



League of Women Voters of Orange County

## HOT TOPICS TO GO

HOT TOPICS Luncheon, 8/12/09  
Back to School: The Tough Road Ahead  
Additional Questions from the Audience  
Answers from Orange County Public Schools

Hot Topics Luncheons Held Every 2nd Wednesday of The Month  
Tickets & Upcoming Issues At: [WWW.LWVOC.ORG](http://WWW.LWVOC.ORG)

**Q.** Due to lack of full funding for IDEA (Individual with Disabilities Education Act), how is Orange County Public Schools (OCPS) going to be able to increase inclusion of children with disabilities and provide the services that our children require? The number of kids needing exceptional education is going to grow as more are identified who need services.

**A.** The amount of time students with disabilities are with their non-disabled peers has increased steadily over the last 5 years. This has been accomplished through helping school teams understand the efficacy of educating students with disabilities with their non-disabled peers.

Training is provided for teachers of students with disabilities, including accommodations, strategies and specialized curriculum. (Note: "Accommodations" provide different ways for students to take in information or communicate their knowledge back to others. Through Individualized Education Programs -IEP's-classroom accommodations may be developed, but they do not lower standards or expectations.)

Starting in 2009-10, high schools will have an Inclusion Coach whose role and responsibility is to promote the knowledge and skills teachers need to provide appropriate instruction in the general curriculum.

**Q.** The construction & agricultural sectors in Florida continue to struggle in this economy. What is the district thinking about doing with students whose families are sinking deeper and deeper into poverty?

**A.** There are several services in place in our schools to help address the challenges that families are facing in current economic conditions.

Our school district was able to save the jobs of all 44 social worker positions because of the priority of services they specifically provide to our families in poverty. Over half of Orange County's students qualify for free or reduced-price meals, an indicator of poverty in our community. Through the efforts of our social workers, family needs, including housing, bill payment, food, clothing, health services, vision/hearing services and medicine, are identified. Referral services and resources are

obtained to give assistance to these families. Guidance counselors in our schools also serve as frontline contacts for identifying children's personal or family needs.

School leadership teams, with the principal as the primary administrator, are dedicated to the district strategic goals of providing safe, learning environments and sustained community engagement. The school is the hub of the community neighborhood and as such knows the issues within the community and works with many entities for the welfare and well-being of the children served by our schools.

Significant grants have been written by and awarded to OCPS to further address the needs of youth who are affected by the conditions of poverty. These grants provide extra staff to serve families and children and additional resources to fund services.

The school system, through the federal free and reduced-price meal program, is the safety net for daily nutrition for over 30,000 children in our community.

**Q.** As a teacher, I am most frequently asked why the School Board did not agree to levy the 1/4 mil property tax when they are so short of money and their employees have not received a raise last year. Teachers have been told there is no money for raises this year. Can you explain the rationale behind not increasing the school tax in Orange County?

**A.** The Legislature gave local school boards the option of increasing the millage on homes by .25 mil by a super majority vote of the board. This decision had to be made by June 30, 2009 to be added to the required annual notice sent to the Orange County Property Appraiser. The additional revenue that was projected to be raised by the .25 mil was approximately \$24 million.

This would have been considered non-recurring revenue and could not have been used for teacher salaries or any other recurring expense. This would have been considered non-recurring because the School Board could have only levied the tax for two years. Voter approval would have been required through referendum in 2010 to continue levying it.

Most board members also had concerns about putting additional tax burden on property owners in these tough economic times, and thus a super majority of the board was not in favor of this option.

OCPS will continue to work with the Legislature to find a stable funding source for education.

**Q.** As we talk about reforming healthcare, the issue of childhood obesity is front and center; what is the school board doing to support physical education (and funding it) and better nutrition in our school cafeterias and vending machines?

**A.** OCPS believes healthy students are better prepared to learn and are more likely to complete their formal education. The Next Generation Sunshine State Standards for health and physical education are taught in all schools.

Florida statutes, Section 1003.455, require that students in grades K-5 receive 150 minutes per week of structured physical education and students in grades 6-8 receive a semester of physical education every school year.

OCPS funds a district-level K-12 Health Education, PE and Wellness Resource Teacher who is responsible for providing technical assistance, resources and professional development to teachers, parents, schools and the community to support the OCPS Local School Wellness Policy and other best practices that will support the health and wellness of all students.

The OCPS Local School Wellness Policy requires all schools to implement health education instruction to include nutrition education, set physical activity goals, establish nutrition standards for all foods available on school campuses during the school day, establish a Healthy School Team that

follows the Centers for Disease Control and Prevention (CDC) Coordinated School Health Model, set goals for other school-based activities designed to promote student wellness, and set goals for measurement and evaluation of the Local School Wellness Policy.

Trend analysis data from the *2008 School Health Profiles Report*, conducted among OCPS middle and high schools, in collaboration with CDC, indicate that schools are making positive strides in improving health, nutrition and physical activity practices and have increased the level of health education and physical education classes for students in grades 6-8.

OCPS middle and high schools report that the percentage of students who purchase snack foods or beverages from school vending machines or at a school store, canteen or snack bar has decreased by 23.6% since 2006.

All vending agreements are made by the school principal and must follow specific nutritional guidelines.

Research validates the positive impact that good nutrition has on cognitive learning behaviors, health status and academic performance. We are at critical crossroads for the future, and the path we take at this time will have long-term implications on the quality of school nutrition services and health of our children. A path of least resistance might be easier, but the alternative path of working together to ensure that school meals and snacks are appealing, nourishing, and culturally relevant reflect core beliefs regarding children's health, well-being, and education. Our goal is to provide a healthy environment for all children to flourish mentally, socially, and physically.

OCPS offers breakfast at all elementary schools, and encourages the middle and high schools to provide breakfast options. Students who come to school late can get a "Grab-N-Go" meal to take to their classrooms.

Children who skip breakfast are unlikely to make up their daily requirement for some vitamins and minerals that a simple breakfast would have provided. Even children with mild iron deficiencies have a decreased capacity for learning.

Research links obesity with lack of breakfast and shows that people who eat breakfast are leaner than those who do not. Breakfast skippers eat more food later in the day and tend to "munch" on higher calorie foods.

**Q.** Will the OCPS District team or partner with other large public school districts in Florida to look at sustainable funding sources? Is an additional tax being considered?

**A.** To develop strategies and ideas that address the revenue shortfall in Florida for public education, OCPS is working closely with the Central Florida Public School Boards Coalition which includes 10 school districts representing 850,000 students in our region, the Florida Association of School Superintendents, Florida School Boards Association (FSBA), Florida Education Association (FEA), and the Florida Association of School Administrators. The FEA and FSBA are working on an additional penny sales tax for education, and looking at reduction in sales tax exemptions, increase in alcohol tax, and potential offshore drilling revenues.

**Q.** While we have an "A" for the district, there are still individual failing schools – What new programs or ideas are being tried in these schools to improve their grade?

**A.** OCPS is a Florida "A" rated school district for the second year in a row. Over 140 of our 180 schools currently hold "A" or "B" school grades, and for the first time in the history of school grading, we have zero "F" schools. Principals and teachers in schools that continue to have challenges are working diligently in cooperation with the Florida Department of Education to bring in the best staff, educational practices and resources to help move them from the "D" category. Schools like

Orange Center and Mollie Ray are shining examples of schools that went from an “F” to an “A” in one school year!

**Q.** In this anti-immigrant social environment, what impact is this having on OCPS immigrant students? What is the core value of OCPS regarding comprehensible education for students who do not speak English?

**A.** OCPS follows state and federal mandates concerning the education of immigrant students. The state of Florida also adheres to the Meta Consent Decree that requires all public school districts to provide comprehensive instruction for all English Language Learners.

**Q.** How can we as citizens help you advocate on behalf of the children to compel Florida’s legislature to make education and its funding a priority, rather than an afterthought? – Is there an organized effort?

**A.** This year, through the advocacy of this community and the entire state, education funding was temporarily stabilized. School Board Chair Joie Cadle- "It is my belief that it was because of the outcry of citizens that we were successful. There are many organizations in the state that are grassroots organizations who are lobbying for education. In our own home district, a group of moms started [www.fundeducationnow.org](http://www.fundeducationnow.org) I would encourage people to visit their website and sign up for e-mail alerts. In these tough economic times, it is imperative that we join together to fight for the future of Florida’s children."

**Q.** The continuously disruptive students in the classroom prevent learning by the other students and teaching by the teachers. Is there any program in place for removing those students to a better place for their learning as well as better learning for the rest of the class?

**A.** Display of disruptive behavior by students in our classrooms involves different factors. It can compromise the learning environment and involve safety issues.

This question assumes that the answer to disruptive behavior is removal of the student from the environment. Each school has a discipline plan to address student misbehavior and this plan includes various levels of response to maintain a safe learning environment.

Our service to the student and classroom must involve the attempt to identify causes for the misbehavior and then to provide interventions so that behavioral and academic success is achieved, and the learning environment is protected. In addition to student services that can be provided by the classroom teacher with the assistance and support of guidance counselors, administrators, social workers, school psychologists, behavioral specialists, school resource officers, and other school staff or community resources, there can be a “removal” imposed through in-school or out-of-school suspension.

In 11 of our high-needs elementary schools, Intervention Specialists have been used to work with identified students to improve their behavior and achievement.

For our high-needs middle schools, starting in 2009-10, each learning community (the school district is divided into learning communities) received three Intervention Specialist positions to serve the needs of identified students with behavioral challenges.

For the instances of extreme negative behavior that reflect a Level 4 expulsion offense (according to the district's discipline code), OCPs offers an alternative school site with separate programs for elementary, middle, and high school students.

**Q.** Do you support a charter school conversion?

**A.** School Board Chair Joie Cadle- "As a school board member, it is my responsibility to look at all charter school applications and make sure that any charter school that is approved will provide the academic services and have the financial stability to provide the best for our children. It would be irresponsible of me to make a blanket statement until the application has been received and vetted."

**Q.** Is the district communicating to Tallahassee and DOE (Florida Department of Education) all the problems with the FCAT (Florida Comprehensive Assessment Test)?

**A.** OCPs is in constant communication with Tallahassee and Washington, D.C. regarding the issues surrounding all accountability measures. When issues arise or are projected as result of state or federal accountability laws, OCPs communicates those issues to the Florida Department of Education and the state legislature. The school board has been active in the process by approving resolutions supporting fair accountability standards and adequate funding for meeting those standards.

**Q.** How can you justify spending \$5 million plus for the "flip" when the state is in such dire straits and teachers have not received raises? (Note: OCPs School Board reversed a 2008-09 policy that switched start times for middle schools and high schools. The policy saved millions in operational dollars in the first year, and would have continued to save operational dollars in each subsequent year.)

**A.** School Board Chair Joie Cadle- "The high school delivery time schedule has been an issue that has ignited the community. Some are vehemently opposed to the schedule and some liked it a lot. The three new school board members were campaigning in the height of the discussion. School had not begun and parents were concerned. They promised their constituents that they would make the change if elected.

One of our board members has always been opposed to the idea from the beginning. Three of us believe the delivery schedule worked and were willing to stay the course.

As with any democracy, once a decision is reached it is the responsibility of board members to move forward. That being said, high school students will return to starting school first and middle school students will start last."

**Q.** Please let us know what to expect during the upcoming discussion about rezoning. (Note: At the August 20th work session, OCPs School Board decided against districtwide rezoning.)

- a. Timeline?
- b. Public Input/Participation?
- c. What Schools?

**A.** The timeline, public input, and schools involved in the rezoning discussion will be decided over the next few days. There is a work session on this topic on August 20, 2009. At this meeting, staff will present information regarding current zones and the proposed rezoning of the school district. Please refer to the OCPS website for further information-[www.ocps.net](http://www.ocps.net)

**Q.** Why is OCPS not hiring teachers who have been let go? (Rather than hiring outside of area?)

**A.** In Orange County, about 860 public-school teachers were not reappointed this past spring and ALL were teachers who worked on an annual-contract basis.

Of these 860 teachers who were not reappointed in the spring, approximately 440 have been rehired by the district (as of early August).

There could be a number of reasons why the remaining 420 were not rehired. Some may have moved or changed careers. The needs of schools may have changed and that will drive who can be hired based on certification. Some schools, under the new state Differentiated Accountability statute, can only hire teachers with proven growth in learning gains data.

**Q.** The Secretary of Education wants a longer school year and a longer school day. Is Orange County considering this?

**A.** OCPS has always advocated for a longer school day in order to increase the number of instructional minutes per week. The number of school days in a year would also be helpful to help increase student achievement. The Legislature currently funds K-12 public schools for 1500 minutes per week while as a district OCPS provides 1725 minutes per week. OCPS is already providing 225 additional minutes without any additional funding. If any school district were to consider increasing minutes there would have to be additional recurring funding to support the additional minutes.

**Q.** Is it true that teachers will have to give up their planning periods to serve as subs?

**A.** Yes, there are schools that are choosing to split classes when a teacher is out rather than get a substitute. This is usually done when a teacher is going to be absent for a short period of time-, i.e. a day or two. This is only done when the faculty agrees to take this action. Schools opt to do this for a number of reasons. Obviously this saves money. With this money a school can buy an extra teacher or not have to cut one. By placing five or six students into each class they can guarantee consistent instruction. The regular teachers are more likely to move the students forward instructionally than a substitute, so students are better off. In addition, teachers within the school know the students' needs better than a substitute and are more likely to meet them successfully.

**Q.** What about the Lottery money that was supposed to pay for public school education?

**A.** The discretionary lottery money that funded 1.1 day of operation a year ago has been eliminated from school district budgets. The lottery money has declined in total revenue and the majority of the lottery money in the budget goes toward Bright Futures Scholarships which fund post-secondary education for Florida students that meet certain academic qualifications. The lottery money that comes to K-12 public schools goes toward school recognition awards that are incentive

dollars to schools achieving an “A” school grade by the state or improve a letter grade beyond a “C” rating. The schools that meet the criteria are awarded \$75 per student. Any money that is remaining and not allocated after the school recognition has been paid out will be awarded to the School Advisory Councils (SAC's) at every school at an amount not to exceed \$5 per student. This amount can be prorated depending on the amount remaining in the fund. Based on the amounts paid out to schools and SACs there will be no discretionary funds left from lottery revenue for school districts to use for K-12 education.

**Q.** The League of Women Voters supports expanding Florida revenue-generating sources beyond sales and property taxes. Have any of you looked around the country to see how other states provide more stable revenue sources to support their school systems?

**A.** The current tax and revenue structure is based on a tourism and growth economy. As long as the state of Florida's tax structure is dependent on growth, construction and tourism, revenue sources become less stable in down cycles. Florida has a unique economy that is difficult to compare to other states' economies. The Florida Legislature's job is to provide “adequate” funding for education. It is their responsibility to develop revenue sources and research others available in Florida's economy. OCPS works with organizations such as the Florida School Boards Association to find and advocate for stable, sustainable funding for education.

**Q.** The current Federal Court's desegregation orders mean that any countywide rezoning effort will be subject to Federal Court supervision and approval – yet the School Board recently announced a countywide rezoning workshop. Why embark upon, or consider, countywide rezoning before we achieve unitary or desegregated status? (Note: At the August 20th work session, OCPS School Board decided against districtwide rezoning, although there was mention of potential rezoning or other actions regarding schools affected by the court order.)

**A.** The workshop is to discuss the issues and educate the newly elected board members as to the continued impact of the desegregation order on any future plans to rezone schools or the entire school district. Board members will be advised by their general counsel as to the feasibility of any plan to rezone while still operating under the federal court order.

**Q.** With small businesses failing at record rates, increasing taxes will be difficult. What effort is being made to drive money into the classrooms through innovations like out-sourcing lunch services?

**A.** Most school districts (approximately 90%) operate their own foodservice program. Nationally, approximately 10% of school districts contract out their foodservice program; in Florida, it is 6%.

According to the National School Boards Association survey published in *The American School Board Journal* (March 1997), the four main factors causing school districts to consider outsourcing are: (1) reduction in food service cost, (2) efficiency, (3) maintenance, and (4) resources. However, the survey showed only 1/3 of the school districts using management companies were saving money, e.g., two large districts, Chicago and Newark, have not realized a savings.

OCPS is operating at a profit and has a well-qualified foodservice director and the program is increasing student participation. Director Lora Gilbert is a registered dietician, certified as a School Nutrition Specialist, has a Master's Degree in Human Nutrition, completed a Master's thesis (USDA research) in nutrition in school food services, and has published four articles on school nutrition in the *Journal of the American Dietetic Association*. The program has operated in the black for the last 5

years. Customer satisfaction is shown through the 18% increase in meals served since 2004, and won the USDA Award for Participation and Customer Service.

Two general contract types are allowed by federal regulations and they are: fixed price or cost-reimbursable. In April 2003, OIG released Audit Report 207601-0027-CH which revealed problems in several cost-reimbursable contracts between school food authorities and foodservice management companies. Identifying allowable costs and benefits of purchase discounts and rebates have become a problem for some school districts. As a result of these findings a new federal law is pending that better spells out the allowable costs and requires approval of contracts by states' departments of education before they are finalized.

A management fee is usually charged school districts based on the number of meals served and a la carte sales. The fee is usually the same for breakfast as for lunch and is charged on money taken in from sale of a la carte items. This fee is charged regardless of the financial situation of the school district foodservice program.

The process of changing from self-operated program to a food management company is complex and usually takes a year or more to complete. Many school districts have a deficit the first year or two.

There still needs to be staff retained or hired by the district to monitor the contract of the contracted company and to approve meal applications. In Chicago City Schools, for example, they have a larger staff in the central office now to monitor the management company's contracts than when they were a self-operated program.

Even if a district contracts out food services, the district is responsible for the outcomes, and making sure the state, federal and health department regulations are followed.

Labor costs in self-operated school districts are often responsible for driving the costs up, and school administrators/boards don't want to deal with resolving that problem.

OCPS does not have unusually high labor costs and they have increased productivity over the last two years by 4 meals per labor hour (MPLH) resulting in a 4% reduction in labor costs.

Many administrators think they are turning over all responsibility for school food services when they contract with a management company. According to Fran O'Donnell, state director of New York's Child Nutrition Program: *"Schools that use the services of a management company incur greater management oversight responsibilities than if they have a self-operated food service program. They fail to recognize that management companies do not provide a magic bullet—they have no management 'secrets.' Good management is the key and that can occur in self operating schools."*

When a school district contracts with a management company, the district is still the legal authority over the foodservice program. The school district is still responsible for the program and any problems that may result from the management. At the same time, the district loses control over the program. Decisions made at the corporate office in Philadelphia, Paris (France), or somewhere else will take the place of decisions now made locally.

By federal law, the school district is responsible for the following:

Adhere to the procurement standards specified in §220.16 of the Federal Law when contracting with the foodservice management company

National School Lunch Program agreement—ensuring the foodservice is operated in conformance with the agreement (Retains signature authority--school superintendent must sign this agreement, free and reduced price policy statements and monthly claims for reimbursements).

Monitor the foodservice operation through periodic on-site visits.

Retain control of the quality, extent, and general nature of its foodservice, and the prices to be

charged the children for meals.

Ensure that all USDA commodities received by the district/management company for the district accrue to the district (proper storage, use and accountability).

Maintain applicable health certification and employees are trained.

Ensure that production records—a federal requirement—are being prepared properly.

Free and reduced price meal applications.

Preparing monthly state claim reports in order to obtain federal and state reimbursement.

Resolution of review and audit findings.

Auditing of what is being charged against the program, e.g., management company staff, merchandising, and marketing costs.

Contracts may make the school district responsible for:

Payment of school district employees and fringe benefits

Custodial services for cleaning kitchen floors and dining room

Equipment maintenance and replacement

Removal of trash and garbage

Pest control

Utilities

Menus

A recent example of what happens when a management company is not making a profit: Leon County (Tallahassee, FL) school districts contracted out its program for four years. The management company pulled out in October 2002 after using all the fund balance and leaving a \$1.1 million deficit. The district was left with many staff vacancies and no purchasing system in place. The district has successfully returned to a self-operated program, but it required quick action and some dedicated employees to make it happen. The current director, Tim Tankersley, states that “food and labor are the two costs that were cut with the management company. The quality of food is what I put back first when we in-sourced.”

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