

THE SCHOOL BOARD OF
ESCAMBIA COUNTY, FLORIDA

MINUTES, MARCH 16, 2012

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. Bill Slayton Vice Chair: Mr. Jeff Bergosh

Board Members: Mr. Gerald W. Boone
Mrs. Linda Moultrie
Mrs. Patricia Hightower

School Board General Counsel: Mrs. Donna Sessions Waters (*not present*)

Superintendent of Schools: Mr. Malcolm Thomas

Meeting was advertised in the Pensacola News Journal on February 23, 2012 – Legal No. 1555559

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

I. CALL TO ORDER

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

II. COMMENTS FROM SUPERINTENDENT

Kerrigan, Estess, Rankin, McLeod & Thompson, LLP

Attorney Bob Kerrigan of Kerrigan, Estess, Rankin, McLeod & Thompson, LLP, advised the School Board that his firm would be filing a lawsuit against the company that owns and operates a scrap yard near Oakcrest Elementary School and the former Brownsville Middle School property on behalf of residents in the neighborhood. Mr. Kerrigan wanted the School Board to be aware of the lawsuit before they received any phone calls from concerned parents of students attending Oakcrest Elementary. According to Mr. Kerrigan, GSI Recycling, Inc. had been operating since early 2010, a “massive shredder” that would crush up to 150,000 pounds of metal a day. Mr. Kerrigan said his clients have complained about the noise and vibrations from the shredder, which emits what the conditional permit describes as “fugitive emissions.” Mr. Kerrigan said that homes and automobiles in the nearby area are covered with residue from emitted from the shredder. The Superintendent and School Board Members expressed concerns about the health and safety of the children attending nearby Oakcrest Elementary. The Superintendent said that he would have air quality tests conducted at the Oakcrest Elementary campus. The Superintendent noted that the scrap yard had also impacted the sales price of the former Brownsville Middle School property. He said, “We’ve lost buyers because of the scrap yard” adding that “the shredder devalues it (the property) even more.” Mr. Kerrigan was to provide a copy of the lawsuit to the Superintendent who in turn, would disseminate copies to the School Board Members.

Budget Update

Mr. Terry St. Cyr, Assistant Superintendent for Finance and Business Services, narrated a brief PowerPoint® presentation entitled, *General Appropriations Act - Revenue Outlook for the Fiscal Year Ending June 30, 2013*. Mr. St. Cyr then responded to questions posed by School Board regarding the information outlined in his presentation.

The following item was moved forward on the agenda:

Charter School Quarterly Report (Item VII.1)

Representatives from the following charter schools were in attendance for this meeting: Jacqueline Harris Preparatory Academy, Capstone Academy, Newpoint Academy, Newpoint Pensacola, A.A. Dixon, and Escambia Charter. Ms. Vickie Mathis, Director of Alternative Education, reviewed information outlined in the March 2012 Charter School Quarterly Report that was provided to School Board Members prior to this meeting. She advised that the annual review of each charter school (amendments for the 2012-2013 school year) would be submitted to the School Board in April and May 2012.

- *Newpoint Academy and Newpoint Pensacola*

Mrs. Hightower was concerned that current enrollment figures for Newpoint Pensacola indicated that the school had continued to lose students. Upon inquiry by Mrs. Hightower, Ms. Carla Lovett, Director of Newpoint Schools, said she believed that the recent transition in the school's leadership may have had some impact on the school's enrollment. She noted however, that there was already evidence of "strong" interest in Newpoint Pensacola for the upcoming 2012-2013 school year. Mrs. Hightower had concern about the school's finances, specifically with regard to the significant increase in liabilities. Ms. Lovett said that the 248% increase in liabilities for January 2012 was because the school owed its management company, Newpoint Education Partners, a total of \$248,000; because the timing of the school's FEFP check in December 2011, the school's management company, Newpoint Education Partners had to make a significant (\$248,000) cash contribution to the school in January 2012. Upon inquiry by Mr. Bergosh, Ms. Lovett said that Newpoint's Board of Directors was still contemplating whether or not to stay at the current location; they were currently in negotiations with the owner of another facility but if negotiations for that facility did not work out, they would stay at the current location but would be doing extensive renovations to that facility.

The following item was moved forward on the agenda:

Update from A.A. Dixon Charter School of Excellence (Item VII.2)

Mr. Fred R. Heid, Regional Executive Director for School Improvement, Florida Department of Education (FLDOE), shared his assessment of Dixon's progress based on his team's last instructional review of the school. He voiced numerous concerns all of which were outlined in his report, but his primary concern stemmed from Dixon's lack of mid-year student assessment data. Because of this lack of assessment data, Mr. Heid and his team did not have sufficient data to compare to the beginning of this school year's student baseline test data to simulate projected FCAT achievement in order to develop new strategies and action steps with the school. Mr. Heid said it was apparent that teachers were working hard and students were on-task, however, he truly did not know what the school's focus had been because the relevant data was not there to drive instructional decision-making.

Upon inquiry by the Superintendent, Mr. Heid said that his team had cited numerous instances where Dixon administration failed to demonstrate that their teachers had received pertinent professional development to ensure that their lesson plans were in alignment with the standards that would be tested on the FCAT.

Mr. Heid pointed out that as a school in Differentiated Accountability Targeted Assistance, Dixon was required to have fully released reading, math, and science coaches. He noted that Dixon did not have their coaches in place for the first half of the school year and therefore, they were not able to effectively support the curriculum and instruction on the campus during that time. Dixon did hire a reading coach in late December 2011 and Mr. Heid said that individual had "done a good job" of putting appropriate interventions in place. However, Mr. Heid said he and his team would pose the question, "Is it too little, too late?" noting that the timeline in which all of that occurred may have been too far delayed to actually illicit a change instructionally, especially with FCAT testing occurring "right around the corner" in April 2012.

Mr. Heid was asked to predict, based upon his experience and his intimate knowledge of Dixon's progress, what the school's letter grade might be for the 2011-2012 school year. Mr. Heid noted that

while there was always hope, it was difficult for him to envision that the school would show significant progress for 2011-2012 school year, especially with the DOE's new school grading standards. In fact, he alluded that it was quite possible that Dixon may repeat as an "F" school again this school year and with an actual lower proficiency rate in reading and/or mathematics. Mr. Heid and his team felt that Dixon was now "moving in the right direction" but again they would pose the question, "Is it too little, too late?"

Mr. Bergosh thanked Dixon representatives for the thorough financial data that was provided as part of this month's update, noting that the financial data provided this month was much more complete than that which had been provided in previous months. In response to questions that were being posed by School Board Members pertaining to information outlined in the financial report, Dixon's principal, Mrs. Kathy Colbert and Dixon's Board Chair, Mr. LuTimothy May, both said they did not feel qualified to answer any questions about the school's finances. Instead, they asked that School Board Members pose all financial questions in writing to the attention of Dixon's accountant. Mr. Bergosh expressed his frustration that Dixon's accountant was once again not present to answer important questions about the school's finances. He pointed out that the School Board had, on multiple occasions, specifically requested that Dixon's accountant be present during these monthly updates so that the School Board's questions could be answered. Again, Mr. Bergosh specifically requested that Dixon's accountant be present for all future monthly updates.

The Regular Workshop was recessed at 10:35 a.m. and reconvened at 10:45 a.m., with all School Board Members, the Superintendent, and Mrs. Waters present.

The Superintendent listed the changes that had been made to the March 27, 2012 Regular Meeting agenda since its initial publication.

III. PROPOSED ADDITIONS OR REVISIONS TO SCHOOL DISTRICT RULES

Notice of Intent to Adopt Amendments to the District School Board Exceptional Student Education Policies and Procedures (SP&P)

Mr. Bergosh reiterated concerns that he had expressed during the February 17, 2012 Regular Workshop [*See: February 17, 2012 Regular Workshop minutes, Item V.A.1, Exceptional Student Education Policies and Procedures (SP&P) Document.*] Mr. Bergosh understood that most of the information outlined in this document was prescribed by the Florida Department of Education (FLDOE). His concern was that staff had advised School Board Members that they could not make any changes to the document, yet the School Board was being asked to approve the document. Since no other Board Members had any concerns about the process, Mr. Bergosh said that would not discuss the matter any further at that time.

IV. CONSENT AGENDA

A. Curriculum and Instruction

8. Approval of Textbook Adoption

The Superintendent advised that this item would be deleted from the March 27, 2012 Regular Meeting agenda and would be resubmitted for the April 17, 2012 Regular Meeting agenda instead.

9. Third Amendment to the Charter Contract Between the School Board of Escambia County, Florida and Escambia Charter School of Excellence, Inc. D/B/A/A.A. Dixon Charter School of Excellence

The Superintendent advised that this item would be deleted from the March 27, 2012 Regular Meeting agenda and would be resubmitted for the April 17, 2012 Regular Meeting agenda instead.

10. The School District of Escambia County, Florida, Summer School Programs -2012

Mrs. Linda Maletsidis, Director of Elementary School Education, and Mrs. Carolyn Spooner, Director of High School Education, responded to various questions posed by School Board Members regarding the information outlined in the backup documents for this item.

B. Finance

4. Legal Services:

General Fund

a) The Hammons Law Firm	\$ 403.00
b) The Hammons Law Firm	\$ 573.50
c) The Hammons Law Firm	\$ 1,465.95
d) The Hammons Law Firm	\$ 93.00
e) The Hammons Law Firm	\$ 682.00
f) The Hammons Law Firm	\$ 155.00
g) The Hammons Law Firm	\$ 384.80
h) The Hammons Law Firm	\$ 488.70
i) The Hammons Law Firm	\$ 403.00
j) The Hammons Law Firm	\$ 863.59
k) The Hammons Law Firm	\$ 511.50
l) The Hammons Law Firm	\$ 1,147.00
m) The Hammons Law Firm	\$ 217.00
n) The Hammons Law Firm	\$ 302.40
o) The Hammons Law Firm	\$ 496.00
p) The Hammons Law Firm	\$ 294.50
q) The Hammons Law Firm	\$ 124.00
r) The Hammons Law Firm	\$ 961.00
s) The Hammons Law Firm	\$ 859.90
t) The Hammons Law Firm	\$ 294.50
u) Shell, Fleming, Davis & Menge, P.A.	\$ 139.50
v) Shell, Fleming, Davis & Menge, P.A.	\$ 2,855.50
w) Shell, Fleming, Davis & Menge, P.A.	\$ 9,380.25
x) Shell, Fleming, Davis & Menge, P.A.	\$ 739.00
y) Shell, Fleming, Davis & Menge, P.A.	\$ 367.00
z) Shell, Fleming, Davis & Menge, P.A.	\$ 1,038.50
aa) Shell, Fleming, Davis & Menge, P.A.	\$ 139.50
bb) Shell, Fleming, Davis & Menge, P.A.	\$ 108.50
cc) Rumberger, Kirk and Caldwell	\$ 1,035.23
dd) Rumberger, Kirk and Caldwell	\$ 4,138.72
ee) Debra D. Little	\$ 200.00

5. Legal Services:

Risk Management Fund

The Hammons Law Firm	\$ 7,018.83
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Based on the large amount of outsourced legal service fees each month, Mr. Bergosh again posed the question of whether the Board should continue to outsource legal matters or whether they should consider creating another in-house attorney position.

10. Donation of Surplus Bus to Pensacola Boys' Base

Mrs. Moultrie said she had been approached by a community center director about the possibility of receiving a school bus from the School District. The Superintendent responded that the School District would not be able to donate a school bus to a private organization; however,

the community center director could attempt to purchase a school bus at one of the School District's surplus auctions.

- C. Human Resource Services
 - No items discussed

- D. Purchasing

- 5. Agreement Renewal: Educational Impact Online Academy for Staff Development
 - 6. Agreement Renewal: PD 360 / Professional Development On-Demand

Mr. Bergosh questioned the effectiveness of the Educational Impact Online Academy and the PD 360 programs, with purchase amounts of \$79,500 and \$95,375 respectively. Ms. Karen Owen, Director of Staff Development, responded by noting that these two online programs were essentially the "future of professional development" and that both programs were being used to provide courses for teachers and evaluators in the Charlotte Danielson Framework for Teaching. She noted that the Charlotte Danielson Framework for Teaching was the basis for the School District's new teacher evaluation system. Upon inquiry by Mr. Bergosh, Ms. Owens, confirmed that with both programs, administrators were able to track the coursework completed by their teachers.

- E. Operations
 - No items discussed

- 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

- 4. Recommend that, consistent with the decision of the due process committee, student discipline number 12-95-521 be expelled from all public schools of Escambia County for the remainder of the 2011-2012 school year with the option to enroll, if qualified and if space is available, in an alternative educational program exclusive of regular school placement. Placement to be at the discretion of the Superintendent and to be available as an alternative during the full expulsion time frame.

Mr. Bergosh noted that Board Members had initially received incomplete backup documentation regarding this particular recommendation for student discipline. He suggested that in the future, staff should provide School Board Members with all pertinent information on each recommendation, noting that School Board Members should not have to ask for information that was necessary for them to make informed and rational decisions.

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

VII. COMMITTEE/DEPARTMENTAL REPORTS

1. Charter School Quarterly Report

This item was handled earlier in the meeting.

2. Update from A.A. Dixon Charter School of Excellence

This item was handled earlier in the meeting.

VIII. PUBLIC FORUM

Mr. Slayton called for public hearing; however, there were no speakers.

IX. ADJOURNMENT

There being no further business, the Regular Workshop adjourned at 11:48 a.m.

Attest:

Approved:

Superintendent

Chair

PENDING BOARD APPROVAL