longer being issued in the State of Florida. The policy change process was followed in accordance with Florida Administrative Procedures Act, Statute Statutes, and School Board Policy #1.06. Superintendent recommended approval.

Public Hearing

Chairman Pegler asked the Superintendent if the Public Hearing was properly advertised in accordance with State Statutes. Dr. Adams said, "Yes." Chairman Pegler recessed the meeting to conduct the Public Hearing.

Chairman Pegler announced that the Public Hearing was in session. He asked Dr. Adams if there were any written responses to be read. Dr. Adams said, "No." The public was invited to address this issue.

Hearing no requests to speak, Chairman Pegler announced that the Public Hearing was conducted pursuant to notice and that ample opportunity to address this issue was provided to all. The Board meeting was reconvened.

Chairman Pegler called for a motion. Mrs. Disney-Brombach moved approval of the adoption of School Board Policy 3.14 Contracts for Instructional Personnel. Mr. McCain seconded the motion and it carried unanimously, with a 5-0 vote.

H. Public Hearing for Adoption of School Board Policy 3.40 Personnel Evaluation – Dr. Adams

On April 10, 2012, the District School Board moved approval to set the Public Hearing date in order to move forward with the adoption process. This proposed policy revision was to delete paragraph "C" as it would not be possible for the Superintendent or other administrator to prepare a final evaluation for an employee who left the school system prior to the end of a school year, as the relevant data would not have been collected for that employee in order to complete the final evaluation. The policy change

process was followed in accordance with Florida Administrative Procedures Act, Statute Statutes, and School Board Policy #1.06. Superintendent recommended approval.

Public Hearing

Chairman Pegler asked the Superintendent if the Public Hearing was properly advertised in accordance with State Statutes. Dr. Adams said, "Yes." Chairman Pegler recessed the meeting to conduct the Public Hearing.

Chairman Pegler announced that the Public Hearing was in session. He asked Dr. Adams if there were any written responses to be read. Dr. Adams said, "No." The public was invited to address this issue.

Beth Weatherstone requested to speak.

Hearing no further requests to speak, Chairman Pegler announced that the Public Hearing was conducted pursuant to notice and that ample opportunity to address this issue was provided to all. The Board meeting was reconvened.

Chairman Pegler called for a motion. Mrs. Johnson moved approval of the adoption of School Board Policy 3.40 Personnel Evaluation. Ms. Jiménez seconded the motion. Board Members discussed the policy. Dr. Adams stated that she would not be opposed to saying that if the employee completed the school year, a final evaluation would be possible. Board Members discussed the issue at length. Mrs. Johnson moved to postpone the vote on Policy 3.40 to a date certain, July 24, 2012. Mrs. Disney-Brombach seconded the motion and it carried unanimously, with a 5-0 vote.

I. Approval of Ratification of 2011-2012 Addendum to 2009-2012 Indian River County Education Association (IRCEA) Collective Bargaining Agreement and Memorandum of Understanding concerning the Health Insurance Benefits and Costs – Mrs. Lannon

The members of the IRCEA Bargaining Unit ratified the attached 2011-2012 Addendum to the 2009-2012 IRCEA Collective Bargaining Agreement and Memorandum of Understanding concerning Health Insurance Benefits and Costs on May 14, 2012. Superintendent recommended approval.

Chairman Pegler called for a motion. Mr. McCain moved approval of the ratification of 2011-2012 Addendum to 2009-2012 Indian River County Education Association (IRCEA) Collective Bargaining Agreement and Memorandum of Understanding concerning the Health Insurance Benefits and Costs. Mrs. Disney-Brombach seconded the motion and it carried unanimously, with a 5-0 vote.

IX. SUPERINTENDENT'S REPORT

Dr. Adams reported that due to weather conditions in the south county, there were some delays but no reports of any problems. In regard to the dedication of the Administrative Building, to the "J.A. Thompson Administrative Center", Mr. Thompson's granddaughter wrote a note of appreciation on behalf of the Thompson family. Dr. Adams spoke of the Indian River Charter High School's graduation; at which, Mrs. Disney-Brombach's daughter, Caroline, was one of the graduates. Dr. Adams spoke of the upcoming graduations.

X. DISCUSSION

Mrs. Disney-Brombach talked about the discussions that the Board had in regard to the upcoming millage referendum that would be on the August ballot for the continuation of critical needs and the ending of the bond referendum millage. Mr. Morrison stated that the .6 millage was not an additional millage; it was a continuation of what the District currently received. For the record, the District would be sharing a portion of the .6 millage with the charter schools if approved by the voters. Mrs. D'Albora explained the urgency of funding for digital-learning, in the form of unfunded mandates that would go into effective in 2014.

Chairman Pegler distributed to the Board a copy of the Resolution from the School Board of Palm Beach County in regard to high-stakes testing. He read the first page of the Resolution and asked the Board if they would be interested in adopting the same Resolution. After discussing the issue, Board Members requested that this issue be placed on the June 12 Round Table Discussion in order to work on a Resolution specific to Indian River County.

Ms. Jiménez asked the Board if they would be interested in having a presentation by Dr. Robinson on Mental Health Trends. This information would enable the Board to provide essential services to students. After discussing the issue, the Board agreed that a workshop would be beneficial.

Ms. Jiménez spoke of the new FCAT Writes scores that should be used as a baseline because of the change in rigor. She talked about the miscommunication from the media to the public that demoralized teachers and students. Ms. Jiménez talked about the Education Foundation's Showcase of programs provided by District schools through community partnerships that should be emphasized by the Press. She expressed how proud she was of our District and our Community. She encouraged the public to contact School Board Members.

XI. SCHOOL BOARD MEMBER MATTERS – Chairman Pegler

Mrs. Disney-Brombach reported on the KAPS Upward Bound Graduation, Scholarship Program at Indian River State College. She also reported on the Parents Involved in Education Awards, and the Liberty Magnet School graduation.

Mrs. Johnson reported on D.A.R.E. graduations. She stated that at least one School Board Member would try to attend all graduations and award events. Mrs. Johnson talked about the walk-through at the new Vero Beach Elementary School.

Chairman Pegler congratulated Mrs. Disney-Brombach on her daughter's graduation from Indian River Charter High School.

XII. INFORMATION AGENDA

No items.

XIII. SUPERINTENDENT'S CLOSING

Dr. Adams reported that there was inappropriate content within this year's Vero Beach High School Yearbook. She said that our expectation was that we do better next year to honor the history of the educational experience. Dr. Adams also reported on the historic, 50% dramatic drop in the high-stakes FCAT Reading scores. She stated that the problem was not with the teachers or the students but the responsibility of the State to do a thorough analysis as its validity and accountability were at stake. Dr. Adams said that it was time for re-examination and reflection of the Florida accountability system because this was completely unacceptable.

Ms. Jiménez talked about the recent article on Dr. Adams in the newspaper regarding Leaders on the Treasure Coast. She thanked Dr. Adams for her leadership and visibility in the community.

Chairman Pegler noted that Dr. Adams was the Vice Chairman of the Indian River County Executive Council. He mentioned a speech that she gave, as Vice Chairman, on Saturday at the Charter High School Graduation.

XIV. ADJOURNMENT – Chairman Pegler

With no further business, the meeting adjourned at approximately 7:55 p.m.