

THE SCHOOL BOARD OF
ESCAMBIA COUNTY, FLORIDA

MINUTES, OCTOBER 19, 2015

The School Board of Escambia County, Florida, convened in Regular Workshop at 1:00 p.m., in Room 160, at the J.E. Hall Educational Services Center, 30 East Texar Drive, Pensacola, Florida, with the following present:

Chair: Mrs. Patricia Hightower
Vice Chair: Mr. Bill Slayton
Board Members: Mr. Jeff Bergosh
Mr. Gerald Boone
Mrs. Linda Moultrie

School Board General Counsel: Mrs. Donna Sessions Waters

Superintendent of Schools: Mr. Malcolm Thomas

Meeting was advertised in the *Pensacola News Journal* on October 1, 2015 - Legal No. 1647990

NOTE: The minutes from this session have been prepared according to *Roberts Rules of Order, Newly Revised*. The video from this session is available at <http://escambiacountysdfl.swagit.com/play/10192015-547>

[*General discussion among School Board Members, the Superintendent, and staff occurred throughout this session.*]

I. CALL TO ORDER

Mrs. Hightower called the Regular Workshop to order at 1:00 p.m.

II. COMMENTS FROM THE SUPERINTENDENT

- School Choice Expo – The Superintendent reported that the School Choice Expo would be held November 16, 2015 at Washington High School from 6:00 p.m. to 7:30 p.m. It was noted that this annual expo was an opportunity for the School District to showcase its career academies, academic programs, and magnet schools.
- November Schedule of Board Workshops/Meetings – The Superintendent reminded School Board Members that it was time to schedule their annual organizational meeting. There being no objection from any School Board Members, it was agreed that the November Organizational Meeting would be held at 5:30 p.m. on November 17, 2015 and the November Regular Meeting would follow at 5:35 p.m.
- Student Test Scores from March 2015 FSA – Digital test scores: The Superintendent advised that digital test scores had been received for all students who took the Florida Standards Assessment (FSA) in March 2015; however, the only scores provided were a raw score and a statistical T-score for each student and a percentile ranking of each student's scores in comparison to the entire State of Florida.
Paper reports: Once received, the Superintendent said it would take few days for staff to sort through and distribute the paper reports to schools. At that point, the School District would do a School Messenger call-out to all parents affected to advise them of the limited information available and explain that it would not be possible to determine whether a student had passed or failed until such time as cut scores had been determined. The Superintendent said it appeared that cut scores would not be available until January 2016; as such, the earliest a school grade could be issued would probably be late-January or early-February of 2016.

The Superintendent listed the changes that had been made to the October 20, 2015 Regular Meeting agenda since initial publication and prior to this session.

III. MINUTES

- a. 08-13-15 Special Meeting
- b. 08-14-15 Regular Workshop
- c. 09-10-15 Special Meeting
- d. 09-15-15 Special Meeting/Public Hearing
- e. 09-15-15 Regular Meeting

There were no questions or concerns from School Board Members regarding any of the minutes as listed (Items a through e).

IV. COMMITTEE/DEPARTMENTAL REPORTS

-None

V. UNFINISHED BUSINESS

-Public Hearing for Input on District's Tentative Facilities Work Program (*Item IV.1., October 20, 2015 Regular Meeting agenda*)

-Adoption of District's Tentative Facilities Work Program (*Item IV.2., October 20, 2015 Regular Meeting agenda*)

There were no questions or concerns from School Board Members regarding any of the items listed under Section V., *Unfinished Business*.

VI. NEW BUSINESS

a. PROPOSED ADDITIONS OR REVISIONS TO SCHOOL DISTRICT RULES

-Notice of Intent to Adopt Amendments to the School District of Escambia County - Student Progression Plan (*Item V.a.1.A., October 20, 2015 Regular Meeting agenda*)

There were no questions or concerns from School Board Members regarding this item.

-Approval to Advertise Notice of Intent to Adopt Amendments To Rules and Procedures Of the District School Board: Chapters 1.17, 2.05, and 3.18 (*Item V.a.2.A., October 20, 2015 Regular Meeting agenda*)

Mr. Bergosh commented that the language changes made with respect to discrimination were a very wise addition.

b. CONSENT AGENDA

1. Curriculum
- K. Workforce Education

At the request of Mrs. Hightower, Dr. Michelle Taylor, Director of Workforce Development, gave a brief review of the following items:

2. Escambia High School Financial Services Academy
3. Escambia High School Media Production Academy
4. Escambia High School Digital Design Academy
5. Woodham Middle School Culinary Arts Academy
6. West Florida High School Academy of Critical Care and Emergency Medicine
7. Escambia High School Criminal Justice Academy
8. Pine Forest High School Fire Fighter Academy

2. Finance and Business Services

A. Finance

3. Tax Certificate in connection with the sale of certain assets refinanced with the proceeds of the Refunding Certificates of Participation, Series 2014. Pursuant to the Sales Agreement, dated October 20, 2015, the Board intends to sell the Carver/Century K-8 Elementary School facilities.

At the request of Mr. Terry St. Cyr, Assistant Superintendent for Finance and Business Services, Mr. Richard Lott with Bryant Miller Olive (Bond Counsel for the School Board), summarized the purpose and effect of this item. It was noted that approval of this Tax Certificate would permit the School District to move forward with plans to sell Carver/Century K-8 Elementary School facilities to Pensacola State College.

4. Federal Final Audit Determination, Audit Control No. 04-2014-50738, GSTC Pell Grant Program

Mrs. Moultrie thanked the Superintendent and his staff for meeting with her to discuss this item; however, she felt it was important to also discuss this item on the record and in a public setting. The Superintendent took a moment to address the specific circumstances that led to significant audit findings with George Stone Technical Center's (GSTC) Pell Grant Program. He began by explaining that for decades, the School District had only one office that consisted of only one long-term employee who was responsible for managing financial aid for GSTC; eventually though, that long-term employee retired and another individual was hired. But because that individual did not do a good job of managing the office, another individual assumed that position. The Superintendent indicated that employee turnover in conjunction with the complex rules for financial aid, contributed to the primary areas of concern mentioned in the audit: lack of documentation, timing of payments, and calculation problems. Once the School District became aware of those areas of concern, the Superintendent said the following actions were taken: a Senior Financial Analyst from the Administration Building was reassigned to GSTC; a request for a second position was made (job description initially approved by the School Board at the January 20, 2015 Regular Meeting and revised at the February 17, 2015 Regular Meeting); the number of training opportunities for that office were increased; and a sufficient amount of money received as part of GSTC's student fees was set aside in a reserve that would be used to pay back any ineligible Pell Grant disbursements. But once he had received the final report and realized the full magnitude of the problems, the Superintendent chose to exercise a few additional actions including contracting with an outside consultant who could validate GSTC's financial aid records and requesting that the School Board's Office of Internal Auditing, working independently or in conjunction with the consultant, also validate a sample of GSTC's financial aid records. Mr. Bergosh wanted to know if the GSTC employee would be held accountable for their errors that resulted in the repayment of approximately \$500,000 in ineligible Pell Grant disbursements. He noted that the perception of the "common man on the street" was that in large bureaucracies, when an employee makes a mistake, they simply get "shuffled around" but with no real consequence for their actions. Whether the GSTC employee made these mistakes willfully or neglectfully, it was his belief that there needed to be a consequence to their actions. The Superintendent did not believe there was willful intention from the GSTC employee. He pointed out that the employee, who was still employed with the School District, had assumed that position without receiving training until several months later. During that time-gap between the moment the employee assumed the position and the date that the federal government offered its next training session, the Superintendent believed that the employee did the best they could. The Superintendent clarified that under no circumstance, would the penalty from this audit at GSTC impact the students in the K-12 system. He made it clear that money used to repay the approximate \$500,000 in ineligible Pell Grant disbursements would come from fees that were

intended to be used at GSTC. He commented that it was GSTC that made the errors and GSTC alone would suffer the consequences of those errors. Mrs. Hightower asked that the Superintendent notify the School Board when the consultant was on-site. The Superintendent said he would share with the School Board, any reports received from the consultant.

C. Budgeting

5. Auction List I for October 2015

Mrs. Hightower wanted to know how the School District was doing with its online auctions. Mr. Terry St. Cyr, Assistant Superintendent for Finance and Business Services, believed it was going well but would get Mrs. Hightower a more definitive answer from his staff. Upon inquiry by Mrs. Hightower, Mr. Shawn Dennis, Assistant Superintendent for Operations, noted that from just a logistical perspective it was infinitely easier for staff to manage online auctions as opposed to site auctions.

E. Purchasing

14. Architectural/Engineering Services for Northwest Middle School

Mr. Bergosh was curious about the selection committee, noting that there was a signature line that indicated "Watchdog Committee Representative" but it appeared that it was always the same individual (member) serving on that committee; he wanted to know if there was ever any rotation whereby other Watchdog Committee members could serve on the committee that evaluates the proposals. Mr. Shawn Dennis, Assistant Superintendent for Operations, said that his office always makes the selections known to the entire Watchdog Committee; however, their availability typically dictated who attended and then as a group they decide who would be the voting member so essentially this same individual (member) who had been representing the Watchdog Committee, had been doing so at the behest of the Committee.

3. Human Resource Services

-No items discussed

4. Operations

-No items discussed

c. ITEMS FROM THE BOARD

-No items submitted

d. ITEMS FROM THE SUPERINTENDENT

2. Student Discipline

A. Disciplinary Reassignment

Mr. Bergosh referred to student number 16-27-061 who was included under the Superintendent's recommendation for disciplinary reassignment on the October 20, 2015 Regular Meeting agenda (Item V.d.2.A., *Disciplinary Reassignment*). He used this student's disciplinary history as an example to support his continued concerns about student safety, especially as it concerned bullying and harassment. He referred to an incident that occurred on April 22nd where this student's teacher reported the following: "*Bullying. ***** is on a behavior contract as a previous ILR student. He was out of his seat and refused to return to his assigned seat. He hit another student on the head with a plastic water bottle. On a previous day, he hit this same student with a History textbook. He is seated on the opposite sides of the room with this student during 8th period. However, he moved to another seat and continually refused to return to his assigned seat.*" Mr. Bergosh was concerned that the school had not coded this April 22nd incident as "bullying" though it seemed clear to him from the teacher's comments that student number 16-27-061 had bullied and harassed the same student on multiple days. Because the incident was not

coded appropriately, Mr. Bergosh was concerned that the School District was not following School Board policy (7.18 - Policy Against Bullying and Harassment) or State law (Florida Statutes, Section 1006.147, also known as The Jeffrey Johnston Stand Up for All Students Act) with regard to bullying and harassment. At the request of Mr. Bergosh, Mrs. Waters explained the consequence of not complying with Section 1006.147, was that a school district could lose all or part of its safe schools funding (which is used to fund crime prevention programs and a portion of the School Resource Officer program). In addition, any elected official or any school district employee would be held accountable if the appropriate authority finds that they either neglectfully or willfully did not follow the law. Mr. Bergosh reiterated his concerns that the School District was not following School Board policy or State law. Ms. Vickie Gibowski responded specifically to the April 22nd incident involving student number 167-27-061. While she acknowledged that the teacher had used the term “bullying” to characterize the incident, the school dean and school guidance counselor had conducted an investigation and determined that it was not. She noted however, that the school staff should have included the code for “unsubstantiated bullying” along with their coding for abusive behavior, defiance, disruption-minor, and excess referrals. There was some further discussion regarding this specific incident and in general, the importance of maintaining appropriate records of any reports of bullying or harassment, but the over-arching point that Mr. Bergosh wanted to make was the importance of ensuring that schools were following School Board policy and State law with regard to bullying and harassment. Mr. Bergosh said he intended to thoroughly review the discipline reports provided on each month’s School Board agenda; and should he find incidents of bullying or harassment that were not reported appropriately, he would report them himself. The Superintendent said principals and assistant principals had been instructed that whenever the term “bullying” was used in a referral or a report, it was supposed to be coded appropriately in the School District’s online system and that any supporting documentation should be stored there as well. Ms. Gibowski thought it important to mention that anyone at all could anonymously report possible incidents of bullying and harassment via the School District’s School Violence Reporting System which was located on the home page of the School District’s website.

e. INTERNAL AUDITING
-No items discussed

f. ITEMS FROM GENERAL COUNSEL
~~1. Settlement Agreement and General Release~~

DELETED

VII. PUBLIC FORUM

Mrs. Hightower called for public forum; however, there were no speakers.

VIII. ADJOURNMENT

There being no further business, the Regular Workshop was adjourned at 3:10 p.m.

Attest:

Approved:

Superintendent

Chair