

THE SCHOOL BOARD OF
ESCAMBIA COUNTY, FLORIDA

MINUTES, AUGUST 12, 2011

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. Bill Slayton

Board Members: Mr. Jeff Bergosh
Mrs. Linda Moultrie (*not present*)
Mrs. Patricia Hightower

School Board General Counsel: Mrs. Donna Sessions Waters

Superintendent of Schools: Mr. Malcolm Thomas

Meeting was advertised in the Pensacola News Journal on July 22, 2011 - Legal No. 1531302

[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 9:00 a.m. The following items were addressed during *Open Discussion*:

- Redistricting of Voter Precincts - Hightower
(NOTE: *This topic was previously discussed at the July 14, 2011 Regular Workshop.*) Mrs. Hightower referred to the minutes from the July 14, 2011 Regular Workshop which indicated that it had been suggested, but not decided, that the public hearing on the proposed boundaries for each School Board Member's voting district be held on September 15, 2011, the same date as the final hearing on the 2011-2012 budget. After brief discussion, the School Board agreed to schedule the public hearing for September 15, 2011, beginning at 6:35 p.m., in Room 160, at the J.E. Hall Educational Center. Mrs. Waters was tasked with ensuring that the appropriate legal advertisement of the proposed precinct boundaries was published in the local newspaper.
- Special Meeting Request - Superintendent
At the request of the Superintendent, the School Board agreed to schedule a Special Meeting for September 9, 2011, beginning at 9:00 a.m., in the Superintendent's Conference Room, at the Dr. Vernon McDaniel Building. The primary purpose of this meeting would be to consider approval of the Comprehensive Annual Financial Report (CAFR). The Superintendent said that the CAFR would be provided to the School Board in electronic format.

II. COMMENTS FROM SUPERINTENDENT

-None

III. PROPOSED ADDITIONS OR REVISIONS TO SCHOOL DISTRICT RULES

Notice of Intent to Advertise the Student Progression Plan

Staff responded to comments by Mrs. Hightower about the format of the document, however, no changes were suggested to the backup documentation for this item.

IV. CONSENT AGENDA

A. Curriculum and Instruction

11. Amendment to the Charter Contract between the School Board of Escambia County, Florida and Escambia Charter School of Excellence, Inc. dba A.A. Dixon Charter School of Excellence

The following representatives of A.A. Dixon Charter School were present to address issues related to this item: Kathy Bearden-Colbert, principal; Melissa Gross-Arnold, attorney; and Greg Ruffin, Operations Manager.

The Superintendent noted that the charter school's first year of operation had been a "train wreck" academically. Because of their poor academic performance, the charter contract amendment that he had submitted to the School Board included substantial changes that would make the charter school more accountable. His proposed amendment would require the submission of annual school improvement plans and would also require other means for monitoring students' progress throughout the year. There was a lengthy discussion between the Superintendent and Ms. Gross-Arnold regarding several changes that the charter school's board of directors wished to make to the charter contract amendment proposed by the Superintendent. There was some confusion throughout the discussion however, because the document that Ms. Gross-Arnold was referring to was a draft version the Superintendent's proposed amendment, not the final version that had been submitted to the School Board. It was also noted during the discussion that the School Board had not received the list of changes requested by the charter school's board of directors. After discussion, Ms. Gross-Arnold said she would obtain an accurate copy of the Superintendent's proposed charter contract amendment and would then work with the School Board's General Counsel and School District staff to have some of the charter school's suggested changes incorporated.

The following issues were also addressed during this discussion:

- 7th Grade - Upon inquiry by the Superintendent, Ms. Bearden-Colbert confirmed that the charter school board had decided that the school would not offer 7th grade during the 2011-2012 school year.
- Financial Statement Audit - Mr. Terry St. Cyr, Assistant Superintendent for Finance and Business Services, noted that the School District had not yet received the charter school's financial statement audit for 2010-2011 which was supposed to be submitted within 45 days of the fiscal year end, which would be August 15th. Mr. Ruffin said that the information would be provided to the School District by August 15th. Ms. Bearden-Colbert noted that the only problem identified in the audit was that the school was in a deficit because they did not receive \$70,000 in Title I funding that was allocated in the budget from last year.
- Student Enrollment Projections - In response to statements made by the Superintendent about the charter school's declining enrollment, Ms. Bearden-Colbert said that the charter school did have recruitment efforts in place to continue to build their school base. She said their goal was to have as many students as possible.
- Reduction in Transportation Services - The Superintendent asked if the charter school's board of directors had made a decision regarding transportation services. Mr. Ruffin said the school was currently considering either splitting buses with another charter school in the area (Jacqueline Harris Preparatory Academy) or simply reducing their transportation service range.

Mr. Bergosh cited numerous issues with A.A. Dixon's first year of performance, which included the receipt of an "F" school grade (based on student performance on the Florida Comprehensive Assessment Test), declining student enrollment, and significant financial trouble. With regard to the school's declining enrollment, Mr. Bergosh believed it would be very difficult for the charter school to reach their projected enrollment of 190

students, especially with new Global Learning Academy (GLA) opening in the same attendance zone. Mr. Bergosh asked to see the contingency plan for the charter school's budget at a student enrollment of 150 by August 16, 2011, the date of the School Board's Regular Meeting.

The Regular Workshop recessed at 10:25 a.m. and reconvened at 10:45 a.m., with Mr. Bergosh, Mrs. Hightower, Mr. Slayton, Mr. Boone, the Superintendent, and Mrs. Waters present. Mrs. Moultrie was not in attendance for this meeting.

B. Finance

4. Legal Services:

General Fund

a) The Hammons Law Firm	\$ 1,906.50
b) The Hammons Law Firm	\$ 863.10
c) The Hammons Law Firm	\$ 449.50
d) The Hammons Law Firm	\$ 407.60
e) The Hammons Law Firm	\$ 248.00
f) The Hammons Law Firm	\$ 1,457.00
g) The Hammons Law Firm	\$ 93.00
h) The Hammons Law Firm	\$ 248.00
i) The Hammons Law Firm	\$ 232.50
j) The Hammons Law Firm	\$ 728.50
k) The Hammons Law Firm	\$ 2,076.05
l) The Hammons Law Firm	\$ 2,527.58
m) The Hammons Law Firm	\$ 1,550.00
n) The Hammons Law Firm	\$ 1,805.00
o) Shell, Fleming, Davis & Menge, P.A.	\$ 994.70
p) Shell, Fleming, Davis & Menge, P.A.	\$ 527.00
q) Shell, Fleming, Davis & Menge, P.A.	\$ 234.50
r) Shell, Fleming, Davis & Menge, P.A.	\$ 4,968.00
s) Rumberger, Kirk & Caldwell	\$ 3,402.16

5. Legal Services:

Risk Management Fund

The Hammons Law Firm	\$ 7,796.50
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Based on the large amount of outsourced legal service fees each month, Mr. Bergosh questioned whether the School Board should continue to outsource legal matters or whether they should consider creating another in-house attorney position. He said he would be interested to know whether other school districts of similar size in Florida had multiple attorneys on staff or whether they too outsourced many of their legal matters. Mrs. Waters said she would provide a copy of the most recent survey conducted by the Florida School Board Attorneys Association (FSBAA) on in-house versus outsourced legal counsel and the Board could discuss the issue later.

C. Human Resource Services

1. Instructional/Professional

d. Out-of-Field

1. Appointments

<u>NAME</u>	<u>LOCATION</u>	<u>DATE</u>	<u>MOS</u>
Edwards, Denise C.	Pine Forest High	08/15/11	10
Green, Joseph B.	West Florida High	08/15/11	10
Kersey, April L.	Brown Barge Middle	08/15/11	10

2. Reappointments

<u>NAME</u>	<u>LOCATION</u>	<u>DATE</u>	<u>MOS</u>
Lockman, Annie L.	Bailey Middle	08/15/11	10

Ms. Teenie Wehmeier, Coordinator -Educator Certification, said she would provide the backup documentation associated with the “out-of-field” section as apparently it was omitted from the agenda packets provided to the Board.

g. Special Requests

1. Approval of the following job description on the Professional Salary Schedule, effective August 16, 2011:

Coordinator II – Employee Services

Mrs. Hightower said that she was not comfortable in approving this job description as one of the performance responsibilities of this position was to serve as the chief negotiator in the conduct of negotiations with employee certified bargaining representative. She noted that job description for the Director of Human Resource Services also had the performance responsibility of serving as the chief negotiator, so unless one of those job descriptions was changed there would actually be two individuals serving as the chief negotiator. Mrs. Hightower said she did not know how the School Board could legitimately create a new position when recent discussions had indicated that the School District would be facing a tough budget situation in the upcoming year. The Superintendent clarified that the approval of this job description would not constitute the addition of a new position but rather the reorganization of Human Resource Services department. He noted that with the deletion of the Coordinator II - No Child Left Behind position and the approval of the Coordinator II - Employee Services position, the total number of personnel in the Human Resource Services department would not be changed. In response to concerns expressed by the School Board, the Superintendent noted that even with the approval of this position, Mr. Keith Leonard, Director of Human Resources and the current chief negotiator, would still be involved in the bargaining process. Mr. Bergosh said he intended to support this because he believed it to be a budget neutral item; however, he would feel more comfortable if Mr. Leonard was to remain as chief negotiator knowing Mr. Leonard’s history of working very well with the union. Mr. Bergosh asked the Superintendent if he anticipated that the individual who would fill this position would be an “outsider” or someone promoted from within. The Superintendent said he would have no idea until the position was approved and subsequently advertised; but noted that there was “no one that anybody has in mind.” He said that an applicant’s personality, temperament, attitude, skill set, and work ethic would be critical for this position. Mr. Slayton said he would support the approval of this job description as he had been assured that “Mr. Leonard’s expertise would not leave that area.” Mrs. Hightower said she was also concerned because the School Board would have no input on who was hired to fill this position, yet the chief negotiator was the School Board’s “voice” at the bargaining table.

3. Risk Management

- a. Pensacola Police Department School Resource Officer Contract
- b. Escambia County Sheriff’s Office Resource Officer Contract

Upon inquiry by Mr. Bergosh, the Superintendent said that School Resource Officer contracts for the 2011-2012 school year contained more extensive reporting requirements than the contracts from previous years. Once school personnel had reported an incident to the SRO, the SRO would either write an offense report and generate a complaint number when a crime had been committed; or would generate an incident through Communications and provide a CAD number to the school. In answer to Mr. Bergosh, the Superintendent

confirmed that there was language in the contracts to specify that once school personnel had reported an incident to the SRO, it would be up to the SRO to determine whether or not a crime had been committed.

D. Purchasing

-No items discussed

E. Operations

1. Operations

A. Miscellaneous

1. Lease Agreement between the School Board of Escambia County, Florida and Pensacola State College

Mr. Shawn Dennis, Assistant Superintendent for Operations, said that the “executive summary sheet” included in the backup documentation for this item would be amended to change the fund source from LCIF Fund to General Fund.

2. Sales Agreement between the School Board of Escambia County, Florida and McDonald’s USA, LLC

Mr. Shawn Dennis, Assistant Superintendent for Operations, said that the “executive summary sheet” included in the backup documentation for this item would be corrected to indicate a sales price of \$1,300,000 rather than \$500,000.

F. Student Transfers

-No items discussed

G. Internal Auditing

-No items submitted

V. UNFINISHED BUSINESS

-None

VI. 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 submitted

VII. COMMITTEE/DEPARTMENTAL REPORTS

-None

VIII. PUBLIC FORUM

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

IX. ADJOURNMENT

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

Attest:

Approved:

Superintendent

Chair