

THE SCHOOL BOARD OF
ESCAMBIA COUNTY, FLORIDA

MINUTES, DECEMBER 11, 2015

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. Bill Slayton
Vice Chair: Mrs. Linda Moultrie
Board Members: Mr. Jeff Bergosh
Mr. Gerald Boone
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 December 1, 2015 - Legal No. 1650388

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/12112015-546>

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

I. CALL TO ORDER

Mr. Slayton called the Regular Workshop to order at 9:00 a.m.

II. COMMENTS FROM THE SUPERINTENDENT

- Class Size – An official report from the Florida Department of Education (FLDOE) confirmed that the School District was 100% compliant with Class Size requirements.
- Test Scores and School Grades – On January 6th, the Florida Department of Education (FLDOE) would consider the Commissioner of Education’s recommendation for test scores and proposal for school grades.
- Graduation Rate – Unofficial calculations indicate that the graduation rate in Escambia County for the 2014-15 school year was 72% (a 6% increase from the 2013-14 school year). Official numbers from the Florida Department of Education (FLDOE) were forthcoming.

The Superintendent listed the changes that had been made to the December 15, 2015 Regular Meeting agenda since initial publication and prior to this session.

III. MINUTES

-No items discussed

IV. COMMITTEE/DEPARTMENTAL REPORTS

- Charter School Quarterly Report

(NOTE: A copy of the Charter School Quarterly Report for December 2015 was provided to School Board Members prior to this meeting.) There were no questions or concerns regarding the information as outlined in the report. On behalf of the charter schools in Escambia County, Mr. Jerome Chisholm, principal of Escambia Charter School, presented an award to the Superintendent to recognize him for

distinguishing himself as a champion for charter schools by being inclusionary and supportive of local charter schools.

V. UNFINISHED BUSINESS

-None

VI. NEW BUSINESS

a. PROPOSED ADDITIONS OR REVISIONS TO SCHOOL DISTRICT RULES

1. Rule(s) Adoption

- a. Notice of Intent to Adopt Amendments to Rules and Procedures of the District School Board: Chapters 1.17, 2.05, and 3.18

There was brief discussion regarding the processing for establishing hyperlinks to the various documents and state statutes referenced in School Board policies; however, there were no questions or concerns regarding the proposed amendments to 1.17, 2.05, or 3.18.

b. CONSENT AGENDA

1. Curriculum

-No items discussed

2. Finance and Business Services

A. Finance

3. 2015-2016 Grandfather Base and Grandfather Performance Base Instructional Salary Schedules, 2015-2016 Performance Base and Performance Plus Instructional Salary Schedules, and 2015-2016 Instructional Supplements Schedule
4. 2015-2016 Educational Support Personnel Salary Schedule
5. 2015-2016 Professional Salary Schedule and Classification Guide
6. 2015-2016 Administrative Salary Schedule – District Level, 2015-2016 Administrative Salary Schedule – School Level Performance Base, 2015-2016 Administrative Salary Schedule – School Level Performance Plus, and Classification Guide

Item V.b.2.A.3. – The Superintendent reported that the result of the ratification vote for the Escambia Education Association (EEA) was 91.7%.

Item V.b.2.A.4 – The Superintendent reported that the result of the ratification vote for the Escambia Support Professionals (ESP) was 97.9%.

Item V.b.2.A.5. – Mr. Terry St. Cyr, Assistant Superintendent for Finance & Business Services, advised that a correction to the backup documentation was forthcoming as it was necessary to correct the rank pay for 11-Month and 10-Month employees on the Professional Salary Schedule.

Item V.b.2.A.3 through Item V.b.2.A.6 - Upon inquiry by Mr. Bergosh, the Superintendent said that if the salary schedules were approved by the School Board, employees would receive an approximate 2% salary increase (the percentage for teachers could be slightly more depending where they registered on the performance scale.) Employees* of all classifications would receive \$200 (minus taxes) prior to the start of Christmas break. The \$200 would come in form of a “bonus” for educational support professionals (ESP) employees, professional employees, and non-school based administrators; and an “advance” on the retro for teachers and school-based administrators as those classes of employees were prohibited from receiving any bonuses. (*Except employees who began employment with the School District in November, as they would not have accrued sufficient “retro” to warrant a \$200 payment.)

E. Purchasing

11. Chromebooks for Warrington Middle School
12. Chromebooks for Washington High School
13. Chromebooks for West Florida High School

14. Chromebooks for Blue Angels Elementary School
15. Chromebooks for Escambia High School
16. Chromebooks for Northview High School
17. Chromebooks for Pensacola High School
18. Chromebooks for Pine Forest High School
19. Chromebooks for Tate High School

Mr. Slayton commented on the positive impact that these Chromebook purchases would have on students in area schools. Mrs. Moultrie commented on the importance of students having the technology they need to be successful.

3. Human Resource Services
 - D. Employee Services
 1. Approval of the 2015-2018 Master Contract between the School District of Escambia County and the Escambia Education Association

Upon inquiry by Mr. Bergosh, the Superintendent advised that a full copy of the 2015-2018 Master Contract would be linked to the electronic agenda for the December 15, 2015 Regular Meeting agenda.

4. Operations
 - A. Facilities Planning
 2. Miscellaneous
 - a. Sales Agreement between the School Board of Escambia County, Florida and Ed Carson, and or his Assigns

Upon inquiry by Mrs. Moultrie, the Superintendent said it was his understanding that this property (former site of Yniestra Elementary) was being purchased by Escambia Community Clinics for use as a community medical facility.

- c. ITEMS FROM THE BOARD
 - No items submitted

- d. ITEMS FROM THE SUPERINTENDENT
 4. Other Items

- E. Recommend approval of the Settlement Agreement and General Release between the Escambia Education Staff Professionals FEA, NEA, AFT, the School District of Escambia County and employee #0000052402 dated October 20, 2015.

(NOTE: *The confidential backup documentation for this item describes a situation where employee #0000052402 was hired by a certain department of the School District but was terminated by the supervisor of that department within the six-month probationary period; employee #0000052402 was subsequently hired by another department of the School District shortly thereafter. The EESP filed an unfair labor practice (ULP) charge against the School District with regard to the termination of employment.*) Mr. Bergosh said he would not support the Superintendent's recommendation to approve this settlement agreement which called for an approximate \$4,000 payment of "back wages" for employee #0000054202 for the period between the termination from one department and the subsequent hiring by another. Mr. Bergosh believed that the department supervisor was within his/her right to terminate employee #0000054202 during the six-month probationary period and as such, he did not believe that the individual was entitled to any payment. Mr. Bergosh was concerned that the School Board, by accepting the terms of this settlement, would be "sliding down the hill toward making probationary employees more like regular employees" and in doing so, would undermine mid-level managers who need to have the ability to make these decisions. It was the Superintendent's belief that had this particular case

gone before the Florida Public Employees Relation Commission, the School District would have ended up spending much more money just trying to fight the accusations than to simply settle the dispute with the employee. In addition to the settlement with the employee, the Superintendent advised that clarifying language* had been added to the Master Contract for educational support professionals so that this situation did not occur again in the future. *According to Dr. Alan Scott, Assistant Superintendent for Human Resource Services, and Mr. Bill Vincent, Service Unit Coordinator, Escambia-Florida Education Association, the School District and the collective bargaining team had worked together to develop the following language for the Master Contract: *“During the first six-month probationary period the employee shall be afforded all rights guaranteed under the master contract except for the provisions regarding grievance processes.”* Dr. Scott commented that the revised language would now make it clear that a probationary employee could not grieve a supervisor’s decision to terminate during the six-month probationary period. It was noted that the language had been negotiated as part of a tentative operational agreement and would be incorporated into the full Master Contract when it was “opened” in February 2016. In response to questions and concerns from Mr. Bergosh, Mr. Vincent and the Superintendent each clarified that although an employee could be terminated with or without cause during the probationary period, probationary status alone did not mean he/she gave up any other rights afforded to them under the Master Contract. He explained that the primary issue with this particular situation was that between the time that “probationary” employee #0000054202 asked for a union representative and the time that the representative was able to arrive on-location, he/she was terminated and as such, the employee was concerned that there may have been a direct link between the employee’s request for union representation and the supervisor’s decision to terminate.

e. INTERNAL AUDITING

-No items discussed

f. ITEMS FROM GENERAL COUNSEL

-No items submitted

VII. PUBLIC FORUM

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

VIII. ADJOURNMENT

There being no further business, the Regular Workshop was adjourned at 4:40 p.m.

Attest:

Approved:

Superintendent

Chair