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# deadly to

Distracted driving was  
blamed for 10 percent of  
2011's deadly crashes.  
Will efforts to curb it  
actually work?

By Stacey Barchenger | FLORIDA TODAY

**H**e looked down at a cell phone, witnesses say. His eyes on the phone, his Trailblazer drifted off the road. It happened in an instant. The vehicle smashed into the bridge wall and three men fishing just east of the Eau Gallie Causeway.

Two were killed. The third's life was turned upside-down. So was the driver's.

The message on the phone was fleeting.

What happened over those few seconds in April, though, was life-changing.

"When you're operating a motor vehicle, the way it can impact other people can be deadly," said Kim Wright, the mother of one of the men killed that night. "And it can ruin your life. Just a few seconds can ruin your life."

Distracted driving kills.



**BY THE NUMBERS**  
**10 PERCENT**  
of fatal crashes nationwide  
were caused by distracted  
drivers in 2011  
**3,331 PEOPLE**  
were killed in those crashes  
**387,000**  
were injured



**ONLINE**  
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video

See DEADLY , Page 5A

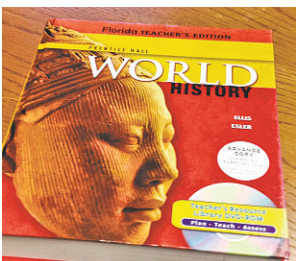
## SPACE COAST



### DELIVERIES BRING SMILES

A Titusville florist delivered more than 200 bouquets to two assisted-living facilities. **Page 1B**

## PUBLIC INTEREST



### BRAINWASHED TOWARD ISLAM?

World History textbook needs a dose of Moses, Public Interest Editor Matt Reed writes. **Page 14A**

## SPORTS



### MILESTONE FOR NASCAR AT INDY

NASCAR runs its 20th Cup race today at the Brickyard. It's come a long way in 20 years. **Page 1C**

# Time for software buy is not now, group urges

School district defends  
decision in tight times

By Mackenzie Ryan  
FLORIDA TODAY

Earlier this year, a handful of parents, feeling sidelined by the political process to close schools, met in the kitchen of one of their homes and decided: Something must be done.

That something was the creation of a political action committee, formed just a day before the Brevard School Board's scheduled vote to shutter the

schools. And while the parents' attempts to stop or delay the vote proved unsuccessful, they did not walk away.

Instead, they made a pledge: To keep watch over district decisions, including how officials spend taxpayer money.

Now, more than five months after it formed, the Brevard Parents Action Committee is going public with its first opinion paper on what members believe is a misguided purchase by the school district at a time of budget cuts now totaling about \$25 million.

BPAC leaders want school

board members to rescind an April decision to spend \$8 million on financial and human resources software from Educational Data Resources, a Winter Park-based company. The system will handle payroll data and human resources documents; the cost includes maintenance and upgrades.

The parents group wants the purchase delayed until better budget times — and sent to competitive bid.

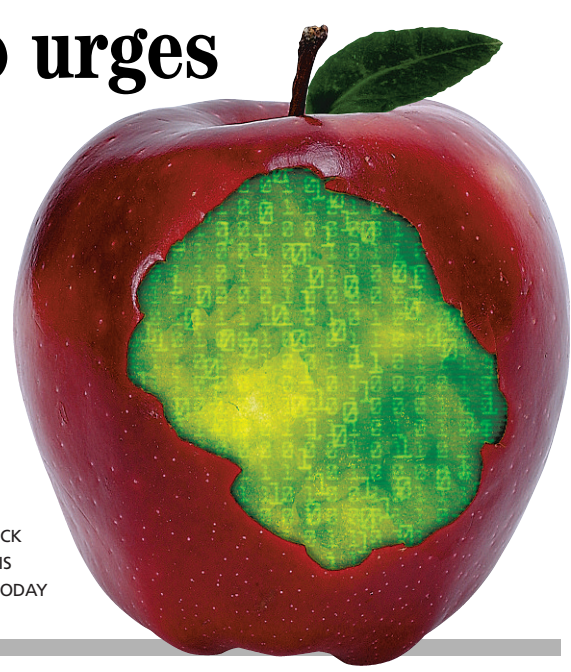
"BPS is claiming to be in such dire financial straits, cutting

See BPAC, Page 10A



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video on the  
BPAC's first  
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paper at  
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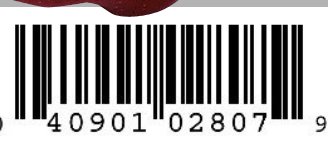
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Margaret Goudelock and Jorge Cadiz of the Brevard Parents Action Committee talk about their group's research into a software package purchased by Brevard County Schools. CRAIG BAILEY/FLORIDA TODAY

# BPAC

Continued from Page 1A

programs, cutting staff,” said Jorge Cadiz, the BPAC member who spearheaded research into the purchase and the group’s subsequent opinion paper, which was sent to the school board.

“Yet they are able to find \$8 million — or \$6.2 million, depending on how you look at it — to spend. The timing is really a concern to us.”

School board members have defended their decision, saying it was a necessary purchase. It would take a super majority, or four out of five school board members, to revisit the vote; such a reversal appears unlikely.

“It was a very good deal, the timing is just terrible,” School Board Member Andy Ziegler said. “I’ve been pushing for years to bring our technology and our offerings into the real world. This is a critical part of where we need to be.”

## Why not wait?

BPAC members counter that the district should wait until school funding improves to buy the new software, and apply the money instead to reducing the list of budget cuts. Three schools were closed for a total savings of \$2.6 million annually. Teaching positions were eliminated. So was corridor busing, which transports students to choice schools and programs.

The BPAC, comprised of a nine-person leadership team, believes there is nothing wrong with the current software system. “So why purchase a new one now?” they wonder. Brevard School Board members also raised that question and discussed delaying the expense but district staff objected.

“Our district folks, our technology people, our finance people, did not feel that was a good idea,” Chair Barbara Murray said.

One concern was that the company told Brevard that it will stop maintenance and support, in the next 18 to 24 months, for the software currently in use, district staff said.

Brevard Superintendent Brian Binggeli said that, in

## ABOUT THE BPAC

The Brevard Parents Action Committee’s opinion paper is available on its Facebook and website: [www.Facebook.com/BrevardParentsPac](http://www.Facebook.com/BrevardParentsPac) and <http://brevardparents-pac.org>.

The BPAC plans on endorsing school board members or candidates who align with their ideology in the 2014 election, when three of the five school board seats are up. A simple majority is needed for most school board decisions.

Political action committees can donate up to \$500 per candidate per election, although the BPAC does not intend to take that route. Instead, money may be spent on advertising for certain issues, such as whether they support a tax measure for schools.

Nine officers and board members, most founding members, are at the BPAC’s helm. Membership is open to any parent or legal guardian of school-aged children in Brevard County.

In its first two months, the BPAC has raised more than \$4,000 in donations, according to its most recent campaign finance report.



## VIDEO

BPAC members talk to FLORIDA TODAY about Brevard Public Schools’ software purchase at [floridatoday.com](http://floridatoday.com).

the long term, the district will save both money and work hours since the new software, TERMS 20-20, should help staff operate more efficiently. Waiting would only cost the district more, he said. “I’m convinced the price will only go up,” Binggeli said.

The five-year, \$8 million contract includes the purchase and maintenance of the software; the bulk of the expense is due within the first three years.

In April, the school board directed \$2.3 million toward the purchase from money saved by the district’s debt refinancing.

The refinancing savings — more than \$8 million in total — was a windfall, Binggeli said. If the district had refinanced the debt just two months earlier, it would have reaped only about half the savings.

“I don’t think we have a better way to pay for it than what we have, moving forward, right now,” Binggeli said. The rest of the money saved by refinancing will go toward reducing the budget cuts over two years.

## State law

BPAC member Cadiz is skeptical of the purchase. The company he works for supplies software to the Department of Defense, and he was surprised that a similar

purchasing and competitive bid process was not followed.

Working on his own time and on behalf of the BPAC, Cadiz filed public records requests and gathered hundreds of pages of documents. During the last month, he’s corresponded with district staff, school board members and an attorney who represents Educational Data Resources.

He found that the purchase was not done by competitive bid, a practice that state law does not require for software. BPAC members disagree with that decision.

“Competition ... ensures BPS gets the best value solution,” BPAC said.

When exemptions under state law exist, Judy Preston, Brevard’s associate superintendent for finance, said the district decides on a case-by-case basis whether to seek a competitive bid.

In this case, district leaders believed the ongoing relationship with EDR created a better value than what existed on the open market.

“We didn’t think there was any other market out there for this price and this kind of a product,” Preston said.

District leaders say there is no risk of losing data — or paying for a conversion process — because the new software is based on the software currently in use.

Michael Crosbie, an attor-

## NEW SOFTWARE

**\$8 MILLION**

total expense

**\$5.2 MILLION**

cost of software upgrade

**\$2.8 MILLION**

maintenance and upgrade fees during the next five years\*

\*The maintenance fees, over the next five years, are \$1 million higher than the \$1.8 million previously charged.

Source: Brevard Public Schools

ney who represents EDR, said that Brevard is saving money because it can use the database and the district’s own in-house written software in the upgrade. In the summer of 2011, EDR purchased assets from CrossPointe, the original provider of Brevard’s software.

Existing hardware and infrastructure will be used, and no additional costs will be needed to hire employees to oversee the conversion.

“The savings are very significant,” he said.

The company also facilitates “user acceptance testing” with each school district to set up the software in a way that works for the districts individually.

BPAC reviewed efforts by district staff to find and compare the \$8 million expense with other products. They said district efforts were “woefully inadequate.”

School district leaders disagree. They praised the agreement with EDR, which includes the “source code” needed to customize the software.

“We have over 9,000 employees,” Preston said. “We’re among the largest 50 districts (in the nation). We are almost like a Fortune 500 company. It is going to mean that we have a product that can sustain our organization.”

Brevard School Board members have discussed putting a tax measure before voters in 2014. “Expenditures such as these will be seriously questioned by the voting public when BPS comes hat-in-hand asking for added tax revenue,” the BPAC report said.

Ryan is at [mrryan@floridatoday.com](mailto:mrryan@floridatoday.com).

# District’s history with software firm not so simple

By Mackenzie Ryan  
FLORIDA TODAY

Why are some people talking about the company supplying the software to the district?

The school district’s history with the software’s former provider, CrossPointe, has caused some confusion.

Brevard Public Schools has used the software for more than a decade. But ownership of the software changed hands in 2011, a distinction that has not always been made clear by district officials.

At an April School Board meeting, for example, Gino Butto, the district’s assistant superintendent for educational technology, incorrectly lauded Brevard’s long history with the current vendor, Educational Data Resources.

“We have been working with them for over 10 years,” he said. “Gosh, actually, significantly more than that.”

District leaders have pointed to that “symbiotic” relationship as a key reason Brevard is getting the price it is.

“I don’t want to go back over ‘when you were born,’ kind of thing, but it’s hard to really capture this without going back to a relationship that we have with the current vendor,” Butto said. “It’s the one that developed, together with us, the financial package that we use.”

When EDR began operations, it acquired its name and other software-related assets from CrossPointe, the district’s previous vendor, said Michael Crosbie, EDR’s attorney. The purchase occurred in 2011. In 2012, CrossPointe notified the district of the name and tax number change; the district’s master license agreement was modified.

“We are a new company and we sell separate products,” Kelli Pharo, director of communications and marketing for EDR, said via email.

That distinction between the companies came up during the Brevard Parents Action Committee’s research into the software purchase.

Ultimately, the group focused its opinion paper on the expense of the software upgrade. As part of their initial research, the BPAC heard about and requested a 2004 district investigation into claims that a former associate superintendent of financial services for Brevard was negotiating a six-figure job with CrossPointe during district negotiations with the company.

The district leader denied any wrongdoing, saying he was not active in negotiating an amendment to the company’s contract and had simply responded to a job ad in the *Orlando Sentinel*. At the time, the district forwarded their internal investigation to the Office of the State Attorney. “To the contrary, the fact that the School Board substantially benefited from the amendment without the payment of any additional funds is substantial proof that the employment negotiation and the amendment were not connected, and there was no ‘corrupt intent,’” State Attorney Norman Wolfinger wrote in the 2004 letter.

Attorney Michael Marcil, who represented CrossPointe, described the matter as “beyond frivolous.”



Judy Preston, associate superintendent of financial services, and Superintendent Brian Binggeli address the new software package. CRAIG RUBADOUX/FLORIDA TODAY



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