THE SCHOOL BOARD OF ESCAMBIA COUNTY, FLORIDA

MINUTES, MARCH 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* (not present)

*Mr. Norm Ross, Deputy Superintendent represented the Superintendent

Meeting was advertised in the Pensacola News Journal on February 25, 2013 - Legal No. 1591635

[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

Mr. Norm Ross, Deputy Superintendent advised that the Superintendent would not be present at this session as he was currently in Tallahassee. Mr. Ross listed the changes that had been made to the March 19, 2013 Regular Meeting agenda since its initial publication.

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 2, Human Resource Services (6Gx17-2.47, 2.48)

- 2,47, Tobacco-Free Hiring Policy
- (2) For the purposes of this policy, "tobacco" is defined to include products that include tobacco/<u>nicotine</u> and are intended or expected for human use or consumption, including but not limited to, any lighted or unlighted cigarette, cigar, pipe, bidi cigarette, clove cigarette, and any other smoking product, and spit tobacco, also known as smokeless, dip, chew and snuff, in any form (i.e., lozenges, strips, pouches, etc.).

Upon inquiry by Mrs. Hightower, Dr. Alan Scott, Assistant Superintendent for Human Resource Services, explained that the reason nicotine had been added to this section was simply because there was no test for tobacco; rather the substance that was actually tested for was the presence of nicotine (or cotinine). Mrs. Hightower said her concern was that an individual who might be using a nicotine patch in trying to recover from a smoking addiction might test positive for nicotine. Dr. Scott pointed out that nicotine patches varied with regard to the amount of nicotine provided. He said that if a test came back positive for elevated levels of nicotine, it would either be due to the use of tobacco products, higher-dose nicotine patches, or some other nicotine delivery device. Dr. Scott also pointed out that staff had no way to discern whether the presence of nicotine was due to a person's use of tobacco products, nicotine patches or some other delivery mechanism;

therefore, staff had made the decision to only test for the presence of nicotine (or cotinine) and that is what the results would be based on and the reason why nicotine had been added to this section. He noted that a person who had been recovering from a smoking addiction, more than likely after six (6) months was not still going to be using nicotine patches. Mr. Kevin Windham, Director of Risk Management, said that another reason for adding nicotine, was because there had been some people who pointed out that it did not specify nicotine, only tobacco; he said that nicotine had been added because where there was not actually a test for tobacco but there was a test for nicotine (or cotinine).

2.48, Electronic Records and Electronic Signatures

Mrs. Hightower said she did not understand why this topic needed to be addressed in a separate section under Chapter 2, Human Resource Services when it was a contractual business issue that we are going to be able to use electronic signatures from our employees and there was already a section in Chapter 5, Business Affairs [see Section 5.01(14), Facsimile Signatures] that related primarily to the facsimile signatures of the School Board Chair and Superintendent. She thought it might be more appropriate to have all verbiage related to facsimile signatures and/or electronic signatures located in the same area of School Board policy. Dr. Scott said it really did not matter whether the verbiage was added as a separate section under Chapter 2 or inserted into an existing section of Chapter 5. Upon inquiry by Dr. Scott, Mrs. Waters said that it was simply the School Board's preference as to the placement of the verbiage; however, she noted that the request she had received to help draft the verbiage had come from the Human Resource Services department and that is why it had been added under Chapter 2. Mr. Ross said that it was necessary to include it in Chapter 2; however, if it was the pleasure of the School Board, the verbiage could also be added to Chapter 5. Dr. Scott said the matter would need to be addressed in School Board policy prior to the annual contract process that would begin in Spring 2013, the District would have the School Board's authorization to distribute and accept and electronic records and electronic signatures from District employees. Mr. Slayton asked Mrs. Waters if there was a problem having the verbiage in both Chapter 2 and in Chapter 5. Mrs. Waters said that the same verbiage could be placed in both chapters. Mr. Bergosh agreed with Mr. Slayton's suggestion that it be addressed in both chapters. Mr. Ross noted that an amendment to Chapter 5 would be presented for advertisement in either April or May.

Approval of Minutes, Section IV

- 1. 02-14-13 SPECIAL WORKSHOP
- 2. 02-15-13 REGULAR WORKSHOP
- 3. 02-19-13 REGULAR MEETING

Mr. Bergosh said he had reviewed each set of minutes from February and in his opinion, they seemed to be very reflective of the School Board's workshops and meetings. There was no other discussion regarding the minutes as listed.

IV. CONSENT AGENDA

- A. Curriculum and Instruction
 - 5. Cooperative Agreement between the Community Action Program Committee, Inc. and the School Board of Escambia County, Florida
 - 6. A Contract between the Community Action Program Committee, Inc. and the School Board of Escambia County, Florida

Mrs. Moultrie advised that she would abstain from voting on Items V.A.5 and V.A.6, as those items involved the Community Action Program, Inc., and she was currently serving as the Chair of that organization. Mr. Bergosh pointed out that this was a good illustration of why the signature blocks of contracts/agreements needed to list not only a position title, but also the name of the individual holding that position.

B. Finance

8. Financial Status Report: Employee Benefit Trust Fund

Mr. Bergosh thanked Mr. Terry St. Cyr, Assistant Superintendent for Finance and Business Services, for sending School Board Members a brief summary each month of the Finance department's agenda items. Mr. Bergosh thought it would be appropriate for Mr. St. Cyr to address the Employee Benefit Trust Fund at that time. Mr. Bergosh said that it was very encouraging to see that the trust fund seemed to be improving. Mr. St. Cyr said that the trust fund had, for the fifth straight month, gained a positive to the fund balance. He said typically the trust fund was running in the neighborhood of several hundred thousand dollars per month to the increase. In January, which was the last month that staff had calculated based on the information they had received, the health portion of the trust fund had increased by \$674,000 which had brought the balance to \$5 million. He said that as always, the goal was to get the trust fund balance as high as possible in order to eliminate any potential problems due to unforeseen events that might occur. Mr. St. Cyr also noted that staff was anticipating that the District's new health clinic, scheduled to open in June, would add to the stability of the trust fund by eliminating many of the costs associated with health insurance.

9. Transfer of Inoperative Vehicles from Inventory to Scrap

Mr. Bergosh noted that there were quite a few inoperative vehicles that were being transferred from inventory to scrap. Upon inquiry by Mr. Bergosh, Mrs. Laura Shaud, Director of Budgeting, said that there was basically nothing left of the vehicles as they had essentially already been scrapped as they had been used in the vocational programs at the George Stone Technical Center. Mr. Terry St. Cyr, Assistant Superintendent for Finance and Business Services, noted that inoperative vehicles such as the ones listed, were typically donated for those particular programs.

At this time, the following item was handled:

Charter Schools Quarterly Report, Item VII.1

Representatives from the following charter schools were in attendance: Byrneville Elementary School, Capstone Academy, Dixon School of the Arts, Escambia Charter School, Beulah Academy of Science, Pensacola Beach Elementary School, Newpoint Academy and Newpoint Pensacola. A copy of the Charter School Quarterly Report for March 2013 was provided to School Board Members prior to this workshop. Ms. Vicki Mathis, Director of Alternative Education, noted the following corrections to the spreadsheet that was included in the report (*see page 1/14*):

- <u>Article 2, Students Enrollment Demographics</u>: Ms. Mathis said that Escambia Charter School's October 2012 FTE should have been reported as 109 instead of 103.
- <u>Article 6, Certificate of Insurance</u>: Ms. Mathis said this information had now been provided by Dixon School of the Arts.
- Article 7, Articles of Incorporation/Policy on Board Mtg.: Ms. Mathis said this information had now been provided by Dixon School of the Arts.

Ms. Mathis asked if any of the School Board Members had questions or concerns about any of the information outlined in the March 2013 report. Mr. Bergosh said his concern was always with the finances of the charter schools; from this report it appeared as though the majority of the charter schools have some financial issues. In particular, he was concerned that the fund balance for Newpoint Academy was less than 2% of the annual revenues from the prior year (*see page 5/14*). Mr. Bergosh wanted to know if there was some reason that was such a "chronic condition" with some charters and yet never an issue with others. Ms. Malinda Jones, Coordinator of Cost Accounting, said that some of the charter schools, specifically Newpoint Academy, Newpoint Pensacola, and Capstone Academy, were under the umbrella of other agencies and as long as those charter schools were being underwritten there was not much the District could do because while it was an issue to District staff, realistically, it was a non-issue as long as those charter schools were being supported by those other agencies. Mr. Bergosh commented that student enrollment seemed pretty stable for the most part with the exception of Newpoint Academy which was currently more than 100 students short of their projected enrollment for 2012-2013. There were no other questions or concerns from School Board Members related to the March 2013 report.

Newpoint Pensacola Academy Monthly Report – A copy of this report was provided to School Board Members prior to this workshop. Mr. John Graham, Director of Newpoint Pensacola Academy, said that the report data had not changed from the February report because the school had just completed its Discovery Education Assessments and third nine-weeks testing on the day that this report was generated (March 8th); he said the information would instead be included in the school's monthly report for April 2013. Because School Board Members had raised the issue of teacher turnover in the past, Mr. Graham reported that another teacher had unfortunately resigned from Newpoint that past Monday. Fortunately however, Mr. Graham said that he had two scheduled interviews with certified teachers to hopefully fill that recently vacated position. Mr. Graham said that he had contacted the parents of the students about the resignation of their child's teacher and addressed any concerns that they might have had. He said that the resignation had occurred during the grading period so the school was working hard to ensure that the students were given a fair and consistent grade for all that they had accomplished under the previous teacher, while also preparing them to get through the rest of the school year. Upon inquiry by Mrs. Hightower, Mr. Graham said that the teacher who had recently resigned had taught the middle and high school Spanish courses. Mr. Graham also mentioned the following important notes:

- Two teachers had recently taken and passed Subject Area Exams and were now certified in their assigned discipline
- The school had now conducted four (4) sessions of Saturday school
- Students were recently part of the official welcoming delegation for the former Israeli Ambassador to the United States
- Leadership team attending Common Core trainings

Mr. Slayton noted that Newpoint's total projected enrollment for 2012-2013 was 376 (276 for middle school and 100 for high school); yet the current enrollment as of March 7th was only 248 (158 for middle school and 89 for high school). He wanted to know if Newpoint would be around next school year. Mr. Graham responded that he was hopeful that the school would remain in operation next school year. He acknowledged that the early projections for 2012-2013 were more than was actually attained on the first day of this school year; in addition, the school had recently lost several students either because their parents simply could not afford the transportation costs or simply because their parents chose to withdraw them for some other reason(s). Mr. Graham said that Newpoint would continue efforts to improve the school culture and attract and retain additional students and teachers. Mr. Slayton asked Mr. Graham if he had polled his current teachers to find out if they planned to return next school year. Mr. Graham said that he had asked teachers back in January about their plans and overwhelmingly they were very positive about returning for the next school year. Mr. Slayton said he would like to see the number of teachers who were planning to return next school year on the school's monthly report for April 2013. Mr. Bergosh said that for the April 2013 monthly report, he would like Mr. Graham to be prepared to answer the following questions with regard to the possibility that Newpoint's middle school receives an "F" for the second consecutive year and the School Board decided to terminate that portion of Newpoint's contract, (1) Would Newpoint seek a waiver for their middle school from the State Board of Education? (2) If Newpoint chose not to seek a waiver for their middle school, would they continue to operate their high school? There were no other questions for the representatives for Newpoint Academy.

Dixon School of the Arts Monthly Report - A copy of this report was provided to School Board Members prior to this workshop. Ms. Linda Scott and Ms. Modeste McCorvey were present to answer any questions from School Board Members regarding the information outlined in the report. Ms. McCorvey said that after submitting the monthly report she realized that they had failed to indicate the following corresponding "Success Zone" for each color used in the probability of success pie charts as listed on page 2 of the report: High Success, Green; Moderate Success, Yellow; and Low Success, Red. Ms. McCorvey said that she realized that Dixon still had some challenges with several of their grade levels but most were trending upward. Mr. Bergosh noted that Dixon's enrollment as of March 7th was 155 students. Upon inquiry by Mr. Bergosh, Ms. McCorvey said that the current enrollment of 155 students was a good number for Dixon. She said that for the most part, Dixon's enrollment had remained pretty constant. Mr. Bergosh commented that Dixon's fund balance was very low. Ms. Scott provided School Board Members with a copy of a letter from Dixon's CPA regarding the District's concerns with the school's cash balance from November 2012 through January 2013. The letter pointed out that even though it appeared that Dixon did not have sufficient cash to meet current needs, the school was able to meet all financial obligations. The letter also mentioned that the school

had a line-of-credit it could access, if needed, to help with cash flow; and additionally, in November, December, and January, the school received donations totaling \$42,418. Mr. Bergosh wanted to know the current balance of the school's line-of credit. Mr. Terry St. Cyr, Assistant Superintendent for Finance and Business Services, said that at the end of January, \$37,202 of the school's line-of-credit had been accessed. Mr. Bergosh wanted to know how much actual cash was received as a part of the \$42,418 in donations; he asked that future reports on donations list the amount of cash received as opposed to other types of donations.

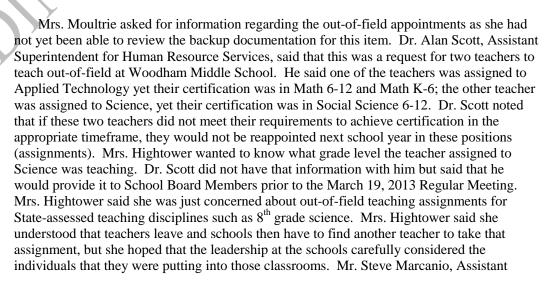
At this time, the following item was handled:

Camelot Academy Quarterly Report – March 2013, Item VII.2

A copy of Camelot Academy's Quarterly Report for March 2013 was provided to School Board Members prior to this workshop. Mr. Drew Stem, Executive Director of Camelot Academy, provided School Board Members with a copy of the school's latest newsletter. Mrs. Hightower pointed out that the Quarterly Report only listed the FCAT scores from September; she wanted to know if that was because Camelot Academy did not assess students as often as regular public schools. Mr. Stem said that additional FCAT scores would be available after the April assessment. In answer to Mrs. Hightower's question, he confirmed that Camelot did not conduct interim assessments. Upon inquiry by Mrs. Hightower, Mr. Stem said that Camelot tried their best not to use out-of-school suspension unless absolutely necessary; rather in-school suspensions were used most often. He said that Camelot felt that if students were suspended out of school, it would only hurt them more as they would be missing their classroom education; therefore, students were held accountable via in-school suspension. He noted however, that for those infractions that were "non-negotiable," a student would have to be held accountable via out-of-school suspension. Mr. Stem clarified for Mrs. Hightower that a bus suspension simply meant that the student could not ride the bus; however, the student was still allowed to attend school. Mr. Slayton noted that the Quarterly Report indicated that there were sixty-two (62) in-school suspensions for December and sixty-five (65) for March; he wanted to know if those figures were cumulative totals for the quarters and whether those figures represented an actual number of students or incidents (noting that some students could have repeat offenses). Mr. Slayton applauded Camelot on their student attendance, commenting that an 85% daily attendance rate was "very good" considering Camelot's student population. Mr. Bergosh said he appreciated the work that Camelot continues to do in dealing with a difficult population of students.

The Regular Workshop recessed at 10:03 a.m. and reconvened at 10:15 a.m., with all School Board Members, Mr. Ross (representing the Superintendent in his absence), and Mrs. Waters present.

- C. Human Resource Services
 - 1. Instructional/Professional
 - d. Out-of-Field
 - 1. Appointments



Superintendent for Curriculum and Instruction, said that he could assure the School Board that the leadership at the schools do everything they can to try to get these individuals certified; however, that could oftentimes be very challenging as the District continued to experience a shortage of qualified applicants.

D. Purchasing

10. Video Surveillance Security System for J. E. Hall Center

Mr. Boone said that reviewing this item had prompted him to ask about the status of installing video surveillance systems in all District schools first. Mr. Shawn Dennis, Assistant Superintendent for Operations, said that all secondary schools had video surveillance security systems with the exception of Brown Barge which was currently being fitted for one. He said that the District was also beginning to work through the elementary schools and special centers as well.

- 19. Bid Award: Tate High School Locker Room Renovations
- 20. Bid Award: Escambia and West Florida High Schools Locker Room Renovations

Mrs. Hightower referred to the bid awards that were listed on this month's agenda. She said she assumed that the locker room renovations were a part of the program that the District was doing where leftover funds were being used; and she wanted to know if the School Board could get information on what exactly was happening at each of the schools, not just the three high schools that were listed on this month's agenda but rather an overview of all the projects at all of the high schools. Mr. Shawn Dennis, Assistant Superintendent for Operations, asked Mrs. Hightower to clarify that the information she was requesting was the scope of work on every half-cent sales tax project that was going on at the high schools currently. Mrs. Hightower said she primarily interested in facility updates for locker rooms and physical education (PE) facilities. She noted that there was a specific amount of money in the budget that was going to be used to create equity with all of the high schools. Mr. Bergosh said he was interested in having a discussion about equity as it related to high school athletic facilities as that topic was of great interest to him; he wanted to know from Mrs. Hightower if there was an issue that she was concerned about at Washington High School because he knew of some issues at other high schools. Mr. Slayton clarified that there were issues at all of the high schools. Mr. Bergosh said there was no question about that; he believed this was an appropriate time for the School Board to discuss those issues. Mrs. Hightower said that long before she was elected to the School Board, when Washington High School was built, they got a swimming pool and so often it had been said that Washington High School was told "you can't have this or that because you got a swimming pool and no other school has a swimming pool." She said the matter that had been brought to her attention was that the swimming pool at Washington High School was essentially a "District swimming pool" in that most of the middle schools used it for practice and the community used it as well. She also pointed out that nothing had been done to the swimming pool since it was built other than routine maintenance. She pointed out that Washington High School now had a track that was unlike any other school's track; yet the school had been very generous in opening it up to the entire school community. She said one of her concerns was that Washington High School did not have any visitor facilities at their practice fields. She said another concern was that Washington High School did not have a stadium; she noted that they were supposed to get two parts of risers (stadium bleachers) but part of theirs was shipped to Northview High School because Northview needed them. Her concerns was that when Washington High School had visitors, typically the visiting school's band took up the majority of the seating capacity on the visitors side and the rest of the visitors had to bring their own chairs. She said she just wanted to start a conversation so that the School Board was aware of those issues. Mr. Bergosh said that if the School Board wanted to talk about equity, West Florida High School was a high school that served the entire District and yet they had a tennis team but not tennis courts, and a football team, but no stadium. He believed that the only thing the School Board could do if they truly wanted equity, would be to conduct an independent evaluation of all the high schools in order to identify the schools that have District-wide facilities. He said he agreed with Mrs. Hightower in that Washington High School should not be held "hostage" because of their swimming pool, just as West Florida High School should not be held "hostage" because they were a magnet school serving the entire School District. Mr. Bergosh said he would like for the students on

the West Florida High School tennis team not to have to drive to the University of West Florida or Woodham Middle School in order to practice. Mr. Slayton suggested moving West Florida High School to the Woodham Middle School campus as was mentioned in the original proposal for West Florida High School. Mr. Bergosh thought that was a great idea that he was willing to discuss. Upon inquiry by Mr. Bergosh, Mr. Slayton said that he too would be willing to discuss a proposal to move West Florida High School to the Woodham Middle School. Mrs. Moultrie noted that it was possible to point out deficiencies and inequities at each one of the District's high schools. Mr. Bergosh agreed and suggested that the School Board request an analysis of each of the high school facilities. He asked if his fellow School Board Members would be willing to support the formation of a task force to look at the equity of high school facilities. Mrs. Hightower said she would be more in support of taking a look at the possibility of moving West Florida High School to the Woodham Middle School campus where West Florida would then have facilities similar to that of the other high schools. Mr. Slayton believed that the School Board would need to focus on one issue rather than investigating all of the high school facilities, so if the issue was moving West Florida High School to the Woodham Middle School campus then the School Board should focus their discussion on that matter first.

E. Operations

- 1. Facilities Planning
 - A. Miscellaneous
 - Certification of Florida Inventory of School Houses (FISH)

Upon inquiry by Mrs. Hightower, Mr. Shawn Dennis, Assistant Superintendent for Operations, confirmed that the actual FISH data was available via the Department of Education (DOE) website. He said that the FISH report was an integrated report that went directly from the School District's Facilities Planning Department straight into the DOE database.

- 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 commented that it was a "real bummer" to see the numerous student expulsion recommendations that were a result of drug related infractions. Mr. Ross responded that it was "not a real bummer" but rather evidence that the School District's drug program was working. He noted that the vast majority of the students being recommended for expulsion were actually captured via information from other students who insisted on not having drugs on their school's campus. Mr. Bergosh responded that while that was certainly "the one silver lining" he just felt bad that there were so many students who were involved in drugs in the first place. He agreed with Mr. Ross that the School District's drug plan was working; however, that did not change the fact that there were many students being expelled this month for drug related infractions.

4. Recommend that employee #0000009807 be suspended without pay beginning Wednesday, March 20, 2013, pending the disposition of criminal charges and outcome of the District investigation as more specifically identified in the notice letter to the employee.

Mr. Bergosh said that Dr. Alan Scott, Assistant Superintendent for Human Resource Services, was kind enough to discuss Item VII.B.2 and Item VII.B.3 with him; however, Item VII.B.4 was a new item that had been added after the initial publication of the March 19, 2013 Regular Meeting agenda. Mr. Bergosh asked Dr. Scott to provide a "thumbnail sketch" of the situation involving the employee

referenced in Item VII.B.4. Dr. Scott said that the employee referenced in Item VII.B.4 had been arrested for a disqualifying offense and therefore, was no longer eligible to work around students. Mr. Bergosh wanted to know why the District was waiting until March 20, 2013 to suspend the employee without pay, if they had been arrested for a disqualifying offense. Dr. Scott said that only the School Board could suspend and employee without pay; the Superintendent's authority was limited to suspending employees with pay. Dr. Scott noted that the Superintendent was recommending that this employee be suspended without pay pending the disposition of criminal charges and outcome of the District investigation. He noted that if the employee was convicted of the charges, they would no longer be eligible to work in a school and Professional Practices would revoke their certification.

C. Items from the General Counsel

1. Contract Amendment – PSC/Cisco

Mr. Bergosh asked Mrs. Waters if she wanted to explain this item to the School Board Members. Mrs. Waters said this was an item that came from the Curriculum & Instruction (C&I) department. She said that the C&I personnel who had negotiated the contract with PSC/Cisco had included the School District's Risk Management Addendum and that the personnel from PSC did not object to that. The School Board approved the contract but when the document was presented to PSC for their president to sign, PSC's legal department realized that there was a problem with the School District's Risk Management Addendum in that PSC was insured by a consortium of universities in the State of Florida and did not purchase their own insurance. By accepting this contract amendment, the School Board would be accepting PSC's insurance and authorizing the School Board Chair and Superintendent to initial that change. There were no questions or comments from any of the School Board Members on this item.

VII. COMMITTEE/DEPARTMENTAL REPORTS (Time Certain – 9:30 a.m.)

- 1. Charter Schools Quarterly Report March 2013
- 2. Camelot Academy Quarterly Report March 2013

These items were handled earlier in the meeting.

τ	/Ш.	DI	TOT	JC	EO	DI	TN	1
١	/ III.	М	BL	ж.	F()	ĸι) IN	/1

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

IV	۸	D	T	\cap I	ID	NIN	AFN	JT

Attest:	Approved:
Superintendent	Chair

There being no further business, the Regular Workshop was adjourned at 11:02 a.m.