

THE SCHOOL BOARD OF
ESCAMBIA COUNTY, FLORIDA

MINUTES, NOVEMBER 17, 2015

The School Board of Escambia County, Florida, convened in Regular Meeting at 5:39 p.m., in Room 160, at the J.E. Hall Educational Services Center, 30 East Texar Drive, Pensacola, Florida, with the following present:

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

School Board General Counsel: Mrs. Donna Sessions Waters

Superintendent of Schools: Mr. Malcolm Thomas

Meeting was advertised in the *Pensacola News Journal* on November 2, 2015 - Legal No. 1649130

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/11172015-1896>

I. CALL TO ORDER

Mr. Slayton called the Regular Meeting to order at 5:39 p.m. He welcomed everyone in attendance to the regular monthly meeting of the Escambia County School Board and thanked them for their interest in public education.

a. Invocation and Pledge of Allegiance

The invocation and Pledge of Allegiance were handled during the preceding Organizational Meeting.

b. Adoption of Agenda

The Superintendent noted the following changes that had been made to the agenda since initial publication: Item V.b.2.A.3. CORRECTED, Item V.c.1. ADDED, Item V.c.2. ADDED, Item V.c.3. ADDED, Item V.d.3.A. ADDED, and Item V.d.3.B. ADDED. Mr. Slayton advised that Florida Statutes and School Board Rule required that changes made to an agenda after publication be based on a finding of good cause determined by the person designated to preside over the meeting and stated in the record. Mr. Slayton said he, as School Board Chair, had determined that the Superintendent's recommended changes to the November 17, 2015 Regular Meeting agenda had been made for good cause. Motion was made by Mr. Bergosh and seconded by Mrs. Moultrie, to adopt the agenda (*as amended*). Motion carried unanimously.

c. Committee/Departmental Reports

1. PTA Presentation

Mrs. Bridgette Brooks, President of the Escambia County Council PTA (ECCPTA), gave a brief report on the recent and upcoming events and activities of the PTA.

2. Stellar Employee of the Month

The Superintendent made the following announcement: *I am pleased to inform you that the Stellar Employee of the month is Forrestine Lawrence. Ms. Lawrence has been with Escambia County School District for 21 years, the past six (6) as the Data Specialist at Montclair Elementary School. She was nominated because she is very hard-working and always has a positive attitude and an encouraging word to share with employees, students, and parents. She is a supportive resource and friend to everyone she meets. According to her principal, Ms. Lawrence works as long as it takes to get her work completed, never complaining about anything, even when deadlines are bearing down on her voluminous interruptions. She works through all the challenges and finds a way to finish in a timely manner. Ms. Lawrence has served as the ESP Union Representative and has served on the School Advisory Committee to show her support at Montclair Elementary School. It is reported that her patience level is incredible. She is a welcome calm to everyone she meets. She loves the children and talks to them about their behavior choices when she has the opportunity. Her positive demeanor is evident in everything she does and everything she says. She is a light and has a calming effect, making her a huge asset to the school. The Superintendent and School Board congratulated Ms. Lawrence for being selected as the Stellar Employee for the month of November. To acknowledge her achievement and congratulate her stellar performance, Ms. Lawrence received a plaque and a pin from the School District and a check in the amount of \$100 from Members First Credit Union.*

3. Recognition of Outstanding Principal of the Year

The Superintendent made the following announcement: *I am honored to announce to you this evening that Dr. Joy McMichael has been selected as the Escambia County School District's Outstanding Principal of the Year. Dr. Joy McMichael has spent thirty-five years in education with some of those years spent in Georgia, Louisiana, and Mississippi. Finally settling in Florida, this is Dr. McMichael's 25th year with the Escambia County School District. Those years include 7 years teaching science at Escambia High School, 8 years as the K-12 Science Specialist for the District, 5 years at Pensacola High in positions such as the IB Coordinator and Assistant Principal, and she is currently in her fifth year as Principal of Brown-Barge Middle School. Dr. McMichael was the Escambia County Assistant Principal of the Year in 2011 and was also chosen 2013 Outstanding Principal of the Year, secondary level for the Escambia County Council of PTAs. Dr. Joy McMichael was chosen because she successfully transitioned to a magnet school that requires all of the adults to think outside of the box. This alone is something that can be daunting for some but Dr. McMichael did not waiver from a challenge. She stepped out of her comfort zone when she became the Brown-Barge Middle Principal and she has used her science background and techniques to help solve problems, while meeting the unique needs of the Brown-Barge program. Dr. McMichael does whatever is needed to assist the students and staff of Brown-Barge Middle School. When students needed a portion of the personal development curriculum taught to them, she studied the curriculum and the standards to obtain certification for herself to teach the students. When the students were struggling with a writing concept, she designed a strategy to help them with the concept and she provided them with a visual representation to reinforce it. Dr. McMichael works hard to provide great opportunities for her students and staff, and she uses her strengths in science to improve the learning environment for all stakeholders. The Superintendent and School Board congratulated Dr. McMichael on all her accomplishments and specifically, for being the Escambia County School District's Outstanding Principal of the Year.*

4. Recognition of Outstanding Assistant Principal of the Year

The Superintendent made the following announcement: *It is my pleasure to announce to you that Shelly Cox has been named Escambia County's Outstanding Assistant Principal of the Year. Ms. Cox currently serves at Cordova Park Elementary School. Ms. Cox is a Pensacola native and attended Escambia County schools, graduating from W.J. Woodham High School and the University of West Florida, where she earned her bachelors and masters degrees. She started working for the School*

District in 1990 as a 5th grade teacher, and in 1995 was named Teacher of the Year. She earned her National Board Teacher Certification in 2007 and was the Social Studies Teacher of the Year in 2008. Ms. Cox is passionate about her work and is loved and respected by students, faculty, and staff, as well as the parents of her school. She exemplifies excellence in everything that she does. She expects the best in others as well as of herself. Her school continues to excel because of her strong leadership, as well as her ability to work side-by-side with her principal. They make a strong administrative team. Ms. Cox has consistently demonstrated the ability to take on new challenges and increased responsibilities with a high degree of success. With just the right combination of energy, interpersonal skills, knowledge and intellectual flexibility, Mrs. Cox epitomizes the term highly competent. She is adept at using data to assess a situation, collaborating with stakeholders to formulate plans for improvement, and supervising others to ensure that important goals are achieved. Ms. Cox is a professional who keeps students at the center of all decision-making and never ceases to seek out new and more effective ways to serve our students. Ms. Cox truly represents what an outstanding assistant principal looks like. She works tirelessly to ensure that her school continuously rises to the next level of excellence. She is truly and outstanding assistant principal. The Superintendent and School Board congratulated Dr. McMichael on all her accomplishments and specifically, for being the Escambia County School District's Outstanding Assistant Principal of the Year.

5. 2014-2015 Energy Incentive Awards Presentation

It was noted that during the 2014-2015 school year, with the help of staff from each school and the Maintenance and Facilities Departments, the School District was able to avoid over \$5 million in energy costs. The Superintendent and School Board recognized the top nine (9) schools that qualified for an Energy Incentive Award from 2014-2015: Pensacola High* (\$2,698 award), Ransom Middle (\$1,629 award), Lipscomb Elementary (\$1,624 award), Longleaf Elementary* (\$1,624 award), Jim Allen Elementary* (\$1,218 award), Hellen Caro Elementary* (\$1,096 award), Global Learning Academy* (\$1,056 award), Brentwood Elementary* (\$1,035 award), and Escambia Westgate (\$1,015 award). It was noted that the 2014-2015 Energy Incentive awards totaled \$28,356.

**Schools that qualified for an Energy Star® rating*

II. PUBLIC FORUM

(Supplementary Minute Book, Exhibit "A")

- Laterra Rice, speaking as an individual, registered to address the School Board regarding adults attending school with minor children.
- Darian House, Pastor of Alabaster Box Christian Ministry, speaking as an individual, registered to address the School Board regarding adults attending school with underage children.
- Chris Struthers, speaking as an individual, registered to address the School Board regarding Item V.d.2.B., *Disciplinary Reassignments*. Mr. Struthers specifically wanted to know if the coach/bus driver had been given the same options as the students.

III. MINUTES

- a. 08-13-15 Special Workshop
- b. 09-10-15 Special Workshop
- c. 09-11-15 Regular Workshop
- d. 10-09-15 Special Meeting
- e. 10-20-15 Regular Meeting

Motion was made by Mrs. Hightower and seconded by Mr. Bergosh, to approve the minutes as listed (Items a through e). Motion carried unanimously.

IV. UNFINISHED BUSINESS

-None

V. NEW BUSINESS

a. PROPOSED ADDITIONS OR REVISIONS TO SCHOOL DISTRICT RULES

1. Rule(s) Adoption
-No items submitted
2. Permission to Advertise
-No items submitted

THE FOLLOWING ITEM WAS MOVED FORWARD: *Administrative Appointments* [Item V.d.1]

Motion was made by Mr. Bergosh and seconded by Mr. Boone, to accept the Superintendent's recommendation for the administrative appointment of Sandra Harwood to Coordinator I-Grants management, Continuous Improvement & School Choice (*12 month position*). Motion carried unanimously.

b. CONSENT AGENDA

Motion was made by Mrs. Moultrie and seconded by Mrs. Hightower to approve the Consent Agenda. No items were pulled for separate vote. Motion to approve the Consent Agenda carried unanimously.

1. Curriculum

(Supplementary Minute Book, Exhibit "B")

- A. Alternative Education
-No items submitted
- B. Continuous Improvement
 1. School Choice Student Transfers
 2. 2015-2016 School Advisory Council (SAC) Memberships
- C. Elementary Education
-No items submitted
- D. Evaluation Services
-No items submitted
- E. Exceptional Student Education
 1. Addendum to the Cooperative Agreement Between the District Board of Trustees of Pensacola State College, Florida and the School Board of Escambia County, Florida
- F. High School Education
-No items submitted
- G. Middle School Education
-No items submitted
- H. Professional Learning
-No items submitted
- I. Student Services
 1. Cooperative Agreement Between the School Board of Escambia County, Florida and Children's Home Society of Florida – Western Division
- J. Title I
 1. Agreement Between the School Board of Seminole County, Florida, (East Coast Technical Assistance Center), and the School Board of Escambia County, Florida
 2. Memorandum of Understanding Between the School Board of Escambia County, Florida, Children's Home Society of Florida, Escambia Community Clinics, Inc., and the University of West Florida
- K. Workforce Education
-No items submitted
- L. Other
 1. School District of Escambia County 2016-17 and 2017-18 School Calendar Proposals

2. Finance and Business Services
(Supplementary Minute Book, Exhibit “C”)
- A. Finance
1. Legal Services – General Fund
 - a. The Hammons Law Firm \$ 485.00
 - b. The Hammons Law Firm \$ 175.00
 - c. The Hammons Law Firm \$ 2,504.70
 - d. The Hammons Law Firm \$ 122.50
 - e. Shell, Fleming, Davis & Menge, P.A. \$ 2,637.11
 2. Legal Services - Risk Management Fund
 - The Hammons Law Firm \$ 3,783.20
 3. Superintendent’s Annual Financial Report (Form ESE 145) and the Report of Financial Data to the Commissioner of Education (Form 348) for the fiscal year ended June 30, 2015
- B. Accounting Operations
1. Check Register for October 2015
- C. Budgeting
1. Recap of General Fund Reserves (Non-Categorical) as of October 31, 2015
 2. Resolutions to amend 2015-2016 District School Budget:
 - a. Resolution 2– General Operating Fund
 - b. Resolution 2 – Special Revenue – Federal Programs
 - c. Resolution 2 – Capital Projects Fund
 - d. No item submitted – Special Revenue – Food Service Fund
 - e. No item submitted – Debt Service Fund
 - f. No item submitted – Race to the Top Fund
 3. Scrap List I for November 2015
 4. Auction List I for November 2015
 5. Financial Statements by Fund
 6. Disposal and demolition of portable #272 C400027200 at Brown Barge Middle School
- D. Payroll and Benefits Accounting
1. Financial Status Report: Employee Benefit Trust Fund
- E. Purchasing
- ITEMS PREPARED BY PURCHASING:
1. Bid Award: Sousaphones – Escambia High School, Bid #160805
 2. Bid Award: Communications Cabling, RFP #160704
 3. Bid Renewal: Dispensing System for Toilet Tissue and Hand Towels, RFP #151602
 4. Bid Renewal: Water Treatment Services, RFP #151102
 5. Bid Renewal: As Needed Real Estate Services, RFP #131401
 6. Annual Agreement Renewal: Consultant Services for the School Board
 7. School Buses
 8. Bleachers for Bellview Middle School
 9. Chromebooks for Tate High School
- ITEMS PREPARED BY FACILITIES PLANNING:
10. Architectural/Engineering Services for N.B. Cook Elementary School Re-Roofing
 11. Architectural/Engineering Services for Northwest Elementary School
 12. Architectural/Engineering Services for Outdoor Covered Play Area and Multi-Purpose Room at O.J. Semmes Elementary School
 13. Architectural/Engineering Services for Outdoor Covered Play Area and Multi-Purpose Room at Sherwood Elementary School
 14. Bid Award: Portable Moving Services Throughout the District Under Annual Purchasing Agreement
 15. Change Notice #1 to Purchase Order #5421500290 – Brownsville Middle School Demolition
 16. Change Notice #1 to Purchase Order #5421500292 – Northview High School Gym Renovations

CORRECTED

17. Change Notice #2 to Purchase Order #5421600024 – Bellview Middle School New Gymnasium
18. Change Notice #2 to Purchase Order #5421500264 – Scenic Heights Elementary School Drainage Correction
19. Change Notice #3 to Purchase Order #5421500319 – Safety Repairs at Various Schools
20. Change Notice #9 to Purchase Order #5421300169 – Architectural/Engineering Services for A.K. Suter Elementary School

3. Human Resource Services

(Supplementary Minute Book, Exhibit “D”)

A. Instructional/Professional

1. Appointments
2. Reappointments
-No items submitted
3. Transfers
4. Out-of-Field
5. Resignations/Retirements/Other
6. Leaves of Absence
7. Special Requests
 - a. For Board Information: Reporting the death of Robert M. Smith, Teacher, James C. Bailey Middle School, on October 26, 2015.
 - b. For Board Information: Reporting the death of Amy Elizabeth Spoon, Teacher, Escambia High School, on October 7, 2015.

B. Educational Support Personnel

1. Appointments
2. Temporary Promotions
3. Resignations/Retirements/Other
4. Terminations
5. Leaves of Absence
6. Special Requests
 - a. Correct the appointment date for Paula A. Moorehouse, Teacher Assistant Special at Beulah Elementary School, from 08/17/2015 as reported on the September 15, 2015 Board agenda to read 08/24/2015.
 - b. For Board Information: Reporting the death of Tonda Swanson, School Bus Operator, Transportation Services, on October 21, 2015.
 - c. For Board Information: Reporting the death of Mark A. Seaman, Construction Mechanic II, Facilities Planning, on September 22, 2015.
 - d. For Board Information: Reporting the death of Cynthia L. Grissett, School Bus Assistant, Transportation Services, on August 17, 2015

C. Risk Management

1. FEMA Reimbursement - Hurricane Ivan
2. Auto Liability Claim Settlement

D. Employee Services

-No items submitted

E. Affirmative Action

-No items submitted

4. Operations

(Supplementary Minute Book, Exhibit “E”)

A. Facilities Planning

1. Final Payments
 - a. Global Learning Academy Drainage Correction
 - b. West Pensacola Elementary School Drainage Improvements

2. Miscellaneous
 - a. Northwest Elementary School – Construction Manager Rankings
 - b. Pre-Qualification of Contractor
 - c. Memorandum of Understanding between the School Board of Escambia County, Florida and the Escambia County, Florida, Board of County Commissioners for the Construction of the Walnut Hill Community Center Walking Path
 - d. Purchase Agreement between McGee Masonry, Inc., and Roy H. McGee of McGee Masonry, Inc. and the School Board of Escambia County, Florida
 - B. School Food Services
 - No items submitted
 - C. Maintenance and Custodial Services
 - No items submitted
 - D. Transportation
 - No items submitted
 - E. Central Warehouse
 - No items submitted
 - F. Information Technology
 - No items submitted
 - G. Protection Services
 1. Florida District Safe Schools Assessment
 - H. Energy Management
 - No items submitted
- c. ITEMS FROM THE BOARD
- ~~No items submitted~~

ADD 1. School Board Appointee to Community Action Committee Board

Motion was made by Mrs. Hightower and seconded by Mr. Bergosh to approve Mrs. Moultrie to serve as the School Board's appointee to the Community Action Committee Board. Motion carried unanimously.

ADD 2. School Board Appointee to the Escambia County Value Adjustment Board

Motion was made by Mr. Boone and seconded by Mrs. Hightower, to approve Mr. Bergosh to serve as the School Board's appointee to the Escambia County Value Adjustment Board. Motion carried unanimously.

ADD 3. Reappointment of Gerald Adcox as the School Board's Appointee to the Escambia County Value Adjust Board

Motion was made by Mr. Bergosh and seconded by Mrs. Hightower, to reappoint Mr. Gerald Adcox as the School Board's appointee to the Escambia County Value Adjustment Board. Motion carried unanimously.

- d. ITEMS FROM THE SUPERINTENDENT
(Supplementary Minute Book, Exhibit "F")
1. Administrative Appointments

This item was handled earlier in the meeting.

2. Student Discipline
 - A. Disciplinary Reassignment
(**FORMAL HEARING REQUESTED** Student Discipline Nos. 16-48-1251 and 16-49-1251)

The Superintendent presented his recommendation for student discipline as outlined in the backup documentation for Item V.d.2.A., *Disciplinary Reassignment*, with student discipline 16-48-1251 and 16-49-1251, requesting a formal hearing.

The following individuals requested to address the School Board regarding this item: Keyontay Humphries and Benjamin Stevenson. Ms. Humphries, representing the American Civil Liberties Union (ACLU), indicated on her registration form that she wished to yield her time to Mr. Stevenson. Mr. Stevenson indicated that he would be speaking on behalf of his clients, student 16-48-1251 and student 16-49-1251. Mr. Stevenson advised that both students denied the charged misconduct and would therefore request that the School Board reject the Superintendent's recommendation of disciplinary reassignment. Mr. Stevenson advised that an offer of a non-judicial resolution had been made on behalf of the two students; he requested that the School Board accept that resolution (NOTE: *Mr. Stevenson indicated that the offer of resolution had been submitted to the Superintendent and School Board on November 16, 2015*). Later in his address to the School Board, Mr. Stevenson clarified that he had not requested a formal hearing on behalf of these two students though the agenda for this month's meeting had been changed to reflect such a request. However, if the School Board chose to approve the Superintendent's recommendation for the disciplinary reassignment, Mr. Stevenson said he wanted to speak to the issue of a subsequent hearing. Mr. Stevenson then alluded to some apparent confusion in terms of whether or not the School District even provided an opportunity for a student facing disciplinary reassignment to request a formal hearing. He pointed out that School District staff had advised him that the policies and procedures of the School District did not even provide an opportunity for a formal hearing for disciplinary reassignment; yet, the Superintendent had just requested that the School Board make a formal hearing available for his clients who were facing disciplinary reassignment.

There was discussion among the Superintendent, the Superintendent's attorney Mr. Joe Hammons, and Mr. Stevenson as to whether or not a formal hearing had actually been requested on behalf of student 16-48-1251 and 16-49-1521. Mr. Stevenson recalled having a conversation with Mr. Hammons in which Mr. Hammons said the Superintendent would not oppose a motion for a formal hearing; however, Mr. Stevenson again clarified that he had not actually requested a formal hearing on behalf of these two students. He contended that the Superintendent had characterized the student's motion opposing disciplinary reassignment as a request for a formal hearing as evidenced by the agenda for this month's having been changed to reflect that characterization. Mr. Stevenson said if the question was now whether or not his clients wanted a formal hearing, then he would need clarification because the answer would depend on what type of formal hearing was available. The Superintendent and Mr. Hammons responded by advising that the formal hearing that would be offered to these two students who were facing disciplinary reassignment would be the same as that which would be offered to a student facing expulsion. Mrs. Hightower did not recall ever receiving a formal hearing request for a student facing disciplinary reassignment. Mr. Jeremy Tompkins, Court Liaison, noted that Florida law provides students facing expulsion the right to a formal hearing (pursuant to Section 120.569); as such, a student facing expulsion would receive a notice letter from the Superintendent, advising them of his recommendation and of their option to request a formal hearing. He confirmed however, that no such letter had ever been sent to a student facing disciplinary reassignment. He commented that the concept of a formal hearing for disciplinary reassignment was essentially "unchartered territory" and that traditionally, one had not been offered in those situations. As a simple resolution, Mr. Bergosh suggested that in the future, all notice letters should clearly state that a formal hearing was available for any student facing expulsion or disciplinary reassignment. With regard to this specific case, the Superintendent said he had made his recommendation to the School Board based on his understanding that student 16-48-1251 and 16-49-1251 wanted a formal hearing. Mrs. Hightower was concerned that the other students facing disciplinary reassignment on this month's agenda had not been notified of their option for a formal hearing. In response to her concern, the Superintendent said if one of those students subsequently requested a formal hearing, he would submit that to the School Board for their consideration.

Motion was made by Mr. Bergosh and seconded by Mr. Boone, to accept the Superintendent's recommendation for approval of Item V.d.2.A., *Disciplinary Reassignment* as noted on the agenda,

with details provided in the backup documentation, with the exception of student 16-48-1251 and student 16-49-1251, who had requested a formal hearing. Motion carried unanimously.

B. Expulsions

1. Recommend that consistent with the decision of the due process committee, student discipline number 16-43-601 be expelled from all public schools of Escambia County for the remainder of the 2015-2016 school year and all of the 2016-2017 school year with the option to enroll, if qualified and if space is available, in an alternative educational program exclusive of regular school placement. Placement to be at the discretion of the Superintendent and to be available as an alternative during the full expulsion time frame.
2. Recommend that consistent with the decision of the due process committee, student discipline number 16-51-411 be expelled from all public schools of Escambia County for the remainder of the 2015-2016 school year and all of the 2016-2017 school year with the option to enroll, if qualified and if space is available, in an alternative educational program exclusive of regular school placement. Placement to be at the discretion of the Superintendent and to be available as an alternative during the full expulsion time frame.

Motion was made by Mr. Boone, seconded by Mr. Bergosh, to accept the Superintendent’s recommendation for student discipline as outlined in Item V.d.2.B., *Expulsions*. Motion carried unanimously.

3. Employee Discipline

~~No items submitted~~

ADD

A. Recommend that employee #0000051482 is suspended without pay for one (1) working day beginning Wednesday, November 18, 2015, based on misconduct as more specifically identified in the notice letter to the employee.

ADD

B. Recommend that employee #0000031177 is terminated effective Wednesday, November 18, 2015, based on misconduct as more specifically identified in the notice letter to the employee.

Motion was made by Mrs. Hightower and seconded by Mrs. Moultrie, to accept the Superintendent’s recommendation for employee discipline as outlined in Item V.d.3.A. and Item V.d.3.B. Motion carried unanimously.

4. Other Items

-No items submitted

e. INTERNAL AUDITING

-No items submitted

f. ITEMS FROM GENERAL COUNSEL

-No items submitted

VI. ADJOURNMENT

There being no further business, the Regular Meeting adjourned at 6:45 p.m.

Attest:

Approved:

Superintendent

Chair