

AGENDA
SCHOOL BOARD OF SANTA ROSA COUNTY
SPECIAL MEETING
August 10, 2017-6:00 PM

A. Call to Order and Roll Call

The School Board of Santa Rosa County met in special session at 6:00 p.m. with the following members present: Mr. Scott Peden, Chairman, Dr. Diane Scott, Co-Chairman, Mrs. Carol Boston, Mr. Buddy Hinote, and Mrs. Jennifer Granse.

B. Pledge of Allegiance

The Chairman called the meeting to order and School Board Member Buddy Hinote lead us in the Pledge of Allegiance to the Flag.

C. Business Item(s) - Should a person decide to appeal any decision made by the school board, with respect to any matter considered at this meeting or hearing, he or she will need a record of the proceedings, and that, for such purpose, he or she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

1. Board Conducts Impasse Hearing in Accordance with F.S. 447

Board Chairman Mr. Peden reviewed the process. The agenda has been published on the District website for the required number of days under Florida law. A recommended order has been issued by Special Magistrate Robert Hoffman and has been transmitted to PERC and a representative of each of the parties. One of the parties (the Superintendent) has rejected the recommendation as it dealt with salaries and that salary increases should be retroactive to a date in 2016. The other party, Santa Rosa Professional Educators, has not issued a rejection. The Superintendent has provided timely notice to PERC and has included a statement of cause to each objection to both parties. The Superintendent issued to the Board and to SRPE a finding of fact and recommendation for each of the issues. SRPE made recommendations for settlement to the Board and the Superintendent. Prior to this hearing each Board member has reviewed and studied the following: a finding of facts; recommendations from the Special Magistrate; rejection by the Superintendent; the Superintendent's recommendation for settling the disputed impasse issues; and the recommendations of SRPE for settling the disputed impasse issues.

The setting of this hearing and what transpires in this hearing is set forth in FS 447.403(4)(c) as follows. (Mr. Peden read this section of Florida Statutes.) "The legislative body or a duly authorized committee thereof shall forthwith

conduct a public hearing at which the parties shall be required to explain their positions with respect to the rejected recommendations of the special magistrate." The law further provides that the legislative body shall take such action as it deems to be in the public interest, including the interest of the public employees involved, to resolve all disputed impasse issues.

Mr. Peden then explained the procedure for the hearing. 1) Each party will be allowed thirty minutes to provide their explanations to the Board; he noted that he would signal each party when they are within five minutes and also one minute of their allotted time. 2) The parties may utilize persons to speak on their behalf (the speakers' time is included in the allotted thirty minutes total). 3) The Superintendent shall present his explanation first and at the conclusion of his presentation SRPE shall present. 4) The Board shall then take statutory action to resolve all dispute impasse issues.

At that time Mr. Peden asked Superintendent Wyrosdick to provide his recommendations. Mr. Wyrosdick stated that attorney John Dickinson would be presenting on his behalf. Mr. Dickinson came forward and presented the case on behalf of the Superintendent and bargaining team including Chief Negotiator David Gunter, and Assistant Superintendent for Finance Susan McCole. Some of the main points include the following. There are two issues to be resolved regarding the impasse in negotiations. 1) What percentage increases should be awarded to educational support and instructional personnel; and 2) what should be the effective date of the pay increase? The Superintendent's recommendations are 1) Grandfathered Highly Effective/Effective Instructional, Effective Performance Pay Instructional, and all Educational Support employees should receive a pay increase of 1.65%. Highly Effective Performance Pay employees should receive 2.20%. 2) Pay increases should be effective July 1, 2017. Mr. Dickinson pointed out that the recommended pay increases are fair given current economic conditions; appropriations from the State have not kept up with our rising costs. The Board has had to cover the difference by using savings (Fund Balance) and the recommended pay increases will also be covered by using Fund Balance. The Superintendent's recommended increase will maintain our competitive position with average salaries of districts comparable to ours.

Mr. Dickinson also referred to the Special Magistrate's recommendation being based on unsupported arguments presented by SRPE and Mr. David Godwin. This information included a misunderstanding of the budget process; misrepresentation about the district purposefully under spending; questionable economics; Financial Condition Ratio (based on non-recurring revenue); (SRPE) referring to per student funding as robust when this district consistently receives less funding than neighboring districts; skewing comparable data (grouping dissimilar groups together). SRPE's salary comparisons were based on the 2016-17 placement salary schedule for new hires instead of the average incumbent salary; this comparison is inapplicable to most of the bargaining unit. Mr. Dickinson noted that the Special Magistrate

accepted the data presented at face value; it is not substantiated by research.

Mr. Dickinson stated that it is important to acknowledge that our fund balance is still not where it needs to be. Fund balance can affect our ability to borrow money through the bond market to fund expenditures; it is key in managing cash flow until state monies can be received in case of disaster (hurricanes). Our projected unassigned fund balance for 2017-18 is down by more than \$5.5 million from six years ago, and by more than \$2 million from last year.

Superintendent Wyrosdick is recommending that pay increases be effective July 1, 2017 with no retroactivity to the previous year. This is due to FRS penalties and other expenses that would be incurred as a result of crossing fiscal years. Crossing a fiscal year also creates a burden for various departments including Finance, Human Resources, Data Processing, and Payroll. Only one time in the past did retroactivity cross fiscal years; this created major expense and problems for the District. Mr. Dickinson stated that SRPE intentionally delayed bargaining so it could drag negotiations out past the issuance of the Third Calculation. In February 2017 the Board's bargaining team submitted to SRPE's bargaining team an MOU which would have accounted for a July 1, 2016 retroactive pay increase with continued negotiations; this MOU was rejected by SRPE. In conclusion Mr. Dickinson recommended that the Superintendent's proposal for pay increases and effective date of the increases be accepted by the Board.

Rhonda Chavers, President of SRPE, turned the SRPE portion of the hearing over to Matthew Hargraves, General Counsel for SRPE. Mr. Hargraves stated that a number of individuals have volunteered to speak; they will be called up individually by name.

Jack Sanborn, local businessman, came forward to the podium. Mr. Sanborn stated that he has been a resident of Santa Rosa County for 42 years and appreciates the quality of education we have. His children are products of Santa Rosa Schools; one has a doctorate and the other will soon have a doctorate. Mr. Sanborn has many educators in his family. Through his business, Adventures Unlimited, he has employed over 1600 students and finds they have a good work ethic and make excellent employees. Mr. Sanborn feels that teachers are the backbone of our success in education; he feels that if we don't support teachers we will lose them to neighboring counties. Mr. Sanborn recalled a quote from Mr. Junius Williams, past Principal of T. R. Jackson, "Either you're part of the solution or part of the problem." He encouraged the School Board to be part of the solution by granting the SRPE recommended increase.

Latricia Laurant, annual contract ESE teacher at Avalon Middle, came forward next. Ms. Laurant shared that her family came to this area as evacuees from Hurricane Katrina with the intention of returning to their home as soon as possible. The kindness her family received soon changed her mind and this is

directly related to the school district. She realized that she wanted to be a part of the school district and served as an involved parent, substitute teacher, child development associate, and is now a certified teacher working on two master's degrees. Ms. Laurant stated that she is here tonight on behalf of her instructional and educational support co-workers. When asked to increase the rigor this past year they did so resulting in our district returning to "A" status. Over the past weeks since the rejection of the magistrate's recommendation became public she has spoken with employees who have expressed frustration feeling that their hard work has been shunned. Ms. Laurant spoke of the expense associated with becoming a teacher - certification exams, endorsement application fees, study guides, etc. not to mention the many hours spent studying to pass the exams. Ms. Laurant stated that she has received recruitment contacts from Escambia County as well as Louisiana and Texas (who pay more); she feels that our county's high turnover rate is indicative that something is wrong. Ms. Laurant referenced Superintendent Wyrosdick's e-mail earlier in the week which included a quote from Mother Theresa, "Not all of us can do great things, but we can do small things with great love." She concluded by requesting that the Board "act with great love" by approving the Special Magistrate's salary recommendations.

Sue Heiney came up to the podium and stated that she is speaking at the request of her daughter and two granddaughters who are at work this evening (they are teachers). Ms. Heiney talked about the extra hours that teachers put in; this is not a 7.5 hour per day job. She also noted that teachers have more paperwork than ever; they can't get it all done while tending to students during the day. Ms. Heiney closed by posing the question, "how many of you would be willing to spend 7.5 hours per day, five days per week, in a classroom, for the amount of pay that teachers receive? Then you have to complete paperwork at home."

Tiffany Lupay, parent of two children in the Santa Rosa County school system came forward. Ms. Lupay has a total of eighteen years in the criminal justice system. Part of her current job is to interview and assess new entries to the system to make bond recommendations. One of the biggest stability factors considered is education level. A majority of the jail population does not have a complete education; this is combined with a history of violence, substance abuse issues, and lack of a support system. Ms. Lupay stated this is why she wants to speak out on behalf of teachers and school staff - they bridge the gap providing support that a student may not receive at home. She feels they should be compensated in such a way that they do not have to seek second jobs or have a sense of frustration at being overworked. Ms. Lupay shared that she grew up in a home where the basics were not always provided; in spite of this she ended up okay and she gives credit to her teachers who taught her more than what was in the curriculum. She feels that if we do not spend more now to increase teacher salaries we will pay more in the future building new jails.

Donna Tolbert, lifelong citizen of Santa Rosa County, came to the podium to speak. Ms. Tolbert has had children in Santa Rosa County schools for over 22 years; she currently has five students in the school system. She has worked closely with her kids' teachers and asked the Board to do the right thing; give teachers their raise and retroactive pay as recommended by the magistrate. Ms. Tolbert stated that it was the school district's administration who declared impasse and then spent the taxpayers' money to get an unbiased professional opinion. We went through this process in 2009 with the Board voting to allow the magistrate's recommendation. As a taxpayer, she wants the Board to approve the recommendations of the Special Magistrate regarding the pay increase and retroactive pay.

Kathy Breakwell, a resident of Pace for over thirty years, came to the podium. Her son is a graduate of Pace High, and she retired from teaching after forty-four years in the classroom. She is currently a volunteer at Bagdad Elementary. She expressed congratulations to the students, teachers, and support professionals who worked to earn the "A" this year. Ms. Breakwell feels that these employees should be rewarded monetarily by upholding the recommendations of the Special Magistrate. She continued that it is a disservice to imply that Robert Hoffman is not a seasoned Special Magistrate who is capable of reading a contract and understanding a budget. Ms. Breakwell also expressed disappointment regarding the scheduling of this special hearing on a night when some schools have open houses that teachers are not required to attend but would like to attend. She thanked the Board for what they do; she feels they have the opportunity this evening to do the right thing and uphold the ruling of the Special Magistrate.

Matthew Hargraves, attorney representing Santa Rosa Professional Educators, came to the podium. Mr. Hargraves expressed appreciation to the Board for the opportunity to present SRPE's recommendations as well as the negotiating team for their hard work. He also thanked the individuals who came tonight to speak and did not have the opportunity, the speakers who volunteered their time to share their views in support of the Special Magistrate's recommendations, all of the educators and educational support professionals who work in Santa Rosa.

Mr. Hargraves stated that the issue this evening is whether to accept or reject the recommendations of Superintendent Wyrosdick or the recommendations of Special Magistrate Robert Hoffman regarding salary increase and retroactivity. He continued that throughout the negotiation process the union and the Board have taken part in an adversarial process; opposing parties of the terms of the contract for employees. Mr. Hargraves stated that the Board is no longer a party to this dispute but is required by law to resolve the impasse dispute in a fair and impartial manner; based solely on the public interest including the public employees who are subject to the decision. Regarding public interest, Mr. Hargraves quoted Article 9, Section 1, as follows:

SECTION 1. Public education.—

(a) The education of children is a fundamental value of the people of the State of Florida. It is, therefore, a paramount duty of the state to make adequate provision for the education of all children residing within its borders. Adequate provision shall be made by law for a uniform, efficient, safe, secure, and high quality system of free public schools that allows students to obtain a high quality education and for the establishment, maintenance, and operation of institutions of higher learning and other public education programs that the needs of the people may require.

Mr. Hargraves spoke of the community members, current and former employees who spoke this evening on behalf of accepting the Special Magistrate's recommendations. Mr. Hargraves then presented three reasons that he feels the Board should accept the Special Magistrate's recommendations. 1) To protect the integrity of the process; he feels that since we participated in the Special Magistrate hearing, we should abide by the decision. 2) According to Mr. Hargraves, the \$1.2 million difference in salary/retroactivity between the Board and SRPE recommendations could be covered by spending what is actually budgeted. He feels that we have historically spent less than the budgeted amount for instructional salaries. 3) It is necessary to accept the Special Magistrate's salary/retroactivity recommendation to maintain our stability as compared to other districts in the state. It will not improve our ranking but will keep us from moving down the list.

In closing, Mr. Hargraves urged the Board to accept the Special Magistrate's recommendations respective to salary and retroactivity.

Board Chairman Scott Peden asked if any of the Board members had questions.

Mrs. Boston shared that she and her husband grew up in households where the primary wage earner was a teacher. This is a tough decision but must be based on fiduciary responsibility; not a popularity contest. Mrs. Boston stated that she has done her research and assumes that other Board members have as well; no matter the decision she feels that the Board will be villified.

Mr. Peden stated that he was ready to take a motion.

Mrs. Granse motioned to accept the Superintendent's recommendation in its entirety. Dr. Scott seconded the motion; and noted that the Board has a responsibility to not spend money that we do not have. Dr. Scott also pointed out that we do not want to get in the situation we had a few years ago when we had a reduction in force.

The Superintendent's recommendations: 1) Grandfathered Highly Effective/Effective Instructional, Effective Performance Pay Instructional, and all Educational Support employees should receive a pay increase of 1.65%.

Highly Effective Performance Pay employees should receive 2.20%. 2) Pay increases should be effective July 1, 2017.

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

D. Adjournment

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

There being no further business the meeting was adjourned.

DONE AND ORDERED IN LEGAL SESSION by the School Board of Santa Rosa County this 10th day of August, 2017 A.D.

SCHOOL BOARD OF
SANTA ROSA COUNTY

Chairman

ATTEST:

Superintendent of Schools

Santa Rosa County District Schools

Submitted By: Tim Wyrosdick

Action Agenda

Title of Item: Board Conducts Impasse Hearing in Accordance with F.S. 447
Description/Introduction: This is a special Board meeting to conduct Impasse Hearing in accordance with F.S. 447.
Recommendation/Action Requested:

Financial Impact:

A-Funds required from School Board? Yes
B-Amount required
C-Grant/Project Synopsis attached? No
D-Date Grant/Project Reviewed/Approved by Accountant:

Legal Review

Does item require legal review? Yes
If Yes, Approval Date

REVIEWERS:

Reviewer	Action	Date
Pattullo, Melanie	Approved	8/3/2017 - 9:35 AM