

MINUTES OF THE SCHOOL BOARD AUDIT COMMITTEE¹
OF MIAMI-DADE COUNTY PUBLIC SCHOOLS
June 28, 2011

The School Board Audit Committee (AC) met on Tuesday, June 28, 2011 in the School Board Administration Building, Conference Room 916, at 1450 N.E. Second Avenue, Miami, Florida.

Members Present:

Voting:

Mr. Frederick F. Thornburg, Esq., Chair
Dr. Lawrence Feldman, School Board Vice Chair
Ms. Susan Marie Kairalla
Mr. Willie Kemp
Mr. Jose I. Rasco, CPA
Mr. Isaac Salver, CPA
Mr. Roland Sanchez-Medina, Esq.

Members Absent:

Ms. Wendy Lobos
Mr. Mayowa Odusanya, Esq.
Mr. Jeffrey B. Shapiro, Esq., Vice Chair

Non-Voting:

Dr. Richard H. Hinds, Associate Supt./CFO
Mr. Jose F. Montes de Oca, CPA, Chief Auditor

Call to Order

The AC Chair Frederick Thornburg called the meeting to order at 12:37 p.m. and warmly welcomed everyone in attendance.

Mr. Thornburg informed the Committee that Item #8, will be deferred to the next scheduled meeting because the flight for Mr. Costello, KPMG representative, had been cancelled and hence he could not attend the meeting as planned. He also asked Chief Auditor Montes de Oca to introduced Mr. Kyle Nelson and Ms. Shaina Rodriguez who are completing their Masters' Degree in accounting and are interning in the Office of Management and Compliance Audits for the summer.

Thereafter, Mr. Thornburg asked for a moment of reflection for the victims of the floods in Minnesota.

¹ The Audit Committee's name was changed to Audit and Budget Advisory Committee effective July 1, 2011.

1. Introductions

Mr. Thornburg requested everyone in attendance to introduce themselves. The following persons were present:

Ms. Perla Tabares Hantman, School Board Chair	Mr. Jon Goodman, Director
Ms. Raquel Regalado, School Board Member	Ms. Tamara Wain, Director
Mr. Alberto M. Carvalho, Superintendent of Schools	Mr. Luis Baluja, Supervisor
Mr. Walter J. Harvey, Esq., School Board Attorney	Mr. James O'Donnell, ITS
Mr. Freddie Woodson, Deputy Superintendent	Ms. Raquel Alexander, Administrative Assistant
Dr. Magaly Abrahante, Assistant Superintendent	Ms. Maria E. Delgado, Administrative Assistant
Dr. Helen Blanch, Assistant Superintendent	Ms. Jackie Fals, Administrative Assistant
Mr. Carl Nicoleau, Assistant Superintendent	Ms. Viviana Jordan, Administrative Assistant
Dr. Dan Tosado, Assistant Superintendent	Mr. Blake Juste, Administrative Assistant
Ms. Connie Pou, Controller	Ms. Ana Lara, Administrative Assistant
Ms. Daisy Naya, Assistant Controller	Ms. Marisol Perez, Administrative Assistant
Ms. Maria T. Gonzalez, Asst. Chief, School Audits	Ms. Nicole Rapanos, Administrative Assistant
Mr. Julio C. Miranda, Asst. Chief, Investigative Affairs	Ms. Dalia Rosales, Administrative Assistant
Mr. Trevor L. Williams, Asst. Chief, Oper. & Perf. Audits	Ms. Natalie French, Intern Ms. Regalado's Office
Ms. Silvia R. Rojas, Treasurer	Ms. Liana Tommasi, Administrative Assistant
Mr. Jose Dotres, Region Superintendent	Ms. Bertha Valcarcel, Administrative Assistant
Dr. Melanie Fox, Administrative Director	Ms. Lourdes Amaya, Administrative Aide
Ms. Cynthia Gracia, Administrative Director	Ms. Elsie Berrios-Montijo, Administrative Secretary
Dr. Janice Cruse-Sanchez, Administrative Director	Ms. Lucila Gonzalez, Administrative Secretary
Mr. Albert Payne, Administrative Director	Mr. Kyle Nelson, Intern, OM&CA
Ms. Tiffanie Pauline, Administrative Director	Ms. Shaina Rodriguez, Intern, OM&CA
Ms. Karen Spigler, Administrative Director	Mr. Dan Ricker, Publisher and Editor
Mr. Barry Meltz, District Director	Mr. Scott Hiaasen, Miami Herald
Dr. Ana M. Rasco, Administrative Director	Ms. Patra Liu, Assistant Inspector General
Ms. Mindy McNichols, Asst. School Board Attorney	Mr. Donovan Maginley, Partner, McGladrey & Pullen
Mr. Ivo Gomez, Claims Compliance Officer	Mr. Corey M. Smith, Life Skills MD, Esq.
Mr. Eugene Baker, Executive Director	Ms. Dannie McMillon, Life Skills MD, Chair (Board)
Mr. Javier Perez, Executive Director	Mr. Christopher Norwood, Norwood Consulting

2. Approval of the Minutes of the Audit Committee meeting of May 17, 2011

The Chair drew the Audit Committee members' attention to the minutes for the Audit Committee meeting of May and asked whether any members had any suggested revisions or questions relating to the contents of the proposed minutes.

Ms. Kairalla commented that the minutes should be streamlined to lessen the amount of work required and make them more efficient. Mr. Thornburg respectfully disagreed with Ms. Kairalla and noted that it is important for the Committee to reflect in the minutes it is endeavoring to discharge its fiduciary duties and due diligence and to have a thorough memorialization of its activities for the public, students' parents and taxpayers. He indicated that he and the Chief Auditor and his staff invest substantial time on producing the minutes but would certainly take Ms. Kairalla's suggestion into consideration, but reminded Ms. Kairalla that the school district is a multi-billion dollar publicly supported operation, and hence it is difficult to boil down and condense all the materials that should be addressed by the Committee in dispelling its duties.

A motion was duly made by Mr. Salver and seconded by Dr. Feldman to approve the proffered minutes to serve as the official memorialization of the May 17, 2011 Audit Committee meeting. The motion carried unanimously.

The Chair complimented Chief Auditor Montes de Oca and his team on their typically superb job in drafting the minutes.

3. Proposed Audit Committee Dates for Fiscal Year 2011-2012

Mr. Montes de Oca presented the proposed dates for the Audit Committee meetings for approval. A comment was made for the Committee's consideration on the date of September 20, 2011 which is the same date the Broad Prize, for which M-DCPS is a leading contender, will be announced in Washington D.C. All dates were approved as proposed except for the September 2011 meeting which was changed from the 20th to the 27th.

4. Evaluation of *External Auditors* for the Audit of the Fiscal Year Ended June 30, 2010 Evaluation of the *Internal Audit Team* Fiscal Year Ending June 30, 2011

Chief Auditor Montes de Oca explained that the board rule that governs the Office of Management and Compliance Audits and the Audit Committee, requires an evaluation to be conducted every year of the performance by external auditors, the internal audit team and the Chief Auditor. Mr. Montes de Oca noted his tabulation of the results which are being provided for the Committee's review and comment.

Mr. Salver expressed concern with the fact that the Chief Auditor tabulates the surveys that include his evaluation. He suggested that the results be tabulated by a neutral party other than the internal audit department.

Mr. Montes de Oca reiterated that the board rule requires him to do it and noted that he has all documentation that he used to compile the tabulation and can share it with anyone who is interest in so reviewing.

Mr. Sanchez-Medina noted that no one doubts the Chief Auditor's integrity but if the tabulation is done by an independent party it will enhance the issue of independence.

Mr. Thornburg suggested that perhaps participation of an AC member in the tabulation in the future would address the concern. Mr. Salver commented that the Committee does not have to be involved necessarily but there should be a neutral party. The Chair said Mr. Salver's well-taken concern and suggestion should be addressed at the time of next year's survey.

This report was for informational purposes only; therefore, no transmittal to the School Board by the Audit Committee was required.

5. Office of Management and Compliance Audits Proposed 2011—2012 Audit Plan and Tentative Budget

With the endorsement of other Committee members, and for the benefit of new Committee members, the Chair requested the Chief Auditor to provide a background explanation to the Audit Plan.

Mr. Montes de Oca explained that, as required by School Board Rules, his office develops, prepares and proposes an Audit Plan which is presented to the AC in June and asks for feedback from stakeholders, such as School Board members, AC members and the administration during the summer and brings the final audit plan for the AC's approval at the September meeting.

Dr. Feldman asked that the Chief Auditor and his staff consider some suggestions while developing the final audit plan. He stressed that the proposed audit plan does not have to be changed, noting that his suggestions were merely items to keep in mind. Dr. Feldman's recommendation included: (1) auditing vendor service contracts with the notion it may be more effective if contracts are reviewed from the perspective of what the best deal is at present rather than reviewing what were the terms of the contract, for example three years before; (2) determining whether maintenance workers are working the most efficient hours to complete the work; (3) whether grants and request for proposals exist for wind, turbine, and solar programs for the future; and (4) while auditing year-end inventories, evaluate the services of S&MD versus using other types of services.

The AC Chair suggested the plan incorporate an audit of the Office of School Board members, which to his understanding had never been audited since the establishment of the AC in 1979. After noting the fact that the School Board member's office expenditures are generally negligible in comparison to the total District budget, he pointed out that a driving reason for conducting such an audit would be for public optics and to telegraph the School Board members' support of auditing and transparency. He also opined that it was important to send a message from the top down that no one is above compliance with School Board policies, rules and procedures. He suggested that it would be terrible if something untoward should happen in the future, and it came to light that the School Board offices had not been

subject to audit since 1979. Lastly, the AC Chair stated that he fully expected such an audit would not be time consuming nor would it disclose any material issues or problems.

AC member and School Board Vice Chair, Dr. Lawrence Feldman then moved to have the Audit Plan include Mr. Thornburg's suggestion for an audit of the School Board members' office, the move was second by Mr. Roland Sanchez-Medina and unanimously approved.

EXTERNAL AUDITS:

6. School Board of Miami-Dade County, Florida Audit Plan for the Fiscal Year Ending June 30, 2011

Mr. Maginley highlighted several areas of the plan and identified a change made to the engagement timeline which Mr. Montes de Oca had communicated to him in an earlier meeting. Mr. Maginley noted that the financial audit report would be disseminated in early December which would be in concert with the School Board's calendar.

In the area of self-insurance, Mr. Thornburg suggested to Mr. Maginley to address the new self-insured health program because of the newness of the program and the potential of large exposure notwithstanding the fact the reserves were established by actuaries and the fact there is cap re-insurance. Mr. Maginley agreed with Mr. Thornburg's observation and pointed out that it is already included in their audit plan under the area of estimates as the liability component, but he will certainly include it as a component of the audit.

Mr. Maginley concluded his presentation by thanking the AC members for their suggestions, which he said will be reflected as changes or additions to the plan.

Mr. Rasco asked several technical questions related to how the firm views impairment of assets, what type of field testing they conduct and what data analysis software they use for which Mr. Maginley provided specific responses.

Chair Thornburg gave accolades to Mr. Maginley on his very comprehensive audit plan and clear and concise presentation.

This report was presented to apprise the AC on the scope of the audit only, and therefore, no transmittal to the School Board by the Audit Committee was required.

INTERNAL AUDITS:

7. Charter Schools Operations

(a) Legal Opinion on Tax Exemption for four charter schools

Mr. Montes de Oca presented the financial statements for the last four charter schools reviewed by his office and explained that this item was deferred by the Committee from its previous meeting to this meeting to afford more time to the AC members to review an opinion proffered by the School Board Attorney.

Mr. Thornburg pointed out that he thought the opinion of School Board Attorney Harvey did not note or address one of the issues he hoped would be addressed which he might not have properly expressed previously. His issue related to the use of IRS guidelines by a sponsoring school district to determine whether a charter school should be entitled to continue operations based on its not-for-profit status.

Mr. Harvey observed that when a corporation applies for and receives a not-for-profit license typically referred to by its IRS code as a 501(c)(3), it is initially approved by the IRS and it is the IRS responsibility to monitor the status the corporation's compliance with the governing code provisions and issued guide through the review of the entity 990 tax form or through audits. The presumption is that a properly approved 501(c)(3) license remains valid until revoked by the IRS.

Mr. Sanchez-Medina suggested that the IRS would likely only take action if something came to its attention as to non-compliance with the requirement of the code. He questioned whether the District should query or notify the IRS about issues of concern.

Ms. Hantman asked for clarification about the Florida Statute that requires charter schools to be not-for-profit and the status of not-for-profit under section 501(c)(3) of the IRS code.

Mr. Harvey explained that technically the entity could be a not-for-profit in the State, but not, have a determination letter from IRS granting it 501(c)(3) status.

Chair Thornburg and the Committee deferred action on the item and asked for an expanded opinion which addresses the additional questions brought up at this meeting.

There was no further discussion and upon a motion duly made by Mr. Salver, seconded by Mr. Sanchez-Medina, that carried unanimously, it was recommended to again table the transmittal of the financial statements for the last four charter schools until an expanded opinion or the tax status of those schools is provided by Mr. Harvey at the next scheduled AC meeting.

7(b) Update on the Charter Schools Cost-Analysis Report – School Board Member Mr. Renier Diaz de la Portilla Item H-27

Mr. Montes de Oca provided an update to the Committee on the status of the request for a report on financial costs associated with district administration of charter schools. He also noted that a copy of the engagement letter was being shared with the Committee and that the cost-analysis report prepared by School Operations was received and OMCA has begun conducting the agreed upon procedures. Mr. Montes de Oca concluded that the report will be submitted at the next scheduled AC meeting.

Item 7b - The Update on the Charter Schools Cost-Analysis Report – School Board Member Mr. Renier Diaz de la Portilla Item H-27 was for informational purposes only; therefore, no transmittal to the School Board by the Audit Committee was required.

8. Miami-Dade County Public Schools – ACH Transfer Process Assessment Findings and Recommendations Report

This item was deferred to the next scheduled meeting because the representative for KPMG flight had been cancelled and hence, he could not attend the meeting.

Upon a motion duly made by Mr. Salver, seconded by Mr. Sanchez-Medina, that carried unanimously, it was recommended to table the Miami-Dade County Public Schools – ACH Transfer Process Assessment Findings and Recommendations Report until the next scheduled AC meeting.

9. Internal Audit Report – Selected Schools

Ms. Maria T. Gonzalez, Assistant Chief Auditor, School Audits, presented an internal audit report of selected schools. She observed that 39 of the 47 schools in the report complied with policies and procedures and the records had been maintained in good order.

Mr. Kemp referring to page 107 inquired about the plant security comment. He asked why the principal should develop a plan of property control procedures when he believes that guidelines already exist.

Dr. Feldman explained that although procedures exist, he remembers from his experience as a former principal that when large losses occur the principals are required to develop procedures specific to their school and ensure that they are followed to keep track of property and prevent future losses.

Mr. Woodson added that this school had a new principal who was not familiar with the process so that was part of the problem and he concurred with Dr. Feldman's explanation.

Mr. Kemp then pointed out a typographical error on the response where a paragraph is missing part of a sentence. The administration acknowledged the error and stated it will be corrected.

Ms. Kairalla expressed concern over the number of repeated findings, especially in the high schools, and said that maybe different training should be provided to the principals since apparently the existing training is not working.

Chair Thornburg complimented Ms. Gonzalez and her team on the typically concise but thorough analysis and report.

There was no further discussion and upon a motion duly made by Mr. Salver, seconded by Ms. Kairalla, that carried unanimously, it was recommended that the Internal Audit Report – Selected Schools be received and filed by the School Board.

10. Internal Audit Report – Network and Information Security, Information Technology Services Infrastructure and Systems Support Area V – Selected Schools

Mr. Trevor Williams, Assistant Chief Auditor, Operational Audits, introduced the report and noted that his presentation represents the third in a series of reports of this nature. He explained that because the audit fieldwork for multiple ITS regions have been performed concurrently, similar exceptions have been reported across various regions. Mr. Williams welcomed questions.

Mr. Sanchez-Medina expressed concern relating to the security in accessing information that could adversely impact the school system. The Committee member inquired that since the findings noted have not resulted in a problem yet, whether there has been an improvement since the start of these audits.

Mr. Williams explained that at the beginning of this process there were larger number of these findings, but due to increased awareness brought on by these findings, it has in fact resulted in progress been made.

Mr. Rasco referred to page 11, of the report and asked if recommendation 1.1 relating to reconciling computer accounts to Active Directory and Big Fix is a reasonable resolution.

Mr. O'Donnell responded that the recommendation is reasonable and explained that the technical support staff used to report to the school principals, who, in large measure, were not familiar enough with the intricacies of technology to closely and meaningfully supervise these individuals. However, he pointed out, this support staff now reports to ITS and they have been gradually improving performance. Mr. O'Donnell also informed the AC that this is a first line of defense. He mentioned that the M-DCPS system has been recently attacked by hackers. He noted the attacks were throughout the country and were well-publicized in the media because they had successfully penetrated the systems of very large companies. However, he was happy to report that they were unsuccessful in penetrating M-DCPS' system.

There was no further discussion and upon a motion duly made by Ms. Kairalla, seconded by Mr. Sanchez-Medina , that carried unanimously, it was recommended that the Internal Audit Report – Network and Information Security, Information Technology Services Infrastructure and Systems Support Area V - Selected Schools be received and filed by the School Board.

11. Office of the Inspector General (OIG) Final Report Re: Procurement Violations Committed by the District 5 Office of School Board Member Renier Diaz de la Portilla, Ref. IG09-47SB

Chair Thornburg recused himself from any participation in this item in order to avoid any appearance of impropriety or conflict of interest since the subject of the OIG report involves the School Board member who appointed him to the AC.

Mr. Montes de Oca informed the Committee that the School Board Rule which governs his office requires the Chief Auditor to place OIG reports on the AC agenda.

Ms. Patra Liu, Assistant IG Legal Counsel, introduced the report and explained its contents noting that the IG Report included responses from Mr. Diaz de la Portilla as well as his attorney. Addressing some questions from AC members about time lines of the report, Ms. Liu explained that the complaint which initiated the investigation was received in June 2009, and the State Attorney's Office issued its close-out memorandum on May 4, 2011, which then allowed the OIG to issue its report.

Mr. Salver asked Ms. Liu for her professional opinion relating to the proposal that School Board Offices be audited as discussed earlier in the meeting. Ms. Liu noted that she believes it is a good idea and endorsed the Committee's unanimous approval of the Chair's recommendation as it relates to compliance.

Ms. Kairalla expressed disappointment that a School Board member would be the target of an investigation; however, she noted that apparently the actions were not illegal, according to the State Attorney's Office. She also indicated a high degree of interest in knowing what happens next and whether there will be any type of sanctions. She concluded that some type of action should be taken at the School Board level.

Mr. Kemp agreed with Ms. Kairalla that the School Board should further review this matter.

Mr. Harvey advised the Committee that under Florida Law, the School Board is limited as to how they can address the actions of its members.

Ms. Liu reiterated that these types of reports, according to School Board rules, require Mr. Montes de Oca to place them on the Audit and Ethics Committee Agendas. In addition, when the report is issued, the School Board members are the recipient of the report; however, that does not mean that the report will automatically be placed on School Board's agenda for discussion.

This report was presented as required and for informational purposes only. Accordingly, no transmittal to the School Board by the Audit Committee is required.

12. M-DCPS-Monthly Financial Report for the Period Ending April 2011

Ms. Pou introduced the report and noted that this quarterly report had already been submitted and accepted by the School Board at its meeting of June 15, 2011. Ms. Pou stated that the report contains statements of operations for the General, Food Service and Capital Funds Project.

There were no questions asked about this report.

This report was presented for informational purposes only; therefore, no transmittal to the School Board by the Audit Committee was required.

13. Office of Management and Compliance Audits' (OMCA) Activity Report

Mr. Montes de Oca called attention to two salient points in his report. He briefly spoke about an investigation that was recently aired on the news regarding a healthcare issue involving M-DCPS employees and noted that the OMCA conducted the initial investigation and contributed substantially to this case.

On the second point, he recognized Mr. Miranda and his staff in the Civilian Investigative Unit (CIU) for their outstanding performance during the 2010-11 fiscal year in closing 153 cases in a very expeditious and timely manner. He noted that the Office of Management and Compliance Audits assumed responsibility for CIU in 2008, and this is the first time that CIU has closed out all the cases that were brought forward from the prior year, in addition to those that were received during the on-going year; therefore, there were no pending cases at the end of the year.

The Chair gave kudos to the Chief Auditor, Mr. Miranda and their team for its great success in its CIU endeavors.

This report was for informational purposes only; and hence no transmittal to the School Board by the Audit Committee was required.

14. Updates

(a) Minority/Women Business Enterprise

Ms. Kairalla provided the Committee with the Agenda and Unofficial Minutes of the Minority Business Enterprise Advisory Committee (MBEAC) meeting that was held on June 23, 2011 and noted that the MBEAC will be meeting again on July 1, 2011 to review the proposed new policy. Ms. Kairalla said she will provide updates to the AC, as progress continues.

A lengthy report letter of her AC Subcommittee's activities was previously submitted and shared with the Committee.

Mr. Nicoleau explained the efforts of the administration to increase participation by minority and women-owned business in providing goods and services to the school district. He shared the current rule and proposed policy to achieve this goal. Responding to a question by an AC member, Mr. Nicoleau said that M-DCPS will honor certification by other governmental agencies on the condition that those agencies' criteria are in concert with M-DCPS'.

(b)Local Vendor Preference

Mr. Nicoleau shared with the AC the proposed policy to provide preference for local business whenever legal, practical and appropriate.

These reports were for informational purposes only; consequently, no transmittal to the School Board by the Audit Committee was required.

15. Discussion of School Board Members participation at Audit Committee Meetings

School Board Chair Ms. Hantman commented that due to the Sunshine Law, the only opportunity School Board members have to ask questions or provide input during AC's deliberations is at the AC meetings. She then asked how this could be accomplished if, as proposed by an AC member, School Board members can not participate, voice concerns or ask questions during these discussions. Ms. Hantman suggested that during the discussion addressing this item a procedure be established to clarify how School Board members can convey concerns to the Committee whereby it does not violate the Sunshine Law. Mr. Thornburg stated he understood and shared Ms. Hantman's concerns.

Mr. Salver, who initially brought up this issue at the June AC meeting, strongly objected to the scope and level of participation and conversations of some School Board members except for Dr. Feldman who is a member of the AC. He argued that the level of participation to which he objects, is where it makes it appear as if School Board members deliberate on AC matters as members of the AC.

A lengthy discussion on this topic ensued amongst Committee members and School Board members, School Board member Ms. Regalado expressed dissatisfaction with the way School Board members attendance and participation at the AC meetings was being proposed to be restricted, as suggested by Committee member Salver.

Mr. Salver acknowledge that it would not be productive to suggest that School Board members not attend AC meetings but suggested that excessive participation discounts the AC credibility and the power that is vested in the AC.

Mr. Thornburg suggested that prohibiting participation by School Board members would be relegating them to a status below that of the public and that in his view such an approach would not be appropriate nor right, since they are elected officials. Mr. Thornburg quoted from the School Board rule that established the AC noting that the Committee serves in an advisory role and is subject to the control and direction of the School Board.

Ms. Regalado also observed that AC members should welcome input from School Board members, much in the same way she values the advise of the AC. She went on to explain that the School Board members' highly value the advise from the Committee. She concluded that curtailing participation by School Board members telegraphs the wrong message and that she had taken Mr. Salver's criticism personally.

Mr. Salver noted for the record that he apologizes if his view was perceived as being personal to any School Board member and his delivery offended anyone. He stressed his comments and views were not intended to be offensive.

In response to a comment that AC members may be unduly influenced by the School Board members participation in Committee meetings, several AC members expressed that if they can not be objective or can be so easily influenced, there is no point in serving as an independent body. They stated that they did not consider the AC meetings a mini School Board meeting as had been mentioned before.

Ms. Hantman reiterated her position that indeed the AC meetings are the only forum in which School Board members can express concerns and ask questions on the topics. Ms. Hantman expressly stated she wanted to note for the record that in over 14 years of attending AC meetings, she has always participated in the discussions and had never before heard an AC member request that School Board members not participate in the meetings.

After the Chair afforded everyone a full opportunity to voice their views on the issue of School Board member participation in public AC meetings, there was an overwhelming general consensus that it would be prudent and valuable to have School Board members continue interfacing, opining and participating during the AC meetings.

Chair Thornburg summarized the results of the discussions and noted that the Committee had reasoned and concluded that to eliminate or reduce School Board member participation would be counterproductive. It was also noted it was the general consensus that having School Board members participating at the AC meetings had no undue influence on the AC members or adverse impact on the carrying out of their fiduciary duties and the exercise of their independent judgment and recommendations on issues.

As a result of the discussions, it was emphasized that care should be exercised to avert any spurious and erroneous impressions that the Committee meetings constitute quasi and mini School Board meetings or that other than the appointed School Board designee to the AC, Dr. Feldman, the other School Board members attending the AC meetings are members of the AC.

The Superintendent expressed satisfaction with the AC members decision to continue to operate the meetings in the same manner as they had in the past because he believed School Board members, due to among other reasons their elected positions, should be afforded the recognition to participate in these meetings to the extent they deem it appropriate.

Mr. Salver opined that based on his research, because Mr. Montes de Oca is a member of the AC (he is a non-voting member) he is also subject to the Sunshine Law. Mr. Harvey clarified that Mr. Montes de Oca or anyone on this Committee is not violating the Sunshine Law and because he is a non-voting member his interaction with voting members of the AC is not subject to the Sunshine Law. Mr. Harvey offered to meet with Mr. Salver to review and discuss his concern.

Chair Thornburg complimented and thanked everyone for so professionally and politely working out what could have been a decisively emotional issue.

Adjournment

There being no further business to come before the Committee and upon motion duly made and seconded, the meeting was adjourned by Mr. Thornburg at 3:33 p.m.

Revised 10/06/11
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