

**MEETING MINUTES
SCHOOL BOARD OF SANTA ROSA COUNTY
December 12, 2019-9:00 AM**

A. Call to Order and Roll Call

The School Board of Santa Rosa County met in regular session at 9:00 a.m. with the following members present: Mr. Buddy Hinote, Chairman, Mrs. Wei Ueberschaer, Vice-Chairperson, Mrs. Linda Sanborn, Mrs. Jennifer Granse, and Mrs. Carol Boston. Also present were Timothy S. Wyrosdick, Superintendent of Schools and Secretary and Paul R. Green, Board Attorney.

B. Pledge of Allegiance

The Chairman called the meeting to order and Dr. Karen Barber led us in the Pledge of Allegiance to the Flag and in a moment of silence.

C. Approval of Minutes

1. Approval of School Board Workshop Minutes of November 7, 2019

Motion to Approve was moved by Jenny Granse, Seconded by Linda Sanborn. Motion Passed by a Vote of 5 - 0.

2. Approval of School Board Meeting Minutes of November 14, 2019

Motion to Approve was moved by Jenny Granse, Seconded by Linda Sanborn. Motion Passed by a Vote of 5 - 0.

3. Approval of School Board Reorganization Meeting Minutes of November 14, 2019

Motion to Approve was moved by Jenny Granse, Seconded by Linda Sanborn. Motion Passed by a Vote of 5 - 0.

4. Approval of School Board Meeting Minutes of December 2, 2019

Motion to Approve was moved by Jenny Granse, Seconded by Linda Sanborn. Motion Passed by a Vote of 5 - 0.

D. Oral Written Communications

None

E. Recognitions/Resolutions/Proclamations

1. School Nutrition Awards Recognition

Leslie Bell, Child Nutrition Director, and Jud Crane, Director of Purchasing/Contracts Manager, came forward to recognize the following Food Service employees who recently received Florida School Nutrition Association awards.

*Karen Petsch
Smart Start Award - Secondary Level*

*Carmen Swafford
Employee of the Year*

*Sara Rios
Manager of the Year
Presidents Award - Gold Level*

F. Public Hearing

1. Request to Advertise for Public Hearing on SB Policy Updates

Motion to Approve was moved by Wei Ueberschaer, Seconded by Linda Sanborn. Motion Passed by a Vote of 5 - 0.

The request to advertise for public hearing at 6:30 P.M. on February 4, 2020, for School Board Policy updates was approved.

G. Public Forum- (Request to address the School Board regarding an item not on the agenda)

The Chairman opened the floor for the Public Forum and asked if anyone would like to address the Board. The following citizens addressed the Board.

For a complete word for word transcript of the public forum, please see the video. The following presentation to the Board has been condensed.

Jennifer Clark of Navarre came to the podium to address the Board regarding item I.7 - Property Resolution and Agreement for Purchase. Ms. Clark raised the following questions.

Were other properties considered for purchase; what criteria was used to determine a suitable property? Superintendent Wyrosdick responded that purchasing property is an ongoing process. The criteria include affordability; usefulness/viability; does it meet local, state, and federal rules and regulations. The main concern along Highway 98 is availability; there's not much property available in that area. As you move off of Highway 98 there is the issue of wetlands.

Ms. Clark also asked about a traffic study; can the School Board work with the BOCC on this. Superintendent Wyrosdick stated that a traffic study will be done at a later time. We are attempting to reduce traffic impact by lengthening queuing lines into a school site but there will be an impact as there is when anything is built. Ms. Clark wanted to know if the ecologic impact has been considered; the Superintendent responded that the environment is always a consideration. It is difficult to work within the many parameters of purchasing property.

Diana Greene (resident of Navarre) came forward to address the Board with her concerns regarding the property purchase on the agenda. Ms. Greene shared that she feels the timing and location of the meeting are inappropriate. She continued that changing the topography of the land in that area can affect a lot of people and that the need for land has been ongoing for some time. Superintendent Wyrosdick responded that we will be responsible for the water flow off of our property. He added that he has been negotiating for land for years (it is not a quick process). Ms. Greene restated her concern about south end citizens having input; Superintendent Wyrosdick assured her that he has received a lot of input on this land purchase (emails, visits, and phone calls).

Cynthia Pierson (Navarre resident) approached the podium to voice her concerns about the property purchase on the agenda. Ms. Pierson is a retired educator and shared that she supports public education and understands the complexities (of acquiring school property). She feels that offering multiple public forums to allow citizens to express their concerns would be good. She asked if this will be a cash purchase; it will be. Ms. Pierson also has concerns regarding safety, traffic, ease of access (intruders) - specifically Highway 98 frontage. She asked if it might be possible to purchase the property with the intent of reselling at a later date. Superintendent Wyrosdick responded that is illegal.

Mrs. Ueberschaer addressed the Highway 98 frontage concern. Her children have attended schools that front Highway 98 and she has never felt that it was a safety issue.

Kelvin Cannington came forward to address the Board with questions regarding impact fees; how will they work with impact fees the BOCC is considering. Superintendent Wyrosdick responded that these are two separate issues. Mr. Cannington asked if the impact fees will be voted on by the public - Superintendent Wyrosdick stated they will not and explained that impact fees are not legislated but are the result of court action. Impact fees provide an opportunity for the School Board to levy fees - from a school standpoint there is a nexus that must be connected by building homes and school enrollment (physically and financially the impact on the school). The cost of education is matriculated into an

established fee; our fee is disingenuous of what the BOCC would use - their calculation is based on different pieces of information. Our (proposed impact) fee could go up to more than \$8,000 but we've reduced that down.

Mr. Cannington wanted to know if impact fees would affect (our ability to collect) the half-cent sales tax. Superintendent Wyrosdick stated that it would be in addition to the half-cent sales tax but the sales tax is considered revenue that must be considered when calculating our impact fees. The Superintendent pointed out that everything changes - including impact fees. When building slows down impact fee/s will have to be readdressed.

Mr. Cannington asked about a correction on the 5-year study that he had previously discussed with Mr. Harrell. Since Mr. Harrell was at the BOCC meeting Superintendent Wyrosdick stated that he would have to check with Mr. Harrell and get back to Mr. Cannington.

Mr. Cannington inquired about a study that is referenced in the purchasing agreement; will the BOCC provide information about the property. Superintendent Wyrosdick stated that pending the Board's decision today we will petition the BOCC and they will let us know if there is an issue. In the past we've had informal discussion about traffic, wetlands, and fly zones.

The final speaker was Rodney Miller, president of Santa Rosa Shores Homeowners, Inc. Mr. Miller had questions about the Tiger Point property purchase ingress/egress routes, safety concerns, and effluence on the property. Superintendent Wyrosdick explained that the effluent disposal has been reduced to 11.1 acres of disposal and the road has been moved to the other side of the property. He invited Mr. Miller to stop by and said he would be glad to show him a picture of what it will look like.

Ms. Green came back to the podium and asked about a newspaper quote that the (Axley) property is "less than ideal." The Superintendent answered that he does not remember that specific quote; every piece of property is different; there is no ideal property on which to build a school. Superintendent Wyrosdick stated that we have been outbid by many builders for property on the south end; we can't compete with builders/developers. We have tremendous partners who come to us and ask if we can make the property work.

There were no further requests and the public forum was closed.

Administrative Agenda

H. Approval of Agenda- Items may be pulled from the Administrative

Agenda and placed under the respective Action Agenda category by request of the Board member/Superintendent

Motion to Approve was moved by Jenny Granse, Seconded by Wei Ueberschaer. Motion Passed by a Vote of 5 - 0.

The Board approved all Administrative Agenda items H. 1, 2, 3, and 4 as submitted below.

- 1. Human Resource items**
 - a. Administrative Agenda**
 - b. Leave and Temporary Duty**
 - c. 19-20 Annual Inspections**
- 2. Curriculum/Instruction Items**
 - a. Student Reassignment Requests**
 - b. Suspensions**
 - c. School Volunteers - Level 1**
 - d. School Volunteers - Level 2**
 - e. Business Partners**
- 3. Financial Items**
 - a. Budget Amendment #19/02, Bills/Payroll and Monthly Financial Statement for October 2019**
- 4. Administrative Operational Items**
 - a. Field Trip Requests**
 - b. Facility Use Requests**
 - c. Religious Venue Requests**

Action Agenda

- I. Administrative/Operational Recommendations- Joey Harrell, Assistant Superintendent for Administrative Services**
 - 1. Exceed the Limit 121219**

Motion to Approve was moved by Jenny Granse, Seconded by Wei Ueberschaer. Motion Passed by a Vote of 5 - 0.

2. Surplus 121219

Motion to Approve was moved by Jenny Granse, Seconded by Wei Ueberschaer. Motion Passed by a Vote of 5 - 0.

3. RFP 18-04 Temporary Staffing Services Addendum 1 121219

Motion to Approve was moved by Jenny Granse, Seconded by Wei Ueberschaer. Motion Passed by a Vote of 5 - 0.

The Board approved Addendum #1 to RFP 18-04 Temporary Staffing Services regarding a guaranteed minimum work day threshold.

4. StaffEZ Quarterly Report 121219

LaTonya Hilson came forward to present the Staff EZ Quarterly report.

Ms. Hilson talked about the increase in absences this year from last year. Discussion followed regarding the cause for the increase. Ms. Hilson shared that there has been more sickness, earlier in the year, than last year. Superintendent Wyrosdick noted that there has been an increase in the amount of state mandated training. Mrs. Boston pointed out that this is timely; several Board members will be attending the FSBA Legislative Day in January (meeting with our legislators).

Ms. Hilson noted that the increase in paraprofessional substitute pay has made these vacancies more attractive to instructional subs which helps in filling them.

5. DAG Agenda Items

Motion to Approve was moved by Linda Sanborn, Seconded by Carol Boston. Motion Passed by a Vote of 5 - 0.

The Board approved the following change order as submitted.

Jay Elementary 6-Classroom Addition

- *Deductive change order in the amount of \$17,000 covering 34 days liquidated damages from October 23 to November 27, 2019*

Motion to Approve was moved by Jenny Granse, Seconded by Linda Sanborn. Motion Passed by a Vote of 5 - 0.

The Board approved the following change order as submitted.

Elkhart Drive K8 School

- *Four day extension of time change order due to rain delays in October 2019*

Motion to Approve was moved by Wei Ueberschaer, Seconded by Jenny Granse. Motion Passed by a Vote of 5 - 0.

The Board approved the final construction payments as follows.

Jay Elementary 6-Classroom Addition

- *A. E. New Jr., Inc. - \$141,213.89*
- *DAG Architects, Inc. - \$4,149.44*

6. 2019 District Strategic Plan with Crisis Communications Plan

Motion to Approve was moved by Carol Boston, Seconded by Wei Ueberschaer. Motion Passed by a Vote of 5 - 0.

The Board approved the 2019 District Strategic Plan with Crisis Communication Plan as submitted.

Superintendent Wyrosdick commented that it is a very synthesized document; communicating what it looks like if a crisis occurs and how it will be communicated. The Superintendent continued that central in a crisis is communication; we have purchased VOLO but there is a missing piece. Dr. Angela Walker, who has been handling our social media work, recently resigned. We don't have a Public Information Officer and he encouraged the Board to consider hiring someone for that role. "We're a large school district and those things are not getting done."

Daniel Hahn, Director of School Safety, came forward and reiterated that there appears to be a communication gap. Mr. Hahn included a comparative analysis in the Plan and noted that most districts of our size have a Public Information Officer.

Mr. Hahn added that this is a two-part plan - first is where he feels we need to be and second is the crisis communications plan.

The Superintendent pointed out that it takes about six minutes for a bus accident to appear on Facebook. He stated that in a crisis he will be looking out for schools and students; he may not be able to communicate with the media immediately.

Mrs. Sanborn asked Mr. Hahn if he wrote the plan himself. He responded that he borrowed the template and input the data specific to our district.

Mrs. Boston and other Board members commended Mr. Hahn on the document.

Mrs. Sanborn requested clarification on the approval request; the Board is approving only public information strategy.

Mrs. Granse asked about Dr. Walker's job title - it was Teacher On Special Assignment. Mrs. Ueberschaer asked if there is a timeline for

replacing Dr. Walker. Superintendent Wyrosdick stated that he feels our need may be greater than Teacher On Special Assignment and the Board may want to consider a different direction. This needs to be a full time person who is on call 24 hours a day; seven days a week.

7. John H and Debra Axley Property Resolution and Agreement for Purchase

*Motion to Approve was moved by Wei Ueberschaer, Seconded by Jenny Granse. Motion Passed by a Vote of 5 - 0.
The Board approved the John H. and Debra Axley property resolution and agreement for purchase as submitted.*

Mrs. Sanborn addressed concerns raised earlier in the Public Forum. She stated that we have to build new schools; the Board wants the best for students and communities. We will do our best to mitigate the negative issues that building the school may bring.

8. School Impact Fee Consultant Contract

Motion to Approve was moved by Wei Ueberschaer, Seconded by Linda Sanborn. Motion Passed by a Vote of 5 - 0.

9. Lease Agreement with Capstone Adaptive Learning & Therapy Center

Motion to Approve was moved by Jenny Granse, Seconded by Carol Boston. Motion Passed by a Vote of 5 - 0.

10. Five Year Work Plan

Motion to Approve was moved by Wei Ueberschaer, Seconded by Linda Sanborn. Motion Passed by a Vote of 5 - 0.

11. Direct Purchasing Change Orders

*Motion to Approve was moved by Carol Boston, Seconded by Jenny Granse. Motion Passed by a Vote of 5 - 0.
The Board approved change orders decreasing the projects payable below to the appropriate contractor by the amounts shown. These decreases are to reflect recent payments made to suppliers and the associated tax savings acquired through direct purchasing.*

- *K-8 School @ Elkhart
Culpepper Construction
\$317,107.44*
- *Jay Elementary School - 6 Classroom Addition*

A. E. New Jr.
\$11,105.85

J. Human Resource Recommendation- Conni Carnley, Assistant Superintendent for Human Resources

1. Action Agenda

*Motion to Approve was moved by Jenny Granse, Seconded by Wei Ueberschaer. Motion Passed by a Vote of 5 - 0.
The Board approved the following job description as submitted.*

- *Enterprise System and Database Administrator (new) requested by Information Technology Services*

Superintendent Wyrosdick noted that this new job description is needed due to reorganization within Information Technology Services as well as additional responsibilities in the PEARS system.

Mrs. Sanborn asked if this job description was part of the reorganization that was presented to the Board a few months ago. Mr. Hicks responded that it was not; at that time we didn't know that we would be losing PEARS support from UWF. He continued that this is taking the place of an existing position. We have a systems administrator who will be retiring soon; the salary for the new job description is commensurate with that of the retiring employee. We are essentially filling this job early with a different skill set; with the onus being the needs within the PEARS system.

*Motion to Approve was moved by Jenny Granse, Seconded by Linda Sanborn. Motion Passed by a Vote of 5 - 0.
The Board approved the following job descriptions as presented.*

- *Assistant Coach (revised) School Based*
- *Head Coach (new) School Based*
- *Supplemented Content Coordinator: Band (new) requested by Instructional Services*
- *Supplemented Content Coordinator: Choral Music (new) requested by Instructional Services*
- *Supplemented Content Coordinator: Elementary Art (new) requested by Instructional Services*
- *Supplemented Content Coordinator: Secondary Art (new) requested by Instructional Services*

*Motion to Approve was moved by Linda Sanborn, Seconded by Wei Ueberschaer. Motion Passed by a Vote of 5 - 0.
The Board approved Amendment 1 to Contract for Services Agreement with University of West Florida and the Contract for Services Agreement with University of West Florida; both of which*

are related to PEARS (Professional Educators Assessment and Result System) maintenance.

Motion to Approve was moved by Carol Boston, Seconded by Wei Ueberschaer. Motion Passed by a Vote of 5 - 0.

The Board approved the tentative agreement between Santa Rosa School District and Carpenters & Joiners of America.

K. Curricular and Instructions Recommendation – Bill Emerson, Assistant Superintendent for Curriculum and Instruction

1. Early Terminations

Motion to Approve was moved by Carol Boston, Seconded by Jenny Granse. Motion Withdrawn by a Vote of 5 - 0.

2. Alternative Placements

Motion to Approve was moved by Jenny Granse, Seconded by Linda Sanborn. Motion Passed by a Vote of 5 - 0.

The Chairman asked if anyone wanted to address the Board regarding any of the alternative placements; no one came forward.

Superintendent Wyrosdick stated that the number of sexual offenses is alarming. We need to look at this from the perspective of an educational institution. The Superintendent foresees bringing something to the Board on this subject; possibly alternative placement with targeted services.

3. Environmental Protection Agency (EPA) Environmental Education Local Grant #EPA-EE-20-04 “Empowering Students to Take Action: Aquatic Care Team (ACT)”

Motion to Approve was moved by Linda Sanborn, Seconded by Carol Boston. Motion Passed by a Vote of 5 - 0.

4. FLDOE Computer Science Certification Grant

Motion to Approve was moved by Carol Boston, Seconded by Wei Ueberschaer. Motion Passed by a Vote of 5 - 0.

5. New MIP Component-LETRS Reading Endorsement

Motion to Approve was moved by Jenny Granse, Seconded by Linda Sanborn. Motion Passed by a Vote of 5 - 0.

6. Middle School Early Release Semester Exam Schedule - 1st Semester

Motion to Approve was moved by Jenny Granse, Seconded by Linda Sanborn. Motion Passed by a Vote of 5 - 0.

7. High School Athletic & Band Schedules

Motion to Approve was moved by Jenny Granse, Seconded by Linda Sanborn. Motion Passed by a Vote of 5 - 0.

8. Revised Early Release & Exam Schedule/MHS

Motion to Approve was moved by Jenny Granse, Seconded by Linda Sanborn. Motion Passed by a Vote of 5 - 0.

9. Revised Athletic Schedules

Motion to Approve was moved by Jenny Granse, Seconded by Linda Sanborn. Motion Passed by a Vote of 5 - 0.

L. Financial Recommendations – Susan McCole, Assistant Superintendent for Finance

None

M. Information Technology Services Recommendations – David Hicks, Assistant Superintendent for Information Technology Services

1. Renaissance MOU

Motion to Approve was moved by Wei Ueberschaer, Seconded by Linda Sanborn. Motion Passed by a Vote of 5 - 0.

N. Items from Board Members

1. School Board Member Travel

Motion to Approve was moved by Linda Sanborn, Seconded by Jenny Granse. Motion Passed by a Vote of 5 - 0.

Superintendent Wyrosdick noted the correction to School Board Member travel as presented: Mrs. Ueberschaer is staying one night instead of two nights at the FSBA Legislative Day which reduces her estimated travel costs by approximately \$200.

O. Items from Board Attorney

None

P. Items from Superintendent

1. Impact Fee Ordinance - Updated

Motion to Approve was moved by Linda Sanborn, Seconded by Carol Boston. Motion Passed by a Vote of 5 - 0.

The Board approved the updated Impact Fee Ordinance as submitted.

Superintendent Wyrosdick spoke of the arduous work that School Board Attorney Paul Green and Attorney Dan Harrell have put into this updated ordinance.

Mr. Green stated that it is not necessary to go through the entire ordinance but made the following points.

- The material section of the ordinance (the impact fee amount) remains the same.*
- The affordable housing exemption is included with recapture in the event the exemption is granted and later determined it is invalid.*
- This is the Board of County Commissioners' ordinance. If the School Board approves today, we are sending the BOCC the message that it looks fine to us.*
- There may be tweaks later (not material changes); we feel this is the final product and is appropriate.*

Mrs. Sanborn stated that the timing of the impact fee payment is changed from issuance of building permit to certificate of occupancy. Mr. Green responded that this change will be beneficial since there may be building permits issued and house/s may not be built.

Mrs. Ueberschaer asked if there is any change in the interlocal agreement; Mr. Green responded that there is not.

2. Grievance Hearing

For a complete word for word transcript of the hearing, please see the video. The following presentation to the Board has been condensed.

The Superintendent announced that this is a public hearing; those who would like to can stay and those who wish to leave may do so. (The grievance hearing began after a short break.)

The grievance as stated on the Grievance Form is as follows:

Pursuant to Article XIII (A), the Superintendent failed to post a vacancy for the Athletic Director position at Milton High School on the district website within three working days of his creation of the vacancy; failed to hold the required posting open online for a minimum of three working days; and failed to provide a job description to interested applicants.

Relief sought is to vacate the current position of Athletic Director at Milton

High School and post the vacancy on the District website for a minimum of three working days providing the job description to all interested applicants.

Board Chairman Buddy Hinote turned the hearing over to School Board Attorney Paul Green. Mr. Green stated that this is a Step 3 Grievance Hearing. He then reviewed what has taken place thus far. Mr. Green has communicated with the School Board that policy is alleged to have been violated. Superintendent Wyrosdick's attorney and the attorney representing the Santa Rosa Professional Educators union have reached an agreement on today's process including: There will be no witnesses but each party will present to the Board their version of what they believe has happened; they will do this within a twenty-minute time period. Since the moving party has been denied thus far they will go first; they are asking the Board to reverse the Superintendent's decision to deny the grievance. The Board will have the opportunity at the conclusion of party's presentation to ask questions. At the conclusion of both presentations the Board will have the opportunity to discuss among themselves. The Chairman will call for a motion (the Superintendent will not as he is one of the parties in the grievance).

Attorney Matthew Hargraves came forward as the legal representative for Messrs. Phillip Blake and David Godwin. Mr. Hargraves' contention is that the Athletic Director vacancy at Milton High School should have been posted as outlined in the Master Contract and based on Florida Statute. Mr. Hargraves asked David Godwin to come forward. Mr. Godwin stated that he has been a math teacher at Pace High School since 2003 and a teacher in the district since 1999. Mr. Hargraves asked Mr. Godwin questions relative to the Master Contract and job vacancy posting requirements. As questioning continued, Mr. Hargraves asked Mr. Godwin how he became aware of a vacancy at Milton High School for Athletic Director. Mr. Godwin responded that he was made aware by looking at the Board meeting agenda. Mr. Hargraves asked Mr. Godwin if he would have applied for the Athletic Director position at Milton High School had he been aware of the vacancy. Mr. Godwin responded that he would have given it serious consideration.

Board Attorney Mr. Paul Green pointed out that in his communication with the union he was not made aware that the hearing would include calling witnesses; he must give Mr. Dickinson (representing Superintendent Wyrosdick) the same opportunity to question the witness.

Attorney John Dickinson came forward and stated that he is following the procedure established for today and will not be examining witnesses. Mr. Dickinson continued that he will deliver the oral statement as agreed upon.

Phillip Blake, ESE teacher at Milton High School, came up as the next witness. Mr. Blake stated that he has been a teacher at Milton High since 2000; he also reviewed the job posting vacancy requirements under the direction of Mr. Hargraves. Mr. Hargraves asked Mr. Blake if he had been aware of the Athletic Director job vacancy would he have applied; Mr. Blake responded that he would have applied.

At this time Mr. Hargraves announced that he would save the remainder of his time for the closing statement.

Attorney John Dickinson came forward representing Superintendent Wyrosdick. Mr. Dickinson provided background information to support his argument that the grievance should be denied. Mr. Marcilliat's transfer to Milton High School was effective the first day of school, August 12, 2019. It's important to note that Milton High has over 2,000 students. The Athletic Director is a key position that works closely with the administrative staff (Principal and Assistant Principals) and ensures compliance with FHSAA (Florida High School Athletic Association) regulations and eligibility requirements.

Mr. Dickinson recalled that a complaint was filed with the State Attorney's office alleging that for years Milton High had mishandled coaching supplements and volunteer applications - there were multiple issues. There was a lack of oversight and accountability at Milton High School. Mr. Dickinson made the following points. The investigation/s (conducted by SRSD Human Resource office, the State Attorney's office, and the Auditor General's office) began at the end of the 2018-19 school year but carried into the 2019-20 school year. The School District Human Resource office was investigating at the same time as the Auditor General's office and the State Attorney's office (the Auditor General's investigation is ongoing).

There were a number of students involved in athletic kick-off events during the first days of school; the responsibility for directing these activities belongs to the Athletic Director. The Superintendent, due to the immediacy of the need at Milton High School, made a decision to fill the position by transferring an employee and then reporting the transfer to the Board. Florida Statute allows for this in the case of an emergency.

Mr. Dickinson reiterated that this was an emergency. When Brad Marcilliat assumed the Athletic Director position on August 12, 2019 he reported that several student athletes either did not have the correct paperwork to participate (as required by FHSAA) or their paperwork was incomplete. We did not have days to postpone ensuring our students were properly and legally registered. We could either disallow the programs or consider this an emergency situation and take the action that the Superintendent did.

Mr. Dickinson pointed out that there is a provision in bargaining law that states it is up to management to make decisions in regard to direction of the employer; that when a provision of a collective bargaining agreement is in conflict with statute the provision of the collective bargaining agreement is ineffective (the statute prevails).

In closing, Mr. Dickinson quoted an old Chinese proverb, "only the man who carries the sack knows the weight of the load." Mr. Dickinson noted that the Superintendent did the right thing under Florida law. He requested that the transfer be upheld and the grievance denied.

Mr. Hargraves then came forward to provide his summation. He read an excerpt from Article XIII, Section A, of the Master Contract, regarding job vacancy posting requirements. He then read Florida Statute 1012.27, subsection 4, regarding employee transfer (during an emergency). Mr. Hargraves noted that this is a complex, ongoing situation. He stated that this grievance is not about how the vacancy was created. Mr. Hargraves stated that the Superintendent had a contractual obligation to post the vacancy for the required number of days. He feels that the situation was created when Superintendent Wyrosdick involuntarily transferred Mr. Rutledge from the Athletic Director position and transferred Mr. Marcilliat into the position. Mr. Hargraves stated that the Superintendent could have filled the position on an interim basis and then posted the vacancy.

Mr. Dickinson stated that the statute does not say that the union has to agree that a situation is an emergency; it is up to the Superintendent to determine if a situation is an emergency. Mr. Dickinson concluded that he would leave it to the Board to decide if this was an emergency; an athletic program facing indictment on the eve of students returning to school.

Mr. Green closed this part of the hearing and notified the Board that this is their opportunity to have discussion among themselves.

Mrs. Sanborn spoke first; she recalled how painful that period was for the school district. She stated that she thinks the Superintendent did what he thought was best at the time; but she now feels that the position should have been filled as an interim position and then advertised to allow all teachers the opportunity to apply and to allow the principal to interview candidates.

Mr. Hinote stated that he understands Mrs. Sanborn's position on this issue and remembers how painful this was (reassigning Mr. Rutledge) for him personally. As a former coach, assistant principal, and principal, he also understands the complexities of starting a school year. Mr. Hinote stated "at that time things were in a state of chaos," there was a lack of

accountability and follow through. Mr. Hinote stated that he disagrees with Mrs. Sanborn; he feels the correct action was taken based on the emergency situation at Milton High.

Mrs. Granse shared that as a former principal, she knows what it's like to be in an emergency situation. "You do what's best for the students," and she feels that Superintendent Wyrosdick did what was best for the students at Milton High School.

Mrs. Ueberschaer stated that this is an emotional issue for everyone. She feels that the question is if you believe this was an emergency or not. Mrs. Ueberschaer continued that the timing was unfortunate - if this had occurred at a different time in the school year this might be different. Also knowing that Florida statute supersedes any other written document in the hierarchy of what should take place.

Mrs. Boston pointed out that in every decision the Board makes students need to come first. She added that if the program had fallen through, for a student athlete, the consequences would have been very negative. Mrs. Boston, as Board Chairperson, was dealing with this situation all the way through October. "It's almost still an emergency."

Mrs. Sanborn stated that she agreed something needed to happen immediately but she feels the position could have been posted as an interim and then allow other candidates to apply in order to work within the contract.

Mrs. Boston stated that she feels it would not have been in the students' best interest to not have continuous administration in those programs. Mr. Hinote concurred with Mrs. Boston that it would not have been best for the student athletes to start the year with an Athletic Director and potentially change to another after a few weeks.

Mrs. Granse moved to deny the grievance. Mrs. Boston seconded the motion. Mr. Hinote asked if there was any further discussion or questions; there was no response.

*Motion to Approve was moved by Jenny Granse, Seconded by Wei Ueberschaer. Motion Passed by a Vote of 4 - 1.
The Board approved denial of the grievance.*

Q. Adjournment

There being no further business the meeting was adjourned.

DONE AND ORDERED IN LEGAL SESSION by the School Board of Santa Rosa County this 12th day of December, 2019.

SCHOOL BOARD OF
SANTA ROSA COUNTY

Chairman

ATTEST:

Superintendent and Secretary