

THE SCHOOL BOARD OF  
ESCAMBIA COUNTY, FLORIDA

MINUTES, JANUARY 18, 2013

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. Jeff Bergosh Vice Chair: Mrs. Linda Moultrie

Board Members: Mr. Gerald W. Boone  
Mrs. Patricia Hightower (*not present*)  
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 December 18, 2012 - Legal No. 1585851

[General discussion among Board Members, the Superintendent, and staff occurred throughout this workshop.]

I. CALL TO ORDER

Mr. Bergosh called the Regular Workshop to order at 9:00 a.m.

II. COMMENTS FROM SUPERINTENDENT

The Superintendent listed the changes that had been made to the January 22, 2013 Regular Meeting agenda since its initial publication.

III. PROPOSED ADDITIONS OR REVISIONS TO SCHOOL DISTRICT RULES

Notice of Intent to Adopt Amendments to Rules and Procedures of the District School Board: Chapter 2, Human Resource Services (6Gx17-2.03; 2.04; 2.06; 2.10; 2.17; 2.26; 2.29; 2.33; 2.36; 2.37)

There was no discussion on this item.

Notice of Intent to Adopt Amendments to Rules and Procedures of the District School Board: Chapter 3, School Operating Procedures (6Gx17-3.01; 3.02; 3.03; 3.07; 3.16; 3.18; 3.21)

Mr. Bergosh said that he was "not 100% satisfied with every aspect of all the language" in Chapter 3. He noted that he had numerous conversations with the Superintendent about his concerns but he would of course, vote to support Chapter 3 as presented and would keep working toward the changes that he believed were needed in that chapter.

Notice of Intent to Adopt Amendments to Rules and Procedures of the District School Board: Chapter 6, Student Transportation (6Gx17-6.04)

There was no discussion on this item.

Notice of Intent to Adopt Amendments to Rules and Procedures of the District School Board: Chapter 1, Administration of the District School System (6Gx17-1.19 and 1.22)

Mr. Boone asked if there had been a mistake made on the agenda listing for this item. Mr. Bergosh said that the item should indicate that it was for advertisement. The Superintendent agreed that the item would need to be corrected to indicate that it was for advertisement.

Mr. Bergosh wanted to see if any of the other Board Members would have any interest in clarifying the language with regard to posting the agenda seven (7) days prior to the regular monthly meeting. He noted that Florida Statutes referenced an agenda being posted and that School Board policy referenced both the agenda and backup documentation; however, he said there was some ambiguity in the language so his suggestion was to clarify that via adding something into Chapter 1 to say that at that when the agenda is posted that the School Board preferred to have the backup documentation as well. Mrs. Waters clarified that the statute says the agenda will be posted seven (7) days ahead of time and that School Board policy refers to agenda and backup documentation but really did not make it clear whether backup documentation had to be posted at the same time as the agenda, recognizing the practical issues that would present but if Board Members were concerned that they were not having enough time to review the backup documentation they may want to address that through policy. Mr. Slayton said he always feels like if he did not have enough time then he would ask the Superintendent to pull the item. He said he had not had a problem but noted that the School Board had received some items and some changes but they had always been minor. He said he was not aware that the language was confusing but it was alright with him. Mrs. Moultrie asked Mr. Bergosh is he was trying to make the language consistent. Mr. Bergosh responded that it was his intention to make the language consistent. Mrs. Moultrie said she could understand wanting the language to be consistent if it was going to create practical problems as Mrs. Waters has said then they might want to take a look at it; however, like Mr. Slayton had mentioned, Mrs. Moultrie said that any time she had a problem or needed clarification on some of the verbiage in the rule, she usually would call the Superintendent and/or a staff member and it was cleared up. Mr. Bergosh said that he does the same thing and the Superintendent's staff, in particular Dr. Alan Scott, Assistant Superintendent for Human Resource Services, was always readily available to explain issues. Mr. Bergosh said that he would bring some suggested language to the January 22, 2013 Regular Meeting and the School Board could discuss it and if they thought that it made sense to make it uniform, they would either adopt it or not. The Superintendent said he wanted to comment as a practical matter, that since the District had moved to an electronic agenda, when the agenda was published, the hyperlinks for most of the backup documentation were published as well. He said that if Mr. Bergosh was going to draft language, he would need to realize that there would always be some items where the backup might not be available at the point when the agenda was published and sometimes for very good reason. He gave an example of this month's out-of-field teachers where staff had worked with the School Board and the School Board had worked with staff to wait until the last possible moment to provide the list of out-of-field teachers because that helps principals as it was a funding issue. He said if he published that backup too early and then a principal had to hire a teacher after that deadline, the School District would lose the funding because this was the last School Board meeting prior to the February FTE count. The Superintendent said that when there were issues that financially could have impact on the School District, staff needed the latitude to bring the School Board that backup. He said he appreciated that the School Board had worked with staff because it was in the best interest of the School District. He said that whatever language was created, he wanted to make sure that it still had the carve outs on those exceptions where if backup was not available and it was something that needed to come that staff have the ability to get it to the School Board as soon as possible. He clarified that currently, the way that staff interprets and defines "publish" is when Mrs. Holley DeWees, Administrative Recording Secretary, presses the button on Friday afternoon to publish the agenda to the website and at that point, links are live. The Superintendent said that some of staff's internal processes had been adjusted last month to make that even a little bit easier for Mrs. DeWees to get that backup linked in time and it was staff's goal to have all the backup available linked on that Friday afternoon which was seven (7) days prior to the School Board's regular monthly workshop and ten (10) days prior to their regular monthly meeting. He pointed out that if there were items that had been delayed it had only been a day or two. He said that last month there were a couple of Risk Management items that staff had provided in backup in sufficient time on a Monday eight (8) before the regular meeting. He said the delay was beyond staff's control and noted that if staff did not have the backup, then obviously they could not give it to the School Board. The Superintendent said that if there was something that needed to come before the Board, he would just have to explain the "good cause" for that occur. He asked

that the School Board not “paint us in a corner” because the current process was effective and had gotten so much better over the last two years. He noted that the number of changes to the agenda after initial publication had dramatically decreased and improved as staff continued to work through its processes.

Approval of Minutes, Section IV

1. 12-13-12 SPECIAL WORKSHOP
2. 12-14-12 REGULAR WORKSHOP
3. 12-18-12 REGULAR MEETING

Mr. Bergosh said he had reviewed each set of minutes from the December workshops and meetings. Mr. Bergosh thanked Mrs. Holley DeWees, Administrative Recording Secretary, for being so thorough with the minutes. He commented that the minutes were better than ever. He questioned whether she had utilized the video recording to help with preparation of the minutes. Mrs. DeWees responded that she had utilized the audio recordings of the meetings to do so.

IV. CONSENT AGENDA

- A. Curriculum and Instruction  
-No items discussed

B. Finance

6. Scrap Lists I and II for January 2013

Mr. Bergosh said he noticed that there were numerous computers listed on the scrap lists for January 2013. Mr. Bergosh said he wondered, knowing that Mr. Boone had initiated the idea of helping the community by donating salvaged computers, had there been any requests for these computers because some of them appeared to be late models. Mr. Boone wanted an update on the progress of the policy regarding getting computers ready for people who might have use for them. Mr. Tom Ingram, Director of Informational Technology (IT), said that he had advertised that policy with school-based technology coordinators, IT staff, school principals, and department heads immediately after the last School Board workshop so the policy was now in place. He reported that thus far there had been no discards that had been reported that were functional obsolete computers which would be the computers that would be applicable. Mr. Ingram said that he had reviewed the scrap lists for January 2013 and most of the computers that were listed as less than five (5) years old appeared to be donations. Mrs. Laura Shaud, Director of Budgeting, clarified that those computers with an acquisition date of 2009 and 2010 with a \$500 value, were donated computers. She noted that the dates listed were not the age of the item but rather the dates of acquisition by the School District. Upon inquiry by the Superintendent, Mrs. Shaud confirmed that those computers were older when the School District received them. The Superintendent said to Mr. Ingram that he believed the policy should be posted to the District website under the guidelines portal so that someone external to the system would know how to make a request as was the purpose of the policy. Mr. Ingram said he would work something up on that. Mrs. Moultrie questioned whether the situation had been clarified with regard to the other items that were initially up for donation last month (i.e., deep fryer oil). The Superintendent said there were questions about how the School District had purchased the deep fryer oil and whether they could do what they were trying to do by donating; he said that staff was trying to figure all of that out before they brought it back to the School Board. He said that there was a donation on this agenda that would go to the Century Correctional Facility for some discarded lawn equipment that the School District could not make use of but he did not think that staff had taken any action on the deep fryer oil. He said he would get Mr. Shawn Dennis, Assistant Superintendent for Operations, to email the School Board Members an update in terms of the status of that situation.

8. Financial Status Report: Employee Benefit Trust Fund

Mr. Bergosh said he thought it would be good for Mr. Terry St. Cyr, Assistant Superintendent for Finance and Business Services, to discuss the Employee Benefits Trust Fund. Mr. Bergosh said it looked as though the plan changes that the School Board made had paid off and had kept the School

District solvent through the year. Mr. St. Cyr reviewed the trust fund's progress from July 2012 to November 2012. He noted that the operating increase/(decrease) at July 31, 2012 was (\$24,374.97). He said during the first two months, July and August, evidently the trust fund was dealing with some things that happened during the summer as teachers were off work and probably having medical procedures. He noted that September, October and November were all positive months as well as December although December was not reflected in this status report. Mr. St. Cyr said that the trust fund was trending in the right direction. He noted that the trust fund balance was approximately \$4 million as of November 30, 2012 and had actually increased a little in December as well. He said the changes had been effective and that he believed the positive trend would continue; of course, he noted that the new plan design year began January 1, 2013 but he anticipated that the trust fund would continue as it had been. Mr. St. Cyr said that overall it looked like a positive increase and hopefully as the District moved forward with the employee health clinic plan, that situation would help not only employees, but the trust fund as well.

At this time, the following items were handled:

Dixon Charter Report, Item VII.1

Ms. Vicki Mathis, Director of Alternative Education, said that at the request of Mr. Slayton, she had provided Dixon's financial statements for November 2012; she noted that Dixon's financial statements for December 2012 were not due until the end of January. Dr. Wendy Bennett, principal of Dixon School of the Arts, noted that she had already submitted the school's written academic report for January 2013 and would respond to any questions and/or concerns from School Board Members about the information outlined in that report. Mr. Slayton said he had been following the school's academic progression as that was his primary concern. He believed that the school administrators were "very careful watchers of their budget" and he appreciated that. He noted that Dixon was facing the same academic challenges as other schools in the District. Dr. Bennett said she had tried to be very honest in sharing Dixon's academic challenges in the monthly reports to the School Board. She noted that the "climb" for Dixon continued to be a "very steep one" but the school was working hard at it every day. Mr. Slayton said he appreciated the honesty in the report and that it was very easy to read and understand. Dr. Bennett provided School Board Members with a copy of the December holiday edition of the "The Dixon Journal" which outlined "good news" from the school. Mr. Bergosh asked if Dixon's current enrollment was holding steady around 146. Dr. Bennett said it was holding around 146. She said there were 11 parents who were in the deciding stage and that those parents had been asked to make their decision right away so that it could be reflected well before the FTE survey in February. The Superintendent noted that his concern, as expressed during the last School Board workshop, was that parents commit to staying at Dixon. Dr. Bennett noted that, like every school, with parents it is their decision and family circumstances sometimes cause them to leave. Mr. Slayton said he hoped that parents understood that it was not just because of "dollars and cents" but rather it was not good for students to be moving month after month to a different school as they would just fall further and further behind academically. The Superintendent reminded Dr. Bennett that as a charter school, Dixon had flexibility because they could bus all over the School District; so, if a family moved, they did not have to leave Dixon but rather they could continue there and be stable in that environment. He noted that one of the selling points of a charter school was that families could get that stability where they might not get it if they were moving in their attendance zone because the School District would only bus to their zones. He noted that Dixon was already busing across a number of attendance zones and if they were within the school's route, they may be able to stay. Dr. Bennett said that when the school does an exit interview with parents they often mention there are issues that are related to them moving outside of the attendance radius that Dixon was transporting to and from. She said that the school makes every effort to try to help and obviously would so that they could hold them but there are sometimes when there is nothing that the school can do.

Newpoint Academy Report, Item VII.2

Mr. John Graham, Executive Director of Newpoint, said that he had taken some of the suggestions that were offered by School Board Members and the Superintendent during the last workshop. He shared some of the things that he had tried to do to make sure that he addressed their concerns. Mr. Graham noted the Mrs. Linda Brown, vice-chair of the Newpoint's board of directors was in attendance. Mr. Graham reported that

Newpoint Academy's (middle school) current student enrollment was 172 and Newpoint Pensacola's (high school) enrollment was currently 91. Mr. Graham noted that there had been some concern expressed at the last workshop with regard to Newpoint's board of directors and the number of board members that were locals. He explained that when Newpoint originally opened last year, they were required to have a board of directors in order to get their charter; therefore, Newpoint put into place a program to have experienced board members so they brought two individuals from Escambia County to learn and become part of the leadership team and at the end of this year, they would be brining on more of the local population until eventually everyone on the Newpoint's board of directors was from Escambia County. Mr. Graham said another issue that was raised at the last workshop was about Newpoint's teacher turnover and teacher certification. He said that over the Christmas holidays, he did have two teachers who left the school but he was fortunate to find a replacement and one of them was certified in the area whereas the teacher who had left the school had not been certified in that area. For the other position, he said that teacher was not currently certified but had taught for eleven (11) years that subject at a private school and had since scheduled to take the test and he had no doubt that she would pass it at the beginning of February. Mr. Graham said that his report included a listing of Newpoint's staff members, their certifications with state certificate number, subject(s) taught, out-of-field classes, and teaching experience. The Superintendent wanted to know out of Newpoint's sixteen (16) teachers, how many had been at Newpoint for the entire school year. Mr. Graham responded that twelve (12) of the sixteen (16) teachers had been at Newpoint for the entire school year. He noted that teacher turnover had been in two areas: 6<sup>th</sup> grade language arts and 8<sup>th</sup> grade math and science. He said the 6<sup>th</sup> grade language arts class had been solidified with a teacher who had been at the school since October. He also noted that coincidentally those two areas were the academic areas that had been identified as needing improvement so there was apparently a correlation. Mr. Graham said that another question that was brought up at the last workshop was about the advertisement of Newpoint's board of directors meetings. He said that going forward, he would be taking out advertisements in the local newspaper, would be putting up a sign in the student drop-off/pick-up area that would also advertise the date/time of meetings, would continue to send out notice of meetings via emails to parents, posting the meeting schedule in the school's front office, and would also send out notice to students using the student's school email accounts, as well as posting the meeting schedule to the school's website. Mr. Graham said that the school had put into a place a new plan at the beginning of this new semester where the school's teachers were going to be looking at the same data that he had provided to School Board Members and from that they would identify their lowest and highest performing students. He said the idea was that if those students were identified the teachers could meet together across the various disciplines and come up with strategies for those specific students. He said that individual plans would be developed for those students and would be shared across classrooms so that more teachers would be involved with helping those particular students. Mr. Graham said he had also implemented a program whereby each teacher has "adopted" about five (5) students and would develop a personal relationship with those students so that they would have a "safe harbor" to discuss issues with someone other than their classroom teacher. Mr. Graham said that he was also in the process of reviewing the school's security plans. Mr. Bergosh complimented Mr. Graham on his very comprehensive monthly report that addressed all the information that School Board Members had asked about during previous workshops.

### C. Human Resource Services

#### 1. Instructional/Professional

##### f. Special Requests

2. Approve the following employees to receive their regular hourly rate of pay, funded by SIG, to work at Montclair Elementary School on common core math practices, Discovery Ed training, yearly review of data and an action plan for future trainings and goals on January 26, 2013, March 2, 2013, and May 18, 2012, six hours per day, a total of 18 hours per employee:

Campbell, Keri L.  
Catanese, Laura A.  
Chalanczuk, Edelsa K.  
Cox, Jakera A.  
Duren, James W.  
Eagle, Kelli J.  
Freeman, Betsy L.  
Goble, Diana E.  
Graber, Ryan S.

McMillan, Emily C.  
McMillian, Lisa L.  
O'Brien, Veronica H.  
O'Neal, Jamila L.  
Perkins, June K.  
Pylant, Kerri D.  
Roby, Deborah A.  
Sykes, LaTris B.  
Tindell, Sunday L.

Guernsey, Kristen A.  
Hill, Shirley A.  
Jones, Cheryl  
Killette, Brenda L.  
Lovely, Kathryn L.

Turner, Donald A.  
Walker, Tiana J.  
West, Gillian D.  
West, Nichole B.  
Young, Qureshia C.

Mr. Bergosh said he assumed that the reference to May 18, 2012 in Item V.C.1.f.2 was incorrect and should be May 18, 2013 instead. Dr. Alan Scott, Assistant Superintendent for Human Resource Services, said he assumed that Mr. Bergosh was correct but he would verify. The Superintendent believed that the item would need to be corrected to indicate May 18, 2013.

3. Risk Management
  - a. Workers Compensation Settlement

Mr. Bergosh said that he had read the backup documentation but he thought that the School Board had addressed this issue about a year ago. The Superintendent said that the School Board had addressed it in a previous Executive Session and had given the attorneys authority to move forward and this was the end result.

- D. Purchasing
  - No items discussed

- E. Operations
  1. Facilities Planning
    - A. Final Payments
    2. Navy Point Elementary School Covered Play Area and Multi-Purpose Room

Mr. Slayton said he was always glad to see finishing covered play areas and multi-purpose rooms. He asked whether staff had any idea how many of the elementary schools now had a covered play areas and multi-purpose room. Mr. Shawn Dennis, Assistant Superintendent for Operations, said he could get an exact number for Mr. Slayton but he believed it was probably about half of the elementary schools.

4. Transportation
  - A. Miscellaneous
    1. SES Transportation Services Addendum

Mr. Bergosh said he would be meeting with Mr. Robert Doss, Director of Transportation, after this workshop to discuss this item.

- 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

1. Student Recommendations

1. Recommend that the order of the formal hearing officer be adopted as the order of the Board for student discipline number 13-19-521.
3. Recommend that the order of the formal hearing officer be adopted as the order of the Board for student discipline number 13-60-521.

Mr. Bergosh said he wanted to discuss the student recommendations outlined in Item 1 and Item 3. He noted that for both items the School Board was being asked to adopt the formal hearing officer's recommendation. Mr. Bergosh said he had discussed these items with Mrs. Waters but still had some questions. He referenced a recent article in the *Pensacola News Journal* that included a kaleidoscope of pictures of over 30 people in Escambia County who had been murdered; he noted that the majority of those murders were directly related to drugs. Mr. Bergosh noted that drugs were a tremendous problem in the community and that was the reason that he had pushed so hard to have a very strict policy on drug possession at school. Mr. Bergosh said that it appeared to him as if the student in Item 1 would essentially face no penalty should the School Board choose to accept the for hearing officer's recommended order. Upon inquiry by Mr. Bergosh, Mr. Darriel White, Court Liaison, said that the student in Item 1 had been enrolled in the Second Chance program since the incident occurred. Mr. Bergosh gave a "thumbnail sketch" of the incident noting that the canine was walking through the school parking lot, alerted on a vehicle, staff at the school brought the student out and he consented to a search of the vehicle, the dog alerted underneath the passenger seat was a baggie that had seeds marijuana seeds and drug paraphernalia (i.e., rolling papers). The student told the school officials that it was not his although he admitted to smoking marijuana and said he had a friend in the front seat but he didn't remember who was the friend was or else he wouldn't say. The student also said that his mother had just bought the car two weeks prior off of Craigslist from a man in Navarre, Florida yet he could not recall the man's name. Mr. Bergosh said that he was not buying the student's story. He noted that the hearing officer who reviewed this case said there were enough questions that maybe the items did not belong to the student so she thought the student should be allowed return to his regular school with no penalty. Mr. Bergosh was concerned that if the School Board did not send a strong message at this stage in student's lives, then the kaleidoscope of pictures he referred to earlier would continue to grow. Mr. Bergosh said that he intended to vote no on the recommendation outlined in Item 1 as he did not believe it was fair and that it sends the wrong message if the School Board allows a student to come right back to school. The Superintendent noted that due process was an important part of discipline. He said he had read the hearing officer's report but he had not been at the hearing or reviewed the tapes from that hearing and therefore, had not heard all the evidence, so he would trust the process. He noted that most of the time, the hearing officers had accepted his recommendation but there had been some occasions where a hearing officer had listened to the entire testimony and reviewed the facts of the case and then made a judgment that differed from his recommendation. The Superintendent pointed out that the hearing officers were the School Board's representatives and that he was simply bringing their recommendations back to the School Board. He believed that if the School Board rejected its hearing officer's ruling then that would obligate the School Board to go back and review the tapes from the hearing before they could make a judgment of what should happen with a student. The Superintendent commented that although he might disagree with a hearing officer's ruling at times, he did support the formal hearing process because in the end it was fair to every student.

With regard to the recommendation outlined in Item 3, Mr. Bergosh believed that in that in this particular case, the hearing officer got it right. Mr. Bergosh provided a "thumbnail sketch" of the incident noting that a student on the way to school received a bottle of something from another student, which happened to be pineapple-flavored vodka, and he consumed it and then dumped it in a toilet but some of it spilled and some students reported it and yet this student was honest and forthright telling the truth and went through the discipline process. Mr. Bergosh believed that it was disparate treatment from what the student in Item 1 received because the student in Item 3 was being recommended for expulsion for a full semester. While he did not condone the student in Item 3 possessing and consuming the alcoholic beverage, he did note that the alcohol was not an illegal drug as was the case in Item 1. Mr. Bergosh also noted that the student in Item 3 had cooperated and so he was just curious as to why that student would not have received the same

outcome as the student in Item 1. The Superintendent responded that the facts of each case were different. He said he had to trust the process whether he agreed with the outcome or not. He pointed out that for both of these items, the hearing officers had actually gone against his original recommendations. The Superintendent also noted that if a student chose not to disclose information, as was the case in Item 1, the student would not be penalized for that because they had a right to remain silent and to not incriminate themselves.

- C. Items from the General Counsel
  - No items submitted

VII. COMMITTEE/DEPARTMENTAL REPORTS

- 1. Dixon Charter Report
- 2. Newpoint Academy Report

These items were handled earlier in the meeting.

VIII. PUBLIC FORUM

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

IX. ADJOURNMENT

There being no further business, the Regular Workshop adjourned at 10:22 a.m.

Attest:

Approved:

\_\_\_\_\_  
Superintendent

\_\_\_\_\_  
Chair

PENDING BOARD APPROVAL