

THE SCHOOL BOARD OF  
ESCAMBIA COUNTY, FLORIDA

MINUTES, NOVEMBER 15, 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 (*not present*)

Board Members: Mr. Gerald W. Boone  
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 November 1, 2013 – Legal No. 1612086

I. CALL TO ORDER

Mr. Bergosh called the Regular Workshop to order at 9:02 a.m. He welcomed everyone in attendance to the regular monthly workshop. There being no objection, the agenda as outlined was followed.

II. COMMENTS FROM THE SUPERINTENDENT

The Superintendent noted the following changes that had been made to the agenda since initial publication and prior to this workshop: Item II.g DELETED, Item III.d ADDED, Item V.b.2.E.17 AMENDED, Item V.d.3.D ADDED. He also noted that the backup documentation for Item II.h and II.j would hopefully be available by the end of the day.

Strategic Planning Meetings

The Superintendent said he would send School Board Members a schedule of the upcoming strategic planning committee meetings that would be held in December. Mrs. Holley DeWees, Administrative Recording Secretary, was tasked with ensuring that each meeting was properly advertised so that all School Board Members could attend. The Superintendent

Upon inquiry by Mr. Bergosh, the Superintendent said he would have to confirm which meeting locations would have conference call ability; he asked that Mrs. Edwards make a note on the schedule as to which locations had that ability.

### Update on First Grade Retention/Conference Data

The Superintendent said staff was in the process of compiling a report on first grade retention/conference data as of the first nine weeks grading period. He said the report would be forwarded to School Board Members as soon as it was available.

#### III. COMMITTEE/DEPARTMENTAL REPORTS

-No items submitted

#### IV. UNFINISHED BUSINESS

-No items submitted

#### V. NEW BUSINESS

##### a. PROPOSED ADDITIONS OR REVISIONS TO SCHOOL DISTRICT RULES

###### 1. Rule(s) Adoption

- a. Notice of Intent to Adopt Rules and Procedures of the District School Board: Chapter 2, Human Resource Services (6Gx17-2.00 – 2.48)

Upon inquiry by Mr. Bergosh, the Superintendent confirmed that the purpose of this proposed adoption was for the School Board to officially “ratify” Chapter 2 as submitted. The Superintendent advised that updates to Chapter 2 were forthcoming.

###### 2. Permission to Advertise

-No items submitted

##### b. CONSENT AGENDA

###### 1. Curriculum

###### A. Alternative Education

1. 21<sup>st</sup> Century Academy of Pensacola, Inc., DBA Five Flags Academy Charter Application Review and Recommendation to the School Board of Escambia County, Florida

Upon inquiry by Mr. Bergosh, the Superintendent advised that the recommendation from the district’s charter school review panel was outlined in the backup documentation for this item. He said the panel had reviewed this charter application thoroughly, determined that overall it was a “solid” application, and was recommending it be approved by the School Board. It was noted that this was a Newpoint-derived academy that would serve elementary age students. The Superintendent noted one area of concern that was expressed by the panel, was the “ambitious” projection of 250 students; considering the population of Newpoint’s middle and high school programs, the panel felt the projection might not be realistic. The Superintendent said the school’s student enrollment would be carefully monitored because the school’s budget was built around that 250 projection. Upon inquiry by Mr. Bergosh, Mr. John Graham, Executive Director of Newpoint, confirmed that the elementary program would be located at the same facility as Newpoint’s current middle and high school programs. Mr. Graham noted that transportation would be provided for elementary students. Upon inquiry by Mrs. Hightower, Mr. Graham confirmed that the same advisory group that had been utilized for the middle and high programs would also be utilized for the elementary program; there would not be a separate advisory group for each level. In answer to Mrs. Hightower’s question, Mr. Graham explained that the current advisory group consisted of five (5) members, only two (2) of those five (5) members were local residents, and only one (1) of the two (2) local residents had children that

attended Newpoint. He said the goal was to eventually have all local residents serving on the advisory group. Mr. Slayton said he hoped that the school would eventually have members representing each level (i.e., elementary, middle, high) serving on the advisory group. Mr. Bergosh said he intended to support the approval of this charter application as he was a proponent of school choice; however, he was concerned about the impact that this new charter might have on the elementary schools in the surrounding area, specifically Lincoln Park Elementary. He commented to Mr. Graham that Lincoln Park was “on such a tenuous footing right now in terms of their performance and other issues but if it so happens that they do not make it and your school thrives, so be it.”

2. Finance and Business Services

A. Finance

3. 2013-2014 Administrative Salary Schedule – District Level (10 Month and 11 Month), 2013-2014 Administrative Salary Schedule – School Level Base (10 Month and 11 Month), and 2013-2014 Administrative Salary Schedule – School Level Performance (10 Month and 11 Month)

*NOTE: The 2013-2014 Administrative Salary Schedule – District Level, 2013-2014 Administrative Salary Schedule – School Level Base, and 2013-2014 Administrative Salary Schedule – School Level Performance were approved, retroactive to July 1, 2013, at the October 15, 2013 Regular Meeting. The supplement amounts listed on the 10 Month and 11 Month schedules were incorrect. The salary schedules included in the backup documentation for this agenda correctly prorate the supplements for Specialist degree and Doctorate degree.*

Upon inquiry by Mrs. Hightower, Mrs. Waters advised that the incorrect salary schedules that were previously approved at the October 15, 2013 Regular Meeting would need to be rescinded prior to the approval of the corrected salary schedules. After discussion, it was decided that staff would work with Mrs. Waters to develop the appropriate verbiage to be added to the “executive summary” sheet of the backup documentation that would indicate that the action required was to: rescind the salary schedules approved by the School Board on October 15, 2013 and approve (retroactive to July 1, 2013) the corrected salary schedules. It was Mrs. Hightower’s belief that a School Board Member would actually need to pull this item from the Consent Agenda for separate vote and note for the record, that two separate actions would be taking place. Mrs. Waters said it was her opinion that the two actions could be handled in one motion.

C. Budgeting

3. Scrap Lists I and II for November 2013

Mr. Boone wanted to know if the School District was reaching out to non-profit organizations to advise them of the availability of obsolete functional computers available for surplus. The Superintendent responded that non-profit organizations could request those computers via a form accessible on the School District’s website.

D. Payroll and Benefits Accounting

1. Financial Status Report: Employee Benefit Trust Fund

At the request of Mr. Bergosh, Mr. Terry St. Cyr, Assistant Superintendent for Finance & Business Services, provided a brief overview of the information outlined in the financial status report (as of September 30, 2013) on the employee benefit trust fund. He advised that October claims and revenue resulted in a \$381,000 increase which offset much of the losses that occurred

in July and August. Mr. St. Cyr said he was unsure as to how October would turn out but was hopeful that it would be positive. Upon inquiry by Mr. Bergosh, Mr. St. Cyr advised that data on the health clinic operation would be presented to the School Board probably after it had been in operation for at least six (6) months.

E. Purchasing

10. Change Notice #1 to Purchase Order #5751400001 – Temporary Employees for Payroll Department

At the request of Mrs. Hightower and Mr. Bergosh, the Superintendent provided a brief explanation regarding this particular change order. He said a reorganization study was currently being conducted in the areas of Finance and Human Resource Services. The Superintendent noted that all vacant positions would continue to remain vacant until such time as the study was complete, as it was possible the study would reveal that certain positions were either unnecessary or that job descriptions were in need of revision. In the meantime, because daily operations such as payroll must continue, the School District would continue to utilize the services of temporary employees.

3. Human Resource Services

A. Instructional/Professional

1. Appointments
2. Reappointments
5. Resignations/Retirements/Other

Upon inquiry by Mr. Bergosh, the Superintendent stated that as was discussed the previous month, the “confidential” portion of the backup documentation for this item was accessible via the School Board’s Secure Document portal.

7. Special Requests

- b. Approve Janet Windham to receive her regular hourly rate of pay funded by Overtime & Extra Pay, to delete information on hard drives on computers that the district has for non-profit and to package those computers and laptops on September 14, 2013, a total of 6 hours.

Mrs. Hightower noted that this was a request for an employee on the Professional Salary Schedule to receive overtime pay; her concern was that employees on the Professional Salary Schedule were typically not paid overtime. The Superintendent clarified that this employee had not received overtime pay; he further clarified that the fund source of “Overtime & Extra Pay” was incorrect and would need to be amended to correctly indicate that the employee would be paid from fees received by non-profit organizations.

- d. Adoption of the Student Calendar for the 2014-2015 school year.

Mr. Bergosh asked the Superintendent if there was anything that he or his staff wanted to point out about the proposed student calendar for the 2014-2015 school year; he recalled the Superintendent had mentioned that there had been a problem with being able to adopt a two year school calendar this time. Dr. Alan Scott, Assistant Superintendent for Human Resource Services, said the calendar committee had some lively discussions but were eventually able to come to a consensus on the proposed student calendar for the next school year. He said the calendar committee had also put together a student calendar for the 2015-2016 school year

that had the first semester ending prior to the Christmas break but it was a “horrible” calendar. He explained that as the committee was preparing the student calendar for 2015-2016, it was noticed that Labor Day falls on September 7, 2015. With Labor Day falling so late, it would not be possible for the district to end the first semester prior to Christmas break; thus for the 2015-2016 school year, the calendar committee made the recommendation to begin school on August 17, 2015, one day earlier than permitted under Florida Statute. Dr. Scott noted that the Superintendent had asked for an accommodation for the 2015-2016 school year. The Superintendent said he was not comfortable bringing the School Board a calendar that was essentially violating the law; however, eventually the School District and the School Board would need to make a decision as to whether or not they would do what was best for students by ending first semester at Christmas break. He noted that it would be very detrimental to the students and teachers to come back in January after the Christmas break and try to pick back up. He said he would “run the process” and would work with Mixon & Associates to see if the School District could get at least a one year moratorium; but if not, there would need to be further discussion on putting together a calendar for 2015-2016. The Superintendent advised that he had written a letter to the Commissioner of Education and asked for a waiver so that school could begin the 2015-2016 school year on August 17, 2015; however, the Commissioner responded that there was no statutory that would allow the Florida Department of Education (FLDOE) to approve such a request. The Superintendent said he would forward a copy of those letters to School Board Members for their review. The Superintendent advised that he would now be addressing the matter with the legislative delegation.

4. Operations

A. Facilities Planning

1. Final Payments

a. Ferry Pass Elementary, Pensacola High and C.A. Weis Elementary Schools Minor Projects

Upon inquiry by Mr. Bergosh, the Superintendent clarified that the minor projects for C.A. Weis would not include a roof repair as that would be considered a major project. He noted that the roof repair at Weis was a high priority for the School District. Mr. Shawn Dennis, Assistant Superintendent for Operations, advised that Weis was at the top of the roofing prioritization list.

2. Miscellaneous

a. Purchase Agreement Between My Favorite Things, Inc., and the School Board of Escambia County, Florida

Upon inquiry by Mr. Bergosh, Mr. Shawn Dennis, Assistant Superintendent for Operations, advised that the property described in the backup documentation was being purchased to support A.K. Suter Elementary School with additional parking and other accessibility. He noted that the School District had negotiated a fair purchase price of \$350,000.

c. ITEMS FROM THE BOARD

1. Selection of Florida School Boards Association Legislative Liaison and Alternate – *Bergosh*

Mr. Bergosh said he was willing to serve as the legislative liaison to the Florida School Boards Association’s legislative committee and Mrs. Hightower said she was willing to serve as the alternate.

2. Selection of Board Appointee to Escambia County Value Adjustment Board for 2014 – *Boone*

Mr. Boone said he was willing to continue serving as the School Board's representative on the Value Adjustment Board.

3. Selection of Gerald Adcox as the School Board's Citizen Appointee to the Escambia County Value Adjustment Board for 2014 – *Boone*

Mr. Boone said Mr. Gerald Adcox had indicated that he was willing to continue serving as the School Board's citizen appointee to the Value Adjustment Board.

4. Selection of Board Appointee to Escambia County Planning Board for 2014 – *Hightower*

Mr. Bergosh said that if Mrs. Hightower was not interested in continuing to serve as the School Board's representative to the Escambia County Planning Board, then he would be interested. Mrs. Hightower advised that she wished to continue serving in that capacity because of continued issues related to school concurrency.

d. ITEMS FROM THE SUPERINTENDENT

2. Student Discipline

- A. Recommend that, consistent with the decision of the due process committee, student discipline number 14-25-521 be expelled from all public schools of Escambia County for the remainder of the 2013-2014 school year and all of the 2014-2015 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.

Upon inquiry by Mr. Bergosh, the Superintendent advised that the formal hearing requested for student number 14-25-521 had been scheduled. Mr. Bergosh noted that the recommendation as outlined called for an expulsion for the remainder of the current school year and all of the next school year. The Superintendent felt his recommendation was justified as this particular student had committed a "very serious" offense. He noted that as always, the student had the option to request additional due process via a formal hearing. Mr. Darriel White, Court Liaison, advised that the hearing officer's recommendation would be presented to the School Board in either December or January.

3. Employee Discipline

- A. Recommend that employee #19278 be suspended without pay for ten (10) working days beginning Wednesday, November 20, 2013, based on misconduct as more specifically identified in the notice letter to the employee.

Mr. Bergosh noted that this was a recommendation for a ten (10) day suspension for an employee who apparently had been excessively absent from work. The Superintendent explained that this recommendation was the last step in a progression of discipline that began with a verbal warning and counseling, then a written reprimand, followed by one (1) day of suspension, three (3) days of suspension and five (5) days of suspension. He advised that if the employee's behavior did not improve after this ten (10) day suspension, the employee would ultimately face termination.

**FORMAL**  
**HEARING**  
**REQUEST**

e. INTERNAL AUDITING

-No items submitted

f. ITEMS FROM GENERAL COUNSEL

-No items submitted

VI. PUBLIC FORUM

Mr. Bergosh asked if there were members of the audience who wished to address the School Board during Public Forum; however, there were none.

VII. ADJOURNMENT

There being no further business, the Regular Workshop adjourned at 10:45 a.m.

Attest:

Approved:

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Superintendent

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Chair

PENDING BOARD APPROVAL