

THE SCHOOL BOARD OF
ESCAMBIA COUNTY, FLORIDA

MINUTES, SEPTEMBER 13, 2013

The School Board of Escambia County, Florida, convened in Regular Workshop at 1:00 p.m., in Room 160, at the J. E. Hall 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 (not present) Mr. Bill Slayton Mrs. Patricia Hightower		
School Board General Counsel:	Mrs. Donna Sessions Waters		
Superintendent of Schools:	Mr. Malcolm Thomas		

[General discussion among Board Members, the Superintendent and staff occurred during this meeting. Note: The minutes below represent a summary of this workshop. Any additional information can be accessed by review of the video in its entirety at: <http://escambiacountysdfl.swagit.com/play/09172013-657>.]

Meeting was advertised in the *Pensacola News Journal* on August 29, 2013 – [Legal No. 1607249](#)

I. CALL TO ORDER/ADOPTION OF AGENDA

Mr. Bergosh called the Regular Workshop to order at 1:00 p.m. He asked if there were any changes to the agenda. Mr. Thomas reported the following changes:

On page 1, under Approval of Minutes, Item H has been deleted.
On page 2, under Curriculum, Item B.3. has been amended.
On page 3, under E - Purchasing, Item 12 has been added.
On page 4, under Human Resources, Item b. – Special Requests has been amended.
On page 5, under Items from the Superintendent, Item 3.A. has been added.

II. COMMENTS FROM THE SUPERINTENDENT

Mr. Bergosh asked the Superintendent if he had any announcements. Mr. Thomas said he wanted to recognize a group of people who stepped up to “meet a need”. He asked Mr. Charles “Chuck” Peterson, Director of Maintenance, to step up as one of the persons responsible for organizing a fishing rodeo to benefit needy students in the Escambia School District. Mr. Peterson addressed the Board and introduced Mr. Scott Stillman, Supervisor for Surplus Operations in the Paint Division, saying that it was his vision. Mr. Stillman had approached Mr. Peterson about an individual school last year and explained about the *Backpack Project*, where schools send food home in needy student’s backpacks on the weekends. Mr. Stillman had asked if something could be done in Maintenance to help a school and Mr. Peterson agreed. They went to their supervisor and decided to put a box in each shop and every Friday would collect food and bring it over to O.J. Semmes Elementary. The principal said that at the end of the school year, they were feeding approximately 25 kids. Mr. Stillman said that they probably could do more, so they started brainstorming. He said the Superintendent, at his Administrative Conference, challenged them to do more. They started thinking about what they could do to maybe help test scores. Mr. Peterson continued that he started doing research and learned that nutrition definitely affects a child’s ability to learn and they do better on test scores when they are well nourished. So they formed a committee and decided to do a fishing tournament. Mr. Peterson said they planned to keep it small since they had never done that before, and they were hoping to raise about \$3,000. They made up packets and sent them to the schools, requesting them to sell tickets to the fishing rodeo, as they were going to have a fish fry at the end of the rodeo over a two day period.

Mr. Peterson indicated they would've been ecstatic if they had raised \$3,000. At the end of the two days, they collected all of the money and which was funneled through the Foundation of Excellence Office. Mr. Peterson stated they had raised over \$8,800, to help three or four schools. He said they are going to see if Publix, Walmart or Sam's Club will match them "dollar for dollar" and hopefully enabling them to end up with \$16,000 for food.

Mr. Peterson passed out pictures of some of the winners of the fishing tournament. He said that the back-drop was painted by the students at O.J. Semmes Elementary. The art teacher actually drew them and the students painted them. Mr. Peterson said the winners had their pictures taken and the children who finished received trophies. He stated it was a real success and they are excited about conducting this event again next year.

Mr. Thomas added that several of the winners donated their prize money back to the fund. He commended Mr. Peterson and Mr. Stillman on the great activity and said it was a great thing that they were doing for the students and he appreciated all of the help. Mr. Bergosh asked if this was the first annual event and Mr. Peterson confirmed. Mr. Slayton added that since the new website was about to come out, it would be nice if that would be the lead on the website. It was an incredible effort from the employees and it needed to be out there. Mr. Thomas said that there would be a press release mentioning the organizers and the amount of money collected. He said we will get some good pictures to post. Mr. Peterson said this event was held on Labor Day weekend and there were about ten people who volunteered on Saturday and Sunday, with the Captain's meeting held on Friday night.

APPROVAL OF MINUTES

Mr. Bergosh asked if there were any questions under the Minutes. Mrs. Hightower stated that she was reviewing the Minutes and wanted to say thank you to Jackie Dwelle, Sharon Goshorn, Linda West and Cathy Irwin because with the normal recording secretary being on leave, they have stepped in to do this job as well as their own. On behalf of the School Board, she wanted to say thank you. She pointed out that because they were not used to it and also since the format of the agenda had been changed, there have been challenges. For instance, on the July 2, 2013, Special Workshop, which was held because of issues over the finance reports not being determined, the only thing that needed to occur is that "actions" needed to be recorded. When you get to the bottom of the minutes, it says something like the Board took the second option, but doesn't say what was the second option. Mr. Thomas said that if you go to the website, where it mentions the memorandum, it has been hyperlinked so you can click on the word "memorandum" and it will bring you the entire document, so all the options appear there. He said that this was a better solution than to re-type the options again.

Mr. Bergosh said he had talked to the Superintendent, and it was his concern as well that they do the Minutes as they have in the past. He said that it's challenging without the normal recording secretary, but it was his issue to have the back-up documents. Often times, he would speak to Mrs. DeWees, Administrative Recording Secretary, about the minutes, and if there is a PowerPoint presentation or if he brings something to the Workshop, she would link it so people would know.

Mrs. Hightower commented that in the Minutes that Mrs. DeWees does and the Minutes that Mrs. Irwin and Mrs. West did, they are not hyperlinked, they are recorded that back up documents are in a supplemental section. She didn't know if they wanted to mix the way they do it. Mrs. Waters replied that she is concerned that the hyperlink is not part of the official Minutes. There needs to be an actual document that is being approved as part of those Minutes. Mr. Thomas commented that this was a Workshop and there was no "action" approval here. Mrs. Hightower replied that the Minutes were being approved and they want the Minutes to accurately reflect what occurred at that Workshop. Mr. Thomas asked her if she didn't think these Minutes accurately reflected what happened at the Workshop. Mrs. Waters suggested that you keep it hyperlinked, but you take the document and attach it to the set of minutes and put the wording, "X, Y, Z is found in the supplemental...." She asked Mrs. West what the wording is and she replied, "Supplementary Minute Book Exhibit (A, B, C)..." Mrs. West said that with regard to the regular monthly minutes, the exhibits would start with A, where the very first item which is going to be probably either Adoption Rules or Curriculum, but if you follow the minutes that Mrs. DeWees has prepared for years, that line is up there right before the discussion. Mr. Thomas said that they understand that method for a Regular Meeting, but this is a Workshop and there was not an agenda item that referenced this document. This document was presented at the meeting and had nobody knew it was going to be provided since it was not part of back-up, so there was no agenda item to reference.

Mr. Bergosh said that there was another document, the memorandum from Mrs. Waters, General Counsel, which should be linked as well since it was referenced but not linked, just to keep things consistent. He commented that they need to do whatever is right and do it from now on. He questioned what the hyperlink issue would be if someone wanted to look at the minutes down the line as official minutes and they were voted as official. Mrs. Waters explained that “you’re voting that the minutes as written, including the hyperlink, are the correct minutes”. She expressed her concern was that as technology changes, will that hyperlink work in ten years? You can always access a hard copy attached to the Minutes. She had not seen the Minutes where they hyperlinked something to the Minutes. Mr. Thomas said that in Workshops, they hyperlink PowerPoint presentations. He said that this is a document saved in the Board’s directory for this meeting; it is a pdf document that is stored there. Mrs. Waters expressed her concern that the Board gave guidance and was not putting it in the Minutes, but merely giving a hyperlink to the document where you can see what those alternatives were and what the Board chose. It needs to be spelled out in the Minutes or printed out and attached to the official Minutes. Mrs. Hightower suggested that Minutes can be corrected at any time even after they are adopted at a meeting. The Minutes can be pulled until there is a statement indicating that it is okay to do this; or that it must be done another way, or leave them here and ask the attorney to make sure that the right thing is being done. If not, we come back and correct them at the next meeting.

Mr. Thomas said he thought that there is a distinction between a meeting and a workshop. If a legal action is taken, then it’s going to be handled as Mrs. West described because it has to be memorialized. He said that in the workshops, they have tried to include things like PowerPoint and things that people have brought, which is what they have tried to do there, but have also described the discussion around the document. The purpose of that meeting was to discuss the budget, which they did, among several other items, but it was all under that agenda item.

Mr. Bergosh asked if they were going to move forward and come up with some standard procedure. He said that he felt whether it be a workshop or meeting, it should be consistent. Mr. Thomas said that with a workshop, as in this case, there was not a specific agenda item where that document would fall. Everything was under one item. He then asked if the supplemental had been done on the previous discussion workshops. Mrs. West stated that in the ones she had prepared for the July workshop, if the materials were handed out for the Board to review, she noted Supplementary Minutes, only because years ago when she was doing it, that material could be pertinent to something down the road and they wouldn’t know where to find it. Mr. Thomas said that what they have tried to do is to look back at how Mrs. DeWees has been doing it the last year or so and used that as a model so they could be consistent. If it has changed, then they need to know what has been changed.

Mrs. Waters stated that she was not aware that hyperlinks were added so she wants the opportunity to research it and see what has been done. Mrs. Hightower said that what they hyperlink is the agenda. Things like PowerPoint presentations are hyperlinked to the agenda. She said that they may need to look into whether it’s being done right or not. She said that she believed Mrs. DeWees uses hyperlinks in the agenda not in the Minutes, but she would have to go back and try and figure it out. She said that she doesn’t know what’s right and they need an answer. If it had been done wrong in the past, then they need to move forward in the proper way. Mr. Thomas added that they have seen some instances where Mrs. DeWees just names the document and it’s not hyperlinked and not part of the Minutes. Mr. Bergosh said that in the past, he has sent PowerPoint presentations to Mrs. DeWees and she linked them in the Minutes. The Minutes can say that a PowerPoint presentation was brought, but if you can click on the link, that’s even better. Mr. Slayton said that it’s not in the agenda; it is after the fact. They get the agenda and then after it’s presented, it’s hyperlinked in the Minutes. He said he didn’t know why that wasn’t a good policy. Mr. Bergosh agreed that it was a good idea. Mrs. Moultrie added that they just need to get clarification on how to do it the right way and go forward. Mrs. Waters said that the Board is ultimately approving the Minutes. If the Board feels that it adequately reflects what happened, then that’s up to the Board to decide, but she wants it to be consistent.

Mrs. West said that her philosophy is that the Minutes, whether it be from a workshop, regular meeting or special meeting, when she’s reading those Minutes, she would hope to know what the Board was discussing. She said that she understood that action was all that was required, but would like a little history. In this particular set of Minutes, although it was a workshop, those items were specific to hand-outs that were received and needed to be discussed. In those Minutes, if she wanted to know what was discussed, she would have to either read it in the face

of the Minutes, go to the hyperlink, or go to the official document. She said that is the easiest way for the public to understand what was done, or what is needed to be done whether it's workshop or regular meeting.

Mr. Slayton said that it sounds like they are refusing to follow an easier way to do it with the new technology. They didn't used to have hyperlinks so everything was added in the Minutes. Now there is technology that allows a document to be included as it was produced. He added that he likes the fact that when he hits "memorandum" he can see the actual letter and he knows what Option 2 says. It's not paraphrased. He can actually read the other four. He wasn't at that meeting so he enjoyed being able to read all of them. Mr. Bergosh asked Mr. Slayton if he would like to have anything referenced to be hyperlinked and Mr. Slayton said he would.

Mrs. Hightower said that she wasn't seeing anything hyperlinked in any of the workshop Minutes. Mr. Thomas said to look at July 2, 2013 currently on the screen. Mrs. Hightower said that she knew that there have been presentations made and there's nothing linked other than in the agenda. She didn't see anything in the Minutes, just hyperlinks in the agenda. Mr. Bergosh clarified that it may be because he has called and asked to have a presentation linked in the minutes. He asked Mrs. Hightower if she was talking about the discussion workshops. She said she went to June, July and August, 2013. Mr. Bergosh said that anytime the Board brings something, they hyperlink it in the Minutes. Mrs. Hightower said that she couldn't find it. He said he would go back to the last PowerPoint he did and it would be in there, because he speaks with Mrs. DeWees and tells her it should be part of it. Mrs. Hightower said that she just wanted it to be done the right way because the Minutes of an organization are the history of that organization. The Minutes of a governmental body are the things that can be used to take action against it, and they need to be clearly available. Mrs. Hightower said she doesn't want anything to not be available if someone wants to look it up. She stated that she would like legal direction on it.

Mr. Bergosh recapped that Mr. Slayton would like anything referenced to be hyperlinked, which Mr. Bergosh and Mrs. Hightower agreed. Mrs. Hightower added it may have to be part of the Minutes referenced as Supplemental Exhibit A, B, C. Mr. Bergosh asked if this would preclude them from voting on these Minutes. He asked if they would they have to pull these minutes or could they be voted and go back to correct if necessary? Mrs. Hightower said they could be corrected at any time. Mr. Bergosh said his understanding is that everyone wants documents linked and if necessary, they will go back and add the supplementary exhibits, if that is the legal opinion. Mrs. Moultrie added her opinion that it just needs to be consistent.

Mr. Thomas brought up the example of a regular meeting agenda. All of the back-up documents are already hyperlinked. He asked if they are saying that in the minutes, they are going to go back and re-hyperlink all of those documents again. Mrs. Hightower said they may need to say so. Mr. Thomas replied that it's already on the agenda, which is published on the web. There are the Minutes and there is also a video recording which is verbatim, where anyone in the public that has any questions could see it for themselves. Mr. Bergosh replied that Mrs. Waters brought up a good point where they (video records) were not there for that particular meeting, so they may have to be a little more thorough.

Mr. Bergosh asked if documents had to be added as supplementary [exhibits], could there be a link in the Minutes back to the agenda that has the hyperlinks. Mrs. Hightower explained that one of the ways they do the agenda that is confusing to her is the way they do the amendments. She said if you click on what you think is the document, then that's not the right one, and you have to go to the corrected version. It seems you could say "amended" but the actual document that you're focusing on would be the one that's in the Minutes. Mr. Thomas replied that he thought that occurred because there was a discussion, before he was Superintendent, that the history was to be kept, so what was started was there and then you had the amended version linked in the margin. If there's a legal opinion that that's not necessary, would they just change the hyperlink of something amended and indicate "amended" where that hyperlink is always the most accurate? Mr. Slayton suggested that counsel do some research.

Mr. Bergosh asked if they would go forward with the Minutes and link the documents. Mr. Slayton said to leave them and wait for the legal opinion and the changes would be made if necessary. Mr. Bergosh asked if it would be permissible at that time if they could add the necessary documents after the fact. Mrs. Waters confirmed that they could go back in and correct the Minutes.

III. COMMITTEE/DEPARTMENTAL REPORTS (*Time Certain – 1:30 p.m.*)

Mr. Bergosh asked if there was anything in the committee/departmental reports and there was none.

1. Charter School Quarterly Reports

Ms. Vickie Mathis, Director of Alternative Education, stated that there were several school representatives who were not able to attend as they either had “Grandparents in School” or it’s “Friday Kindergarten Outside Day” with limited staff. She said that Byrneville Elementary, Pensacola Beach Charter Elementary and Jacqueline Harris Preparatory Academy did not have representatives today. Ms. Mathis introduced Ms. Wolf and Mr. Bell with Capstone Academy; Ms. Smith and Mr. Chisholm with Escambia Charter, Ms. Brown and Mr. Graham with Newpoint Academy, and Mr. Stem with Camelot, although they are not a charter school. She reported that everyone had their information turned in and it was all correct and verified. She asked for questions and there were none.

IV. UNFINISHED BUSINESS

Mr. Bergosh stated there was no unfinished business.

V. NEW BUSINESS

a. PROPOSED ADDITIONS OR REVISIONS TO SCHOOL DISTRICT RULES

1. Rule Adoptions
2. Permission to Advertise

Mr. Bergosh said there were no rules for adoption or for advertisement.

b. CONSENT AGENDA

1. Curriculum and Instruction

Mr. Bergosh asked Mr. Thomas about the big grant being amended. Mr. Thomas said that there was an incorrect telephone number listed on the original document. Mr. Bergosh verified that it had not been expanded and Mr. Thomas confirmed it had not. Mr. Bergosh asked if the *Race To The Top Grant* was due Tuesday and Mr. Thomas replied that they would send the bulk of the documentation prior to signature and then once it’s signed, they will overnight just the signature page after the Tuesday meeting. He said it would be worked on through the weekend, scanned and sent to the Board. Mr. Thomas explained it is just an application for a competitive grant through the Department of Education. They are anticipating 300 to 350 school districts will attempt to get the grant. There will only be a few awarded.

2. Finance and Business Affairs

Mrs. Moultrie questioned how they are coming up with the organizations that will be receiving the chicken donation from School Food Services. Mrs. Jaleena Davis, Director of School Food Services responded that they contacted people to whom they donated the fries and oil, but if there are other people interested, they can contact her office. Mrs. Moultrie asked if they just had to be a non-profit organization and Mrs. Davis confirmed yes.

Mr. Bergosh commented that they were utilizing Mr. Boone's idea of donating computers. He asked if there was a great demand and Mr. Thomas replied that this was the second or their donation and the procedures are on the website if anyone is interested in applying. Mr. Slayton added that the televisions are going for \$10 at the auction and he doesn't think they will be bought because everyone wants the flat screens.

Mrs. Hightower mentioned purchasing the student tutoring agreements with Learning Rx Pensacola (V.b.2.E.6) - why are we doing the contracting for two private schools? Mr. Thomas replied that it was part of their Title I services that they can request by date certain. They are entitled to a portion of funds as the money is not given to them... they could define services. Those services are brought to the Board for approval because it's Title I money. He commented that services are required to be offered. Mrs. Hightower said she didn't know anything about this new company and asked if they were on the approved vendor list. Mr. Marcanio, Assistant Superintendent for Curriculum and Instruction, replied that Mr. Dombroskie, Director of Purchasing, could speak to the company that is being contracted, but the services are for S.L. Jones Academy and Jubilee; and he believed it's best to provide services in this manner as far as sending tutors. Mrs. Hightower asked if the schools request who they want and the checks are written and Mr. Marcanio responded that they request the services. Even if the staff was available, in this case, it's best to go through a private vendor. Mrs. Hightower said that her point was if they were a good company with whom to contract for these services. Mr. Marcanio said that he did not personally research the company. Mrs. Hightower asked for input on that structure. Mr. Dombroskie replied that it was his understanding that it's the schools' money, and as long as it's applicable under Title I rules, they can choose to contract with whomever they want. Mr. Bergosh mentioned the \$67,000 is based on their FTE, assumedly, and it seems like a lot of money. Mr. Thomas said it was a proportionate share that is given to them for Title I. He said the rules have grown more constrictive where you can't buy much technology anymore so all they can really do is buy tutoring services, psychological services and other services provided to the students.

Mrs. Hightower asked about Vb.2.E.7. Protection Services change order. She said they are increasing the amount by \$50,000, however, then it says the additional expenditure is \$76,000. Mr. Thomas said that the reason for the change order is because fingerprinting is being moved from Protection Services to Human Resource Services. They are expecting Morpho Trust within the next 30 to 45 days to go live. Once this transfer occurs, there will be a new purchase order under Human Resource Services, because they are trying to close out and with trying to process and re-printing, it was easier to amend an existing purchasing order. Mrs. Hightower restated that the amount is increased by \$50,000 and then under amount of purchase, it says additional expenditure of \$76,000. Mr. Dombroskie agreed there was a typo and it would be corrected.

Dr. Scott, Assistant Superintendent for Human Resource Services, explained that two years ago, since the inception of fingerprinting, with 23,000 people in the database, they are assessed \$6 per person/per year fee to keep those people in the system. The state said they would eventually be charging this fee, but up until about a year ago, they had not been charging it. Up until this point, the district did not have a mechanism to collect these fees. For the employees, the cost is covered, but for sub teachers, vendors, and temps, it is not. Fees have been collected from vendors up front, but for the subs and temps, it has not, so the district has been covering that. One of the things that is being worked on with the Morpho Trust is the ability to collect money up front so there are additional dollars to cover this cost. He said that fingerprinting is very expensive for the district, and referred to the number of employees that cost \$6 per year/per employee to keep them in the live database. There is also a re-submit fee every five years. The cost is covered for the employees. The prints are re-submitted to the FBI, who do not have a live database. Every five years the FBI database is researched to see if there are any arrests outside the state of Florida. Dr. Scott stated when Morpho Trust is up, there will be a way to collect the money up front.

Mrs. Hightower said that her understanding was that they were not using Morpho Trust at this time, and she was confused because she thought that they were changing so they wouldn't have to collect the money anymore and it would be handled off of the property. Dr. Scott replied that Morpho Trust would handle the collections and set it up in an account that the district will be able to use. The district will not be collecting any money, but there will be a mechanism to help cover some of the costs for those non-permanent employees that were covered in the past. The district will be charging these employees and Morpho Trust will be collecting those fees. Mr. Bergosh asked if a new employee who is hired at this time would go the UPS Store; Dr. Scott replied that they still go to the J. E. Hall Center. They have the file server set up, getting the service centers located and getting the badging equipment set up. There has to be a database built for about 3,000 vendors so the employees can be processed through the system. Mr. Thomas added that the hold up is Morpho Trust. The district has done all they are supposed to do. Morpho Trust now has to make all the arrangements and install the machinery so they can kick off. Dr. Scott said he believed it will be 30 to 45 days from being live where employees would go to the UPS Store and not come to the Hall Center to be printed. Mrs. Hightower commented that this was not the original timeline and Mr. Thomas responded that they thought it would be faster.

With regard to the *Jessica Lunsford Act*, Mr. Slayton asked if they still do the vendors like charter bus drivers and Dr. Scott replied that it was complicated. As of July 1, 2013, there was a change in the way vendors were screened. In the past they were screened under Level 2 screening, *Jessica Lunsford Act*, like the employees. Legislature wanted to make it easier for contractors to work in school districts. A lot of contractors are having trouble finding trade skills because if you have to screen them against 47 offenses, a lot of them didn't meet that matrix and could not be allowed on campus to work. They have come up with a state credentialing system. There is a state badge and they are screened for only nine offenses and almost all of those are sexually type of offenses. The state also limited the amount of money that could be charged for any vendor for that I.D. badge. Originally that was not a consideration when they entered into the Morpho Trust contract. That was effective July 1, 2013 and they got the technical assistance paperwork from the state on July 18, 2013. Mr. Bergosh commented that the state essentially lowered the bar. Dr. Scott added that they are working with Morpho Trust to revise that part of the contract because there is a different screening standard and pricing and they have locked in the price that any district can charge for that contractor's badge with that badge is being good anywhere in the State of Florida. Mr. Slayton asked again about screening the charter bus drivers and Dr. Scott said they would be screened by the same standards as employees.

Mr. Slayton said that one of the local vendors expressed his concern that statewide some people were not being required to do clearances. He said the vendor's question was if the rules had changed for his drivers before he paid a lot of money out. Dr. Scott responded that in the technical assistance paper that if a vendor has one-on-one contact with children, they do not fall under that new screening requirement. Mr. Slayton asked how a vendor would know that and Dr. Scott responded that that was part of the problem. While meeting with Morpho Trust, they talked about coming up with a public relations campaign, having a big meeting in Room 160 of the J. E. Hall Center, doing something with the media, sending letters to all 3,000 vendors, etc. Once they get Morpho Trust rolling, they want to have a big town hall meeting, bring everyone in, have a public relations campaign, etc. Mr. Slayton asked if a sub on a worksite was considered as having one-on-one contact and Dr. Scott said no. Mr. Slayton said they were limiting the number of people who have to have the highly qualified screening. He asked to help him think of any other vendors that have one-on-one contact such as a bus driver. Dr. Scott said that the state passed a law for those private individuals who provide educational services. Technically, you would think they would fall under the vendor screening, but since they are working one-on-one with students, they would be screened the same way as an employee. Mr. Slayton requested that when all this is put together, that they get a copy so he can answer vendors' questions.

Mrs. Moultrie said that there is a movement to increase volunteers to come and mentor the students and there is a fee to be fingerprinted. How will this new system affect that effort? Dr. Scott said that for a regular mentor coming in to volunteer at the school, they do the Affidavit of Good Moral Character; the Sexual Predator and Sexual Offender searches are certified at the school. There is a School Board rule for the mentors who are coming in providing the one-on-one services with children that they be screened like an employee. Mrs. Moultrie said she was referring to the fingerprint charge. Dr. Scott said that it would be the same or a dollar or two less. He would have to get that information from Morpho Trust. He then said he thought the district covers that cost. Mr. Thomas said that most of the charges which are charged to volunteer or an employee, the district does not keep that money; the Florida Department of Law Enforcement charges a fee to process and a fee to keep them. He stated the district is not making money from it. Mrs. Hightower asked Mrs. Moultrie if she was talking about people coming in to work at the school such as a PTA volunteer and Mrs. Moultrie said she was talking about the early learning volunteers. Mrs. Hightower added that they would be at the school only in the presence of others and they are not contractors. Dr. Scott said that volunteers that work at the schools are the ones that will fill out the Affidavit of Good Moral Character and then are checked for sexual predator or offender records. If they are mentors, they will be fingerprinted. Mr. Bergosh asked who pays for it and Mrs. Moultrie replied the mentors do. Dr. Scott said that the district covers the cost of some of the mentors. Mrs. Moultrie suggested that it be conveyed to groups like the Early Learning Coalition so they can pass it on to volunteers. The district doesn't make any money and this strictly goes to the cost of processing the fingerprints so they can feel better about paying the fee. Mr. Bergosh asked how much the fee was and Mrs. Moultrie said she thought it was \$60.

Mrs. Szafran, Director of Exceptional Student Education asked Mrs. Moultrie if she was talking about the ECARE volunteers and Mrs. Moultrie confirmed yes. Mrs. Szafran said that ECARE was picking up the cost and was \$80 per person. Mrs. Moultrie said that she thought that in the beginning the individuals were paying the fee. Mrs. Szafran said she went through the last training with Ms. Ashley Bodmer, Executive Director of ECARE, and was assured there was no cost to the volunteers.

Ms. Hightower asked about Item #12 under purchasing being added. It wasn't listed originally and but it's there now. She said that "the add" and the regular agenda items were exactly the same. Mr. Thomas said that the history is only kept on the amendments.

Mr. Bergosh asked Mr. St. Cyr if an employee is overpaid by accident, how is it re-collected. Mr. St. Cyr replied that it would be worked out with the employee, but they would like to get it back within the fiscal year if possible. If not, within 12 months. Mr. Bergosh had heard that an employee was overpaid and then didn't get a check and asked if this was possible. Mr. St. Cyr said it happens frequently that someone is over or under paid due to a number of factors. Mr. Slayton asked if they were talking about a paycheck and Mr. Bergosh confirmed. Mr. Slayton said that he didn't believe that a payroll check would be withheld. Mr. St. Cyr then asked what the question was again. Mr. Bergosh asked if someone was being overpaid over a period of time, and it was discovered, would the employee have the opportunity to pay it back, or would it come out of their paycheck all at once. Mr. St. Cyr replied that they would work it out with the employee and would take the repayment out in installments. Mr. Bergosh asked if it was untrue that this employee did not get a paycheck. Mr. St. Cyr said he did not know what the issue was and Mr. Bergosh explained that this person wouldn't get a paycheck because they were overpaid over a period of time. Mr. St. Cyr said that he was talking about dockage and that was taken care of in the payroll process. Mr. Bergosh asked what the process was since he thought that a whole check couldn't be taken and there was a percentage cut-off. Mr. St. Cyr replied that it could have happened as a mistake. That case was a dockage issue. This person was without leave and they did not take out leave appropriately, due to a conversion issue with the system. The money will be repaid, but the employee will not be left without any money for the pay period and it's being worked out.

3. Human Resource Services

Mr. Slayton asked if there was any way where he doesn't have to read his appointments sideways. Dr. Scott agreed that when he turns his iPad, it automatically flips the page; he said that they are working to try to fix that problem.

Mrs. Moultrie asked if V.b.3.A.7. was a one day course recovery program and Dr. Scott replied that it was apparently a request from J.M. Tate High School. He thought they needed one more day to help some of the students complete, so they added an additional eight hours of instructional time. Mrs. Moultrie verified that this was not a normal occurrence and Dr. Scott confirmed. He said that this was in order to allow some students to earn the credit over the summer.

Regarding out-of-field, Mrs. Hightower asked when you have someone teaching a class and the outcome of that class determines whether a student will graduate high school or not, when this person who's teaching algebra doesn't have a math degree, what guidance is given to the principals about these issues. Dr. Scott explained that they had a gentleman with a degree in engineering, which is a lot of math, who they felt would be a good fit, so he agreed to get his math certification. Until they could get someone with a passing score in math, this person would be placed in out-of-field. He said we would rely on the principal's discretion, but typically if there is a request for out-of-field, it would be sent to him or Mrs. Ramirez, Certification Specialist. Mrs. Ramirez would do a full transcript review showing what the person is eligible to be certified in or if they are not certified, if the principals want to take them as out-of-field, they work with Ms. Ramirez on the requirements. She works with the person to set up a plan on what is needed to complete certification.

Mrs. Hightower asked how often the math certification test is given and Mrs. Ramirez replied that it was given weekly and a person could take the exam immediately. Mrs. Hightower said she was concerned about how quickly it could be taken. Mrs. Ramirez explained that the principals usually work with these individuals and together determine when to take the exam. Most of the time they want the individuals to be certified before Christmas which gives them time to be prepared for the exam. Mr. Marcanio added that the concern would be the quality of the instruction to the students when there is a teacher that is not certified. He said that, as a principal, he would make sure the department chair was closely connected to this person so that they feel comfortable that this person understands the content to teach and lessons are aligned to the pace and guidance, etc. That's a common strategy that is going to be used when there is a non-certified person teaching any course. Ms. Ramirez added that when the request comes to her or Dr. Scott, they have already been through a hiring committee and the principal thinks this person is the best person for the job.

Mr. Slayton asked Mrs. Ramirez about TV Production now having a certification area and that it used to be that any certification could teach TV Production. Mrs. Ramirez replied that the technical education certification exam had to be taken.

Mrs. Hightower said that, back to the quality of teaching issue, this particular teacher was new and she assumed that a mentor teacher would be working with her, which Mr. Marcanio confirmed. She said that all out-of-field teachers have S.T.A.R.T. teachers assigned to them because not all of them are new and Ms. Ramirez replied that only the appointments do. Mrs. Hightower said that a good principal would make sure someone is assigned to them.

Mr. Bergosh pointed out a possible mistake on page 4, under Human Resources, under A.1. appointments, apparently there is going to be a new Assistant Superintendent of Finance and two new Assistant Superintendents of Operations. Dr. Scott explained that is the department area where the person is located. He stated the manner in which Skyward® is set up, there are building locations and then if they are not schools, it would be under Assistant Superintendent of Human Resources, or Operations, or Finance. That would be the location

for a person. There is no way in Skyward® where that would read 75 North Pace Boulevard, etc. Mr. Bergosh said that Payroll was a subcategory and Mrs. Waters added that Pamela Wilson was assigned to Payroll, and shouldn't it be Assistant Superintendent of Finance? Dr. Scott explained that this was downloaded directly out of Skyward®. Mr. Thomas added this information was dependent upon where the employees were assigned. If there is a department that is defined in Skyward® such as Payroll, those employees will show up there. If there are other employees in Finance that are not assigned, they are under Assistant Superintendent of Finance.

Regarding Risk Management, Ms. Hightower asked if they had settled the insurance issues for the coming year, under V.b.3.C.1 of the Employee Benefits Changes. Mr. Thomas said it had been through the insurance committee and had been ratified by employee groups so there will be no need for the special meeting since everyone has reached agreement. Any changes made were at the cost of the district, not employees.

4. Operations

Mr. Bergosh asked if there was anything under Operations, and there was nothing.

c. ITEMS FROM THE BOARD

Mr. Bergosh stated that they needed to appoint a representative from the Board for the Early Learning Coalition. Mrs. Moultrie said that Mrs. Hightower passed the torch on to her and she had been carrying it ever since. Mrs. Moultrie said she felt bad that every time a meeting was scheduled, she had not been able to attend and it is time for someone else to take over. Mrs. Hightower suggested asking Mr. Boone to do it, and if he couldn't, then she would do it. Mr. Bergosh asked Mrs. Moultrie when the meetings were and she replied they were usually on Thursday mornings at 10:00 a.m.

d. ITEMS FROM THE SUPERINTENDENT

Mr. Bergosh asked for any questions on Student Discipline and Employee Discipline and there were none. He asked if there were questions on the Escambia County Public Schools Foundation and there were none.

e. INTERNAL AUDITING

Mr. Bergosh asked if there were questions on Inventory Adjustment and there were none.

Mrs. Hightower asked Mr. Bergosh what the Strategic Plan synopsis was. Mr. Bergosh said they had discussed scheduling a Special Meeting. She asked when the plan would appear on the agenda. Mr. Bergosh said he would add it to the discussion agenda for next month and they would all add their input and then schedule a Special Meeting. Mrs. Hightower asked when it was going on the agenda for them to approve and Mr. Thomas explained that everyone's feedback was requested by October 1, 2013, and that can be sent to either Cathy Irwin or Sandra Edwards. That will be given to committees as they begin to meet in October. The Board will discuss in October if there is anything else they want to include. It was planned to be brought in November, but there is the possibility that there will be new items the committee has not dealt with and they will not make it. Typically, if the items aren't prepared by the first of the month, you miss the deadline to get it on that month's agenda. It may carry to December.

f. ITEMS FROM GENERAL COUNSEL

1. 2013 Legislation Requiring School Board Action

Mrs. Waters explained that in her contract it says every year at the end of the legislative session, she is required to inform everyone what legislation passed that may require action by the Board. She wrote a memo dated July 2, 2013, which identified seven pieces of legislation that looked like they required actual rule promulgation. There were several that required reporting and then there's the new ethics requirement for School Board Members and the Superintendent. She explained that Senate Bill #2 dealt with ethics and she would go through the others that looked like they require rule promulgation and let the Board decide if she should take the lead or if the Superintendent has started working on it. She said that House Bill 50, with regard to public meetings, requires changes in how public forum is done allowing people to aggregate into groups and having one spokesperson speaking for the group. They need to promulgate rules on that and she thought that would fall to her. Senate Bill 284, with regard to school emergencies and epinephrine auto injectors, states there is supposed to be an emergency response agency listed in the district's emergency response policy. She said there were a lot of procedures, but not sure there is a policy or not. Mrs. Hightower responded that was something that they probably need to review. She said she had a communication from the Florida PTA and there is some issue that this is not a policy, just a procedural issue. Mr. Thomas said that would fall under Operations and Protection Services and he would have them look at it when they get to their chapter. Mrs. Waters added that in planning for a disaster, it may be a good idea for the Board to set a policy.

Mrs. Hightower expressed her concern about Operations looking into the policy issue when they get to their chapter. She said that the only things they need to look at this year are the things Mrs. Waters is talking about right now. They don't need to wait for a chapter to come up. Mrs. Hightower said they need to have Mrs. Waters work with the Superintendent to determine who the staff is that would be responsible for looking into these things; Mrs. Waters and staff would then create whatever needs to go into whatever chapter, and if necessary, break it into two or three things. Mrs. Waters responded that it's an on-going issue whether they want to do a rolling constant revision, or if they want to just put in place legislative changes in areas where there have been a significant problem and they want to change policy. The Board has expressed an interest in just doing legislative changes.

Mr. Thomas asked about taking the whole list that could cover Chapter 1 through 7 where they bring the changes from seven different chapters to a single meeting. He said that in the past they operated under the expectation of doing no more than two chapters no matter how many changes. He said he didn't have a problem with activating committees with Mrs. Waters and dealing with them all at once. Mr. Bergosh said that if it was a minor change to one section, it could be a two page thing from seven chapters, but bringing in the whole chapter just to make a change on one page wouldn't make any sense. Mr. Thomas said he had promised the Board previously that he would bring all of Chapter 2 and asked if that was still the expectation. Mrs. Hightower asked if any of these were included in Chapter 2 and Mr. Thomas replied that some of them would be but not necessarily in every section.

Ms. Hightower said that there were a lot of problems with Chapter 2 with so many versions out there, but Ms. Goshorn, Paralegal for our General Counsel, worked on it. Mr. Thomas added that Mrs. Dwelle and Mrs. Irwin worked through that with Mrs. Goshorn also. Mrs. Hightower thanked all three individuals. She said that what Mrs. Waters was saying is that we needed to have it in one form that is approved and to know this one is what they will be working from now on. She suggested not to consider changes with Chapter 2 until after they make the baseline. Mrs. Waters said that she forwarded everyone an e-mail from Dr. Scott saying that the work on Chapter 2 would start to bring it to the Board. Mrs. Hightower responded that she thought the work was finished on Chapter 2. Mr. Thomas said that they were talking about reviewing it because there will be changes. Mrs. Hightower said she didn't want to review it until it's approved for a baseline. Mr. Thomas responded that what is on the web now, is what has been approved. It has been validated and they have the baseline. Mrs. Hightower asked when that one was approved. Ms. Goshorn replied that what they did was to go back and, starting from the

most recent agenda, every time there was a revision approved, they replaced what was on the website at the time with what the Board actually adopted. Ms. Goshorn stated the version that is on there now is what the Board adopted. She said they could go back to 2009, since that is what is linked on the website and in 2011, they did all of Chapter 2 except one section. What was adopted in 2011, whether it had errors or something else, she went back to what they actually had adopted, not what was put on the day after it was adopted. She explained that when something is adopted it has the strike adds, etc., and the day after, those are removed. Mrs. Hightower added that some things were lost and some things were missed. She asked if what was on the website was accurate as of the last time Chapter 2 was adopted, even though some of the things adopted were not included or incorrect. Her concern is that the last time they adopted Chapter 2, there were things that were wrong and Mrs. Waters said there may have been. She previously discussed bringing in Chapter 2 and voting on it as a whole chapter so that from that point going forward, they would know it had been adopted in that form and that language by the Board. There would still be a couple of years where there would be “gray areas” but they would know that is what was adopted by the Board.

Mr. Thomas it is stated his understanding that next month he would bring what is actually on the website to the Board for advertisement. The following month, it will be adopted. In the meantime, there are still legislative changes some of which are in Chapter 2 and the committees will still need to work on those sections. They will then follow up and it may be that they would have all chapters and sections dealing with legislative changes, because he understands that only legislative changes will be dealt with this year. He said that if they can bring as many of those together as they can, that would be helpful.

Mrs. Hightower added that the important thing is that all of the changes they are about to see, they have no control over whether they make them or not, they have to be made. She asked Mrs. Waters to confirm that they would be out of compliance if they are not made. Mrs. Waters responded that the Board has some leeway about what rule it adopts. Some say the Board must adopt a policy. It can be any policy that the Board and Superintendent come up with. Mrs. Hightower said that you think you’re already in compliance with public meetings because they have had public forums forever. Mrs. Waters added that there need to be new procedures that they are telling the Board to follow.

Mr. Thomas asked what if there are issues that are not necessarily required by legislature that really need to be brought to the Board for policy change, such as having a smoke-free environment on school campuses. It was discussed a couple of years ago but was never brought back as a policy to implement. It will not be required by legislation, so will it not be dealt with this year? Mrs. Hightower replied that she envisioned Chapter 2 being brought next month and would probably take until January to look at everything. She wouldn’t anticipate any other chapter changes before the beginning of the year. As these changes are being reviewed, if there are other things that they think should be included, it could be done at that point. Mr. Thomas said he wanted to make sure they had the leeway to deal with some of those issues that were discussed and never were brought forward. Mrs. Hightower expressed her concern that sometimes it seems that just because they review something, there has to be changes made. Mr. Thomas assured her that only necessary, substantial changes would be brought, which would include legislative required changes. He asked Mrs. Waters if she knew what chapter or chapters would be the most appropriate to be considered as it would help him to assign the most appropriate people to begin meeting and reviewing with her. Mrs. Waters replied that that is why she brought it there today and they had decided that Operations would handle the epinephrine pen, and School Health would be in charge of that issue; Senate Bill 1076 and Senate Bill 1108 both deal with Curriculum and Instruction matters; House Bill 1309, Re-procurement is a Finance matter; and Senate Bill 1388, Instructional Materials, and House Bill 7029, Digital Learning are both Curriculum and Instruction.

Mr. Bergosh asked if anyone wanted to speak to the board, and there was no one.

VII. ADJOURNMENT

Mr. Bergosh adjourned the meeting at 2:30 p.m.

ATTEST:

APPROVED:

Superintendent

Chair

Pending Board Approval