

THE SCHOOL BOARD OF
ESCAMBIA COUNTY, FLORIDA

MINUTES, MAY 14, 2010

The School Board of Escambia County, Florida, convened in Regular Workshop at 9:00 a.m., in Room 160, at the J.E. Hall Educational Services Center, 30 East Texar Drive, Pensacola, Florida, with the following present:

Chair: Mr. Gerald W. Boone Vice Chair: Mr. Jeff Bergosh

Board Members: Mrs. Linda Moultrie
Mrs. Patricia Hightower
Mr. Bill Slayton

School Board General Counsel: Mrs. Donna Sessions Waters

Superintendent of Schools: Mr. Malcolm Thomas

Meeting was advertised in the Pensacola News Journal on April 28, 2010 - Legal No. 1462055

[General discussion took place among Board Members, the Superintendent, and staff throughout this meeting.]

I. CALL TO ORDER

Mr. Boone called the Regular Workshop to order at 9:02 a.m.

II. 2010-2011 BUDGET

-Class Size Reduction
[Handout provided]

Staff members from the Curriculum and Finance departments provided a presentation regarding Class Size Reduction Requirements. Staff then responded to questions posed by Board Members regarding various aspects of the issue. Mr. Bergosh specifically questioned whether the School District was prepared to be in compliance with the final phase of Class Size at the beginning of the 2010-2011 school year. The Superintendent responded by saying that staff was “leaning forward” in their attempt to comply by doing “those things that are reasonable and prudent.” Mr. Bergosh took issue with that response, noting that he understood the financial difficulty in meeting Class Size yet as elected constitutional officers, Board Members could not blatantly disregard the law by supporting a staffing model that did not reflect the School District being in compliance with Class Size. In response to Mr. Bergosh’s concerns, Mrs. Waters reminded all Board Members that Section 1001.42(15), Florida Statutes listed one of the School Board’s duties as seeing that all laws are being followed by the School District. She further noted that on any matter approved by the School Board, the Board Members must have a good faith belief that the action taken will be in compliance with the law.

The Superintendent recommended holding several Town Hall meetings throughout the District, prior to Final Adoption of the 2010-11 budget in September, regarding the School District’s strategies for meeting Class Size.

The Regular Workshop recessed at 10:37 a.m. and reconvened at 10:52 a.m., with all Board Members, the Superintendent and Mrs. Waters present.

III. COMMENTS FROM SUPERINTENDENT

The Superintendent listed the changes that had been made to the May 18, 2010 Regular Meeting agenda since its initial publication.

IV. PROPOSED ADDITIONS OR REVISIONS TO SCHOOL DISTRICT RULES

Notice of Intent to Adopt Amendments to Rules and Procedures of the District School Board: Chapter 7, Student Affairs

Mrs. Hightower suggested changing the title of Chapter 7 from *Student Affairs* to *Students*. There being no objection by any other Board Member, Mrs. Waters advised that amended backup documentation would be provided to reflect the change in title.

For the on-line version of Chapter 7 policy, Mrs. Hightower requested the placement of hyperlinks to any documents/publications (i.e., Student Rights and Responsibilities Handbook, Student Progression Plan) referenced within the chapter. The Superintendent indicated that he would have the appropriate staff handle this request.

7.12 HARDSHIP WAIVER OF OPERATOR'S LICENSE REQUIREMENTS

Mrs. Hightower asked for data from the 2009-2010 school year regarding: (1) the number of students, if any, who had been granted a hardship waiver of operator's license requirements and; 2) the total number of students who had lost their operator's license privilege.

Notice of Intent to Adopt Amendments to Rules and Procedures of the District School Board: Chapter 7, Student Affairs

Notice of Intent to Advertise Amendments to Secondary Student Rights and Responsibilities Handbook 2010-2011

Mr. Bergosh referred to the following statement that had been added to Section 7.14, Zero Tolerance for Crime and Substance Abuse: *Zero tolerance policy is clearly outlined in the Student Elementary and Secondary Rights and Responsibilities Handbooks, S.B.R. 7.02.* His specific concern was with the changes that had been made to the Secondary Student Rights and Responsibilities Handbook under Section XII, Very Serious Breach of Conduct, whereby the offense of drug use/possession/sale had been removed from the District's zero-tolerance policy. Mr. Bergosh believed that removing drug use/possession/sale from the list of zero-tolerance offenses was a serious mistake and one that he would not support. Instead, he believed that the School District needed to do everything possible to ensure that schools were safe and drug-free. In that regard, he had been advocating for a comprehensive drug eradication policy to combat the presence of drugs on school campuses, which would include:

- (1) *An increase in the frequency of drug dog searches, with a managed approach that is measurable.*
- (2) *Zero tolerance for bringing illegal drugs to school—for students and employees, with a common sense differentiation added between illegal drugs versus "over the counter" medicines*
- (3) *Implementation of a district-wide "Campus Crime-Stoppers" toll free hotline number and website where students can anonymously report criminal/drug activity in our schools and receive cash rewards.*
- (4) *Mandatory drug testing for those students who wish to participate in extracurricular activities, drive their personal vehicles on campus, or who wish to voluntarily participate.*
- (5) *Expansion of counseling services for students who self-report or who test positive on a screening.*

In response to Mr. Bergosh's concerns, Mrs. Carolyn Spooner, Director-High School Education, clarified that the removal of drug use/possession/sale from the list of zero-tolerance offenses was simply the result of a change in Florida Statutes. Because the language in the Secondary Student Rights and Responsibilities Handbook referenced a Florida Statute, that language was changed to reflect the change in Statute. However, she pointed out that drug use/possession/sale was still considered a "very serious breach of conduct" that could result in expulsion. Mrs. Hightower questioned whether there was any

requirement for using the term “zero-tolerance” in Board policy. Mrs. Waters advised that there was no specific reference to the term “zero-tolerance” in Section 1006.07, Florida Statute. There being no objection from any other Board Member, Mr. Bergosh requested that the term “zero-tolerance” be removed from both Chapter 7 policy (specifically, Section 7.14) and from the Secondary Student Rights and Responsibilities Handbook.

V. CONSENT AGENDA

A. Curriculum and Instruction

14. Florida’s Race to the Top Phase 2 Memorandum of Understanding (MOU)

Upon inquiry by Mr. Bergosh, the Superintendent stated that he believed the Escambia Education Association (EEA) would be prepared to sign off on the MOU, if approved by the School Board at the May 18, 2010 Regular Meeting.

B. Finance

-No items discussed.

C. Human Resource Services

3. Risk Management

a. Accidental Student Athletic Insurance Policy

Upon inquiry by Mrs. Moultrie, Mr. Kevin Windham, Director of Risk Management, confirmed that the total annual premium for 2010-11 policy period was identical to the annual premium for 2009-10.

D. Purchasing

1. Bid Award: Custodial Services, RFP #102101

Mrs. Waters advised the Board of a possible protest on the bid for custodial services. Upon inquiry by Mr. Bergosh, Mr. John Dombroskie, Director of Purchasing, confirmed that this contract would be for five years commencing July 1, 2010 (subject to availability of funds for each District fiscal year and School Board approval). However, the contract could, with School Board approval, thereafter be renewed for five additional one-year periods. Mrs. Waters clarified that the contract would require an affirmative vote of the School Board each year.

23. Change Notice #1 to Purchase Order #305746 – New Downtown Elementary School

Upon inquiry by Mrs. Moultrie, Mr. Ron Peacock, Director of Facilities Planning, clarified that this change notice included both a decrease (\$8,649.00) and several increases (totaling \$24,970.28) to the contract amount, resulting in an overall net additional expenditure of \$16,321.28.

E. Operations

-No items discussed

F. Student Transfers

-No items discussed

G. Internal Auditing

-No items discussed

VI. UNFINISHED BUSINESS

-No items submitted

- VII. NEW BUSINESS
 - A. Items from the Board
 - No items submitted
 - B. Items from the Superintendent
 - No items discussed
 - C. Items from the General Counsel
 - No items discussed

VIII. COMMITTEE/DEPARTMENTAL REPORTS
-None

IX. PUBLIC FORUM

Mr. Boone called for public forum; however there were no speakers.

X. ADJOURNMENT

There being no further business, the Regular Workshop adjourned at 12:20 p.m.

Attest:

Approved:

Superintendent

Chair