

THE SCHOOL BOARD OF
ESCAMBIA COUNTY, FLORIDA

MINUTES, FEBRUARY 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

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 January 31, 2013 - Legal No. 1589694

[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

- Update on First Grade Retention/Conference Data

The Superintendent provided School Board Members an updated [report](#) of first grade retention/conference data as of the second nine weeks grading period. He said that the report had been compiled rather hurriedly and he had noticed at least one data entry error for Bratt Elementary in that they had 110.00% in the “% retain conf 2nd 9 wks” column so apparently they had reversed their numbers in terms of number of retainees versus number of conferences. The Superintendent noted that when this report was initially given in November 2012, it appeared that district-wide approximately 30% of first grade students were at-risk of retention. He said that number had significantly improved over the past nine week grading period and was now approximately 21% so he was confident that schools were moving in the right direction. The Superintendent referred to the data for the extended day schools (highlighted in yellow) which indicated that although their rates of projected retentions were still higher than the district average, but they had made progress in reducing the number of first grade students at-risk of retention. Mrs. Hightower said she was still concerned about those schools with over 50% of first grade students at-risk of retention. Mr. Bergosh said it appeared to him that the parent conference data was “all over the map” in terms of consistency. The Superintendent clarified that the conference data was still being collected as conferences were still being scheduled at some schools; however, as of the date of this report, approximately 88% of the parents of at-risk students had shown up for a conference which was a “pretty strong” turnout and actually better than he had expected. Mr. Slayton inquired as to the timeline for the final group of students that would be retained. The Superintendent said the next nine week grading period would be important and then after that there would be the third FAIR testing in early May. He said that once that testing was complete, then teachers, parents, and principals would sit down in conference together prior to the end of school to review the composite of the data. Ms. Linda Maletsidis, Director of Elementary Education, said that probably in April, parents of first grade students who were at-risk of retention would be asked to meet with teachers to review the data and a final decision on retention would be made by the school in May. Ms. Maletsidis said that she had been very impress with first grade teachers as they had really “stepped up to the plate” and taken on this accountability piece; and she

believed that there would actually be fewer students retained this year than perhaps there had been in the past and that first grade students were going to be better prepared upon entering second grade. Mr. Bergosh asked if there would be a type of redemption program offered over the summer for those first graders who were ultimately recommended for retention. Ms. Maletsidis said there would not be any type of summer program for retained first grade students. Mr. Bergosh wanted to know if staff had given any thought to offering such a program for those first grade students who were “right on the line” with regard to retention. The Superintendent said that if a student was “right on the line” then teachers and principals would have to consider how a particular student had performed throughout the school year and then use their professional judgment in deciding whether to retain or promote.

III. PROPOSED ADDITIONS OR REVISIONS TO SCHOOL DISTRICT RULES

Approval to Advertise Notice of Intent to Adopt Amendments To Rules and Procedures Of The District School Board: Chapter 4, Instruction

Mr. Bergosh asked if School Board Members had any questions or comments on the proposed amendments to Chapter 4, Instruction. Mrs. Hightower wanted to know if it was possible to insert into Section 4.08 policy, a hyperlink to the *District Implementation Guide for Section 504* document. The Superintendent said that it was his understanding, that when the policy was in final form and posted to the School District’s website, that the hyperlinks to referenced documents would be inserted. He noted however, that the backup documentation that School Board Members were looking at for agenda purposes was actually a scanned version of the policy which could not accommodate any hyperlinks. Mr. Steve Marcanio, Assistant Superintendent for Curriculum and Instruction, clarified that the *District Implementation Guide for Section 504* was actually a Florida Department of Education publication. He said that once the Chapter 4 policy was adopted by the School Board, his staff would actually post a link to that document under the section entitled “Plans and Guidelines” on the Parent Page of the School District’s website. Mrs. Hightower wanted to be sure however, that a hyperlink would actually be a part of the Chapter 4 policy that was ultimately posted to the School District’s website because she wanted parents to be able to link to the document directly from the policy itself rather than having to go to a different area on the website to find a link to that information. The Superintendent again stated that the document would be hyperlinked to the master document of Chapter 4 policy.

Approval of Minutes, Section IV

1. 01-17-13 SPECIAL WORKSHOP
2. 01-18-13 REGULAR WORKSHOP
3. 01-22-13 REGULAR MEETING

Mr. Bergosh said he had reviewed each set of minutes from the December workshops and meetings. Mr. Bergosh complimented Mrs. Holley DeWees, Administrative Recording Secretary, for preparing such accurate minutes of the January meetings. 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

- I. 2013-2014 Proposed Staffing Allocation Table

Mr. Bergosh pointed out that Mr. Steve Marcanio, Assistant Superintendent for Curriculum and Instruction and his staff had made themselves available to answer questions and explain things for him and for that he was appreciative. He asked if any School Board Members had any questions or comments on this item. Mr. Slayton referred to the Middle School Education plan for non/other teaching units (page 7 of 17). He said he wanted to verify that the proposal was to remove deans from under the assistant principal column and put them in their own separate column. Mr. Marcanio said that the document in its previous form had a column for assistant principal/dean and that had now been revised into a separate column for assistant principals and a separate column for deans. He gave

an example of a school with UFTE of 725 to 1249 that had been taking 0.5 from the assistant principal/dean column and another 0.5 from the guidance column to create a dean position. He said staff had tried to make changes to the table to reflect what was actually happening at the schools and what the schools needed to happen in terms of those dean positions. He noted however, that there was no change on the total column so no additional units were being allocated. He said the other change to this particular page was that the row for UFTE of 0 to 499 had been eliminated and the 500 to 724 row had been revised to 0 to 724. Mr. Slayton said his only concern was with the 1250 to 1499 row in that while a dean was gained a guidance counselor was lost. Mr. Marcanio noted that the schools in that particular range, which consisted of the School District's two largest middle schools, had always had two deans and two guidance counselors so there was not a reduction to what those schools currently have been doing. Mr. Slayton pointed out that the responsibilities for guidance counselors had continued to increase and he was concerned that two guidance counselors was not sufficient for two middle schools of such large student populations. He said he would like to see three guidance counselors at that particular UFTE range (1250 to 1499). Mr. Marcanio noted that there were only two schools, Ransom Middle and Bailey Middle, which would fall into the 1250 to 1499 range. Mr. Slayton was concerned that only having two guidance counselors at each of the District's largest middle schools meant that each guidance counselor was responsible for over 600 students. Mr. Marcanio said he could not argue with Mr. Slayton about the need for an additional guidance counselor but noted that any addition would be an additional budget item. Mr. Slayton proposed that the School Board increase the guidance counselor allocation for those two middle schools from two to three. He also pointed out that those two schools were not experiencing a decline in population but rather they were getting larger every year. Mr. Marcanio said he did not have the projected student enrollment information with him at that time. Mr. Slayton said he would like to request that he continue to receive those first of the month attendance reports. Mrs. Hightower said that she would support Mr. Slayton's proposal. She asked if staff could help the School Board understand the cost of an additional guidance counselor for each of those two middle schools. Mrs. Hightower said she completely agreed with Mr. Slayton's point about the increased responsibilities for guidance counselors at the middle school level. She also pointed out that she was aware that Bailey Middle did have three guidance counselors, one for each grade level (6 through 8). She noted that Bailey might have had to pay for that third guidance counselor from some source other than General Fund but they did in fact have three guidance counselors. Mr. Marcanio clarified that Bailey Middle was designated as a Title I school and that they had used Title I funds to purchase a third guidance counselor. The Superintendent said that the document would be amended to reflect the requested change in guidance counselor allocation for middle schools with UFTE of 1250 to 1499.

At this time, the following items were handled:

Dixon Charter Report, Item VII.1

Dr. Wendy Bennett, principal of Dixon School of the Arts, noted that she had already submitted the school's written academic report for February 2013 and was providing at the table, a copy of Dixon's updated [testing data](#). Dr. Bennett said that January had been a very busy month for Dixon as the school had been focusing on ramping up targeted tutoring for mathematics, reading, writing and science. She mentioned that the school had another successful parent/student make-and-take during the month of January and an additional *Gallery Night* was held on February 8th. Dr. Bennett said the school also had a new security system that included camera viewing and two-way audio for screening visitors prior to entry and push-button door unlock to permit entry of visitors into the school. Mr. Bergosh said he had reviewed Dixon's test data trends and they looked positive. With regard to the school's finances, he wanted to know if the school donation fund (checking/savings account) was being used for day-to-day transactions. Mr. LuTimothy May said that the school used all of its checking/savings accounts for day-to-day transactions. Mr. Bergosh asked about the status of the school's \$50,000 credit line. Mr. May said that the credit line currently had a balance around \$25,000 to \$27,000 and it was typically paid at the end of the month. In answer to Mr. Bergosh's questions, Mr. May said that overall he believed that the school's financial condition had improved.

The Superintendent requested that the following item be moved on the agenda as there were visitors in the audience who were waiting for this item to be addressed:

Bid Award/Annual Agreements: As Needed Real Estate Services, RFP #131401 (Item V.D.2)

Mr. Bergosh asked if School Board Members had any questions or comments on this item. Mrs. Hightower said she had questions about the contract and about procedure. She said she simply needed clarification as to how this was going to happen. Mr. Bergosh said the Superintendent and Mr. Shawn Dennis, Assistant Superintendent for Operations, had each taken time to speak with him about his various questions. He said he still had a few more questions however. Mrs. Hightower said she appreciated Mr. Norm Ross, Deputy Superintendent, sharing his hard-copy of the backup for this item because she had been unable to open the file via the electronic agenda. She noted that the backup documentation for this item was very voluminous and asked that in the future, that staff not include any information that was not absolutely necessary for the School Board to review (i.e., blank Request for Proposal (RFP) forms, blank contracts, etc.) Mr. Bergosh injected at that point, to say that he believed the issue with the file for this item and for other large files in the past, was that staff was not using the compact compressed PDF function on their scanners which resulted in massive 50MB files. He said that staff could actually compress the PDF files and reduce their size by 80% which would then make those files easier to open. The Superintendent said he would look into that but noted that he was able to open the file from the e-agenda with no problem. Mr. Bergosh said that he was able to open the file as well, but it was very time consuming. Mrs. Hightower noted that her iPad was never able to open the document and yet she had let it sit for around thirty (30) minutes. Mr. Slayton said that his device was had opened the file immediately. The Superintendent suggested that the problem for Mrs. Hightower could have been that the speed of her wireless connection was not as fast as it needed to be in order to open the large file. He acknowledged that the backup documentation was in fact voluminous, but said that every single page of that documentation had gone to the School Board's General Counsel for review and approval and therefore, every single page had to also be submitted for the School Board's agenda. Mr. Bergosh noted that having the files compressed would not only reduce the size of the files, but would probably save the School District a lot of bandwidth as well. Mrs. Hightower referred to the "grid" that was provided in the backup documentation; she noted that she had not seen the information that was provided in the "grid" reflected in the actual agreements. She wanted to know where that information (outlined in the "grid") with regard to primary vendor and secondary vendor designation was reflected in the agreements. Mr. John Dombroskie, Director of Purchasing, said that it did not really need to be reflected in the agreements. The Superintendent said the information in the grid had come from the proposals that each vendor had submitted during the RFP process. Mr. Shawn Dennis, Assistant Superintendent for Operations, said that what staff had essentially tried to do was to distill the distinction between the two proposals as a result of the conversations that occurred at the last workshop and give the School Board a "quick and dirty snapshot" of which company fared most favorably in each of the respective bidding points because of the discussion and the opinion that was rendered about in the past when there are multiple vendors that submit for a RFP historically staff had always identified a primary and a secondary vendor and so staff had attempted to do that in this summary format. He said the while the information was not reflect in the contracts, it was reflected in each company's submittal. Mr. Bergosh said his concern was that there was currently a Scoggins sign in front of the Garden Street property but with the property being worth \$5 to \$7 million dollars, if the School Board approved this item, then the sign would immediately have to change to Beck. The Superintendent said that he was not sure that the change would be immediate as he had looked into that issue and determined that there was an expiration date for property listings but he was not sure how that process actually worked. Mr. Bergosh believed that the Garden Street listing had already expired as he believed that the School Board had a temporary contract with Scoggins which had already expired. The Superintendent said that he did believe looking at the way the bids came in, that Beck would be the primary vendor on most of the properties. Mr. Bergosh said in his way of thinking Beck had won the bid because for 8 out of the 14 components they had fared better so he question how Scoggins had rated higher. Mr. Bergosh said that he would need to know about the MLS listing for the Garden Street property before voting on this item. The Superintendent asked Mr. Beck to respond to the question of that would work if the Garden Street property was already listed by Scoggins in other words, what would the School District have to do that change that listing or would they have to wait until that listing had expired. Mr. Beck said the various multiple listing services could be withdrawn anytime; that was strictly up to the broker as his contract was with the School Board and when that contract expired, the listing would expire. He noted however, that the contract probably had a period of time for protection on the people that Scoggins had exposed the property to so if there was a potential buyer, Scoggins should be able to reserve that prospect for a period of time, typically four months, which would be sufficient time to "bring it in for a landing" if there was true interest in the property. Mr.

Beck said his company would respect that type of arrangement. The Superintendent said that what he really wanted to accomplish here and the reason he had decided to go with two companies was so that while one company would obviously list the property (in the case of Garden Street, Beck would list as they provided the best offer), he really wanted both companies (Beck and Scoggins) to be using their contacts to try and find a buyer as long as the School District's best interest was protected meaning that Beck has given the lowest rate for those large volume properties so he would not want to pay a higher commission rate than that to anyone else. The Superintendent said he believed that Scoggins had agreed to accept that should they sell a property, but the listing clearly would go to Beck because they had made the best offer on that Garden Street property. Mr. Beck said that his company's approach would be to involve Scoggins and anyone else that had the ability to sell the property in Pensacola or elsewhere. Mr. Beck said he would want Scoggins or anyone else's involvement on that property and would pay those companies through a separate agreement. Upon inquiry by Mr. Bergosh, Mr. Beck said that Scoggins would receive an amount that was agreed upon under an offer of compensation; he noted that the offer of compensation with Scoggins could be different than an offer of compensation with another company. Mr. Beck confirmed that it would not cost the School Board any more than Beck had quoted in its submittal. Mrs. Hightower said she had various concerns about this item and did not believe that she could vote to approve it. The Superintendent said he was just trying to find a way forward because the School District needed to get a real estate agent under contract so that properties could be moved. He said that he thought the "grid" would help clarify but instead it seemed to be causing confusion for School Board Members. He asked for a suggestion on how to move forward. Mr. Dennis believed that the confusion was due to the fact that both firms had elected to provide proposals that were uniquely different in that one company had a commission rate for sales and purchases that was standard across all valuations whereas the other company had offered a scalable commission rate based on the value of the property. Discussion ensued with regard to how the "grid" could possibly be revised to eliminate any confusion. It was ultimately determined that the "grid" should be revised to remove any information related to the percentages regarding "splits" (under the section labeled "Commission Rate or % of Sale for Acquisitions or Dispositions).

The Regular Workshop recessed at 11:00 a.m. and reconvened at 11:10 a.m., with all School Board Members, the Superintendent, and Mrs. Waters present.

B. Finance

4. Legal Services:

General Fund

a) The Hammons Law Firm	\$ 1,410.50
b) The Hammons Law Firm	\$ 2,851.55
c) The Hammons Law Firm	\$ 294.50
d) The Hammons Law Firm	\$ 4,169.50
e) The Hammons Law Firm	\$ 511.50
f) The Hammons Law Firm	\$ 4,835.20
g) The Hammons Law Firm	\$ 155.00
h) The Hammons Law Firm	\$ 62.00
i) Rumberger, Kirk & Caldwell	\$ 1,344.02
j) Rumberger, Kirk & Caldwell	\$ 2,189.10

5. Legal Services:

Risk Management Fund

a) The Hammons Law Firm	\$10,787.00
b) Steven J. Baker, P.A.	\$43,275.30

Mr. Bergosh said that he had not seen the detailed backup documentation for Item V.B.5.b, *Steven J. Baker, P.A.* as it was not included in the School Board's secure documents folder. Mr. Kevin Windham, Director of Risk Management, gave a brief review of the various legal work associated with the invoices submitted by Mr. Baker. Mr. Bergosh pointed out that the total legal fees included on this month's agenda totaled over \$70,000. He repeated what he had said in the past in that he believed the School District "could do it cheaper" by hiring another in-house attorney.

C. Human Resource Services

Mr. Bergosh commented that the new format for the Human Resource Services section of the agenda was much better than it had been in the past.

D. Purchasing

2. Bid Award/Annual Agreements: As Needed Real Estate Services, RFP #131401

This item was handled earlier in the meeting.

9. Vehicles for Food Services Department

Mr. Slayton questioned the need for three (3) 2013 Chevrolet Traverse crossover vehicles. Mr. Shawn Dennis, Assistant Superintendent for Operations, said that most of those vehicles are used by area managers and occasionally used to transport food. He noted that these large vehicles would accommodate the large amount of materials that were moved around between cafeterias in support of area managers and staff. Mr. Slayton said that he would “be grudgingly” support the purchase but he would think that there could have been a cheaper alternative.

E. Operations

1. Facilities Planning

B. Miscellaneous

3. A.K. Suter Elementary School Replacement
4. Ernest Ward Middle School Replacement

Mrs. Moultrie referred to the “final tally form” included in the backup documentation for these items which indicated that a member of the Watchdog Committee was not present for the ranking on either of these two projects. Mr. Shawn Dennis, Assistant Superintendent for Operations, said a Watchdog Committee member was invited to both rankings; however, the members who were planning to attend had been unable to do so. Mr. Slayton commented on the two “outstanding” firms that had been selected for these construction projects. Upon inquiry by Mrs. Moultrie, Mr. Dennis confirmed that both Greenhut Construction Co. and Morette Company were local firms.

F. Student Transfers

-No items discussed

G. Internal Auditing

1. Inventory Adjustment Reports for eleven (11) cost centers

Mr. Bergosh asked if any School Board Members had questions on this item. Mr. Bergosh pointed out that about half the principals used extreme courtesy in their responses and the other half had just sent a “very terse, unsigned memorandum” which he believed was very rude. Mrs. Hightower agreed.

V. UNFINISHED BUSINESS

-None

VI. NEW BUSINESS

- A. Items from the Board

-No items submitted

- B. Items from the Superintendent
 - 1. Student Recommendations

Mr. Bergosh asked if any School Board Members had questions or comments on this item. Mr. Bergosh said that he had a discussion with the Superintendent and in light of the “gigantic” public records request that everyone was aware of and the reason why that request was being made, he wanted to point out that one of the students listed under this item was finally being recommended for expulsion after receiving a total of thirty-nine (39) referrals. Mr. Bergosh said it seemed to him that the School District “bends over backwards” to keep students in school. He said that he could not imagine the number of classroom atmospheres that a student like that had destroyed and how many other students he/she had kept from paying attention, learning, and engaging in the classroom.

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

- VII. COMMITTEE/DEPARTMENTAL REPORTS (*Time Certain – 9:30 a.m.*)
 - 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 was adjourned at 11:43 a.m.

Attest:

Approved:

Superintendent

Chair

PENDING BOARD APPROVAL