

MEETING MINUTES
SCHOOL BOARD OF SANTA ROSA COUNTY
February 21, 2013-9:00 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: Mrs. Diane Coleman, Chairman, Dr. Diane Scott, Vice-Chairman, Mr. Hugh Winkles, Mr. Scott Peden, and Mrs. Jennifer Granse. Also present was 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 Mr. David Johnson lead us in the Pledge of Allegiance to the Flag and in a moment of silence.

C. Approval of Minutes

1. Jan. 24, 2013 School Board Meeting Minutes

Motion to Approve was moved by Diane Scott , Seconded by Scott Peden. Motion Passed by a vote of 5-0.

D. Oral Written Communications

1. Santa Rosa County School District – Comprehensive Tobacco Free School Campus Policy -2012-2013

Mr. Wyrosdick asked Robbie Leggett, from the Santa Rosa County Health Department to come forward and review the Comprehensive Tobacco Free School Campus Policy. He introduced Ms. Maggie Linscott (SWAT Youth) who will actually be making the presentation. Ms. Linscott reviewed the policy in its entirety and asked the board if they had any questions. There were none. Mr. Wyrosdick thanked Ms. Linscott for her presentation.

E. Recognitions Resolutions Proclamations

1. Volunteers of the Year

Mrs. Sherry Diamond, Director of Elementary Education came forward to present the Volunteers of the Year awards.

She presented certificates recognizing the following people in the Adult Category as Volunteers of the Year. 3rd place Lee Anne Burkholder, Gulf Breeze Elementary, 2nd place Dewayne Dees, Bagdad Elementary, and the winner was Jessie Parker, Jay Elementary.

Next she presented certificates recognizing the following people in the Senior Adult Category as Volunteers of the Year. 3rd place Margaret Phillips, Rhodes Elementary, 2nd place Shirley Cummings, Gulf Breeze Elementary, and the winner was Rochelle Vaughn, Oriole Beach Elementary.

Last she presented certificates recognizing the following people in the Youth Category as Volunteers of the Year. 3rd place was Dakotah James, serving Dixon Intermediate, 2nd place Madison Phillips, serving Berryhill Elementary and the winner was Lindsey Hyman, serving Pea Ridge Elementary.

The Board thanked all of our volunteers and congratulated the Volunteers of the Year.

F. Public Hearing

1. Request for Public Hearing

Motion to Approve was moved by Hugh Winkles , Seconded by Jenny Granse. Motion Passed by a vote of 5-0.

The board approved the request to advertise for a Public Hearing to be held at the April 25, 2013 School Board meeting on revisions/updates to School Board Policy.

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

was moved by Jenny Granse , Seconded by Diane Scott.

Mr. Joseph Pool came forward and thanked the board for funding the arts in this county. He attended the All County Band performance at Milton High and they sounded fantastic. He praised the band instructor at Hobbs Middle School.

Mr. Pool asked the school board if there was a policy in regards to hiring out contracted services. Is the job publicly advertised, how many people interviewed, and how was the selection made? Mrs. Coleman asked him to specify the job he is referring to and he responded the Consulted Services contract. Mr. Wyrosdick responded that he couldn't speak to the contract in specificity but if he would bring his information and questions to him he would look at it. Mr. Pool said the name of the person he was asking about is Steve Ratliff. Mr. Wyrosdick said that we have contracted with him to provide services for the board. Mr. Pool wanted to know if there was a policy for how he was selected.

Mr. Wyrosdick stated that he works with the board on selecting qualified candidates as has been the past practice. Mr. Wyrosdick invited him to sit down with him or the board chairman and they will walk him thru the process step by step. Mr. Pool said he was hoping there was a school board policy in place. Due to the expressed budget crunch and hiring freeze he wanted to know how the board went about issuing the contract. The Chairman thanked him for his presentation.

Mr. Henry Cassady, came forward next, he thanked the board for this opportunity to address them and identified himself as Jerilyn Hughes' father. He briefly explained that his daughter has never denied the incident at the Bonfire Jam, however she is a good person and has been a dedicated principal with 23 years of service to the school district. He feels she has been publicly ridiculed by a candidate for school board that doesn't seem to realize he lost the election. He stated that his daughter has felt bullied by the Union Representative, Rhonda Chavers and that pressure has been put on Mr. Wyrosdick to demote her. He doesn't feel like the punishment, which includes the possibility of losing per license to teach, losing her principalship and having her pay reduced by \$35,000 fits the crime. Last he wanted to address the issue of Ms. Hughes being related to Mr. Wyrosdick. He stated that Ms. Hughes is Mr. Wyrosdick's wife's third cousin.

Mr. Joe Alderholt came forward stating he was here in support of Ms. Hughes. He explained that although he doesn't have any children in the area, he meet Ms. Hughes while he and his wife were looking into volunteering at a school. He shared with the board that he has had nothing but good experiences with her. He has watched her work with students, parents and other volunteers, always doing an excellent job. Mr. Alderholt said that he doesn't know anyone that hasn't done something they aren't proud of but her work and desire to help children should trump everything else. He thanked the board for allowing him to speak.

Mr. Terry Vandenberg stated that he was here in support of Ms. Hughes as well. He is a volunteer at East Milton Elementary, on the PTO Board and is a member of the SAC committee. He stated he has seen her use her own money to help kids who needed something. Seeing the types of things she does for the children, putting every ounce of energy she has into it, he feels she deserves to be treated with more respect and honor.

Mr. Steve Burklow also came forward in support of Ms. Hughes. He stated he has known her for many years and she is an awesome person who always puts the children first. She has contacted him when she had a specific need at her school and has done whatever it took to help the students. He feels she is an great person and hates to see her being dragged thru the mud. He stated that she has paid for her mistake and thinks we should move on.

There being no other requests to address the board, the public forum was closed.

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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 Diane Scott. Motion Passed by a vote of 5-0.

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

1. Human Resource Items
 - a. Annual Fire and Life Safety Inspections for: Dixon Intermediate School, Gulf Breeze High School, Jay High School, Locklin Technical - Santa Rosa High School
 - b. Administrative Personnel Board Agenda
 - c. Substitute Teacher and Ed. Support Substitute Lists
2. Curriculum/Instruction Items
 - a. Student Reassignments/Transfers
 - b. Suspensions
 - c. Use of Religious Facilities- Elem.
 - d. Use of Religious Facility - High School
 - e. School Volunteers
3. Financial Items
 - a. Budget Amendment #13/04, Bills and Payroll, and Monthly Financial Statement for December 2012
4. Administrative Operational Items
 - a. Facility Use Requests
 - b. Field Trip Requests

Action Agenda

- I. Administrative/Operational Recommendations- Joey Harrell, Assistant Superintendent for Administrative Services
1. Surplus 022113

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

2. Property Inventory Audit 022113

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

3. Exceed the Limit 022113

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

4. Bid RFB 02-13 Demolition and Cleanup

Motion to Approve was moved by Diane Scott , Seconded by Scott Peden. Motion Passed by a vote of 5-0.

The Board approved awarding Bid Number RFB 02-13 Demolition and Cleanup to both Autry Walker Construction, Milton, FL as the primary award and to LJFD, Inc. Joiner's, Milton, FL as the secondary.

5. Custodial Quarterly Report 022113

Mr. Ryan Brock, Southern Management came forward to present the quarterly custodial report. Mr. Brock distributed copies of their Quality Control Inspections for this quarter. He was proud to announce they received scores of 3 and 4 from all locations. He also shared the last five years quality control scores which shows an overall average quality control score of 3.3. He introduced and congratulated Ms. Amy Howard, Grounds Crew Supervisor Employee of the Year. Mr. Brock asked the board if they had any questions and Mr. Wyrosdick thanked him for his presentation.

6. DAG Architects Agenda Items

Motion to Approve was moved by Hugh Winkles , Seconded by Scott Peden. Motion Passed by a vote of 5-0.

***The Board approved the following Change Order:
Rhodes Elementary School Kitchen Renovation/Addition
R. D. Ward Construction Company***

****Reroute existing domestic water line and tie into new water line in kitchen area: \$1,089.00***

****Cut and relocate panel 2PA feeder, existing conduit runs through existing bar joists that were slated to be removed as part of the demolition \$1,718.67***

****Fill existing grease trap that was abandoned under portion of building: \$513.02***

Total \$3,320.69

The board reviewed the status of the current DAG construction projects.

7. Pinder Martin Agenda Items

Motion to Approve was moved by Hugh Winkles , Seconded by Jenny Granse. Motion Passed by a vote of 5-0.

The board reviewed the status of the current Pinder-Martin construction projects.

The board approved awarding the Jay High School - Kitchen/Cafeteria, Band and Music Addition to

R. D. Ward Construction Company as the lowest and best at a base bid of \$2,950,000.

Motion to Approve was moved by Jenny Granse , Seconded by Diane Scott. Motion Passed by a vote of 4-1.

Pinder-Martin presented the Pace High Press Box Phase II drawings and a budget estimate for the construction. Mr. Peden asked about the cost. It seems high in comparison to other current construction projects. Mr. Harrell and Mr. Pinder explained this project is costing more due to several issues. First the current building has to be demolished because it does not meet code. It is made out of wood, is settling and is potentially dangerous. Pace High has requested this for the last four years in a roll and although there is no good time to do the project, it needs to be done. They explained that the press box will be built up higher on it's own steel structure and no portion of it will be sitting on the stadium. Any building over 500 square foot and will hold five people or more have to be handicapped accessible and therefore must have a chair lift. Mr. Peden asked if they looked into the cost of repairs rather than demolish and re-building. They responded that nothing about the press box meets code and it would not pass inspection unless it is completely rebuilt. Pace High is the only high school whose press box doesn't meet the current building codes. They have already decided to use a steel structure instead of the usual concrete blocks and to eliminate air conditioning on the bottom floor to help cut down on the cost. Mr. Peden said he understands the need for the press box but objects to the high cost of re-building it.

J. Human Resource Recommendation- Lewis Lynn Assistant Superintendent for Human Resources

1. Human Resource Action Agenda

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

The board approved the Administrative Appointment of Brenda Waters as Assistant Principal of East Milton Elementary School effective Feb. 22, 2013.

Motion to Approve was moved by Scott Peden , Seconded by Hugh Winkles. Motion Passed by a vote of 5-0.

The board approved the employee disciplinary actions, the "Coordinator of Mathematics and Science" Job Description revision, and the Intent to terminate as submitted.

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

1. Alternative Placements/Expulsions

Motion to Approve was moved by Scott Peden , Seconded by Hugh Winkles. Motion Passed by a vote of 5-0.

2. Workforce Escarosa, Inc. Modification #1

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

3. High School Athletic Schedules

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

4. District Issued Vocational Certificate

Motion to Approve was moved by Scott Peden , Seconded by Jenny Granse. Motion Passed by a vote

of 5-0.

5. Learning Academy - 1st Semester Referral Invoice

Motion to Approve was moved by Hugh Winkles , Seconded by Diane Scott. Motion Passed by a vote of 5-0.

6. CNA Research Study Approval Request

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

7. Early Head Start/Head Start Monthly Report for December 2012 and January 2013

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

The board reviewed and approved the December 2012 Early Head Start/Head Start Monthly Report.

L. Financial Recommendations – Susan McCole, Assistant Superintendent for Administrative Services

None

M. Items from Board Members

Motion to Approve was moved by Hugh Winkles , Seconded by Diane Scott. Motion Passed by a vote of 5-0.

Mrs. Granse shared that she has been visiting some of the schools and is amazed at the job they are doing. Mrs. Scott attended the CEO round table meeting this past Tuesday. She mentioned that school safety was addressed and it was well attended. She believes the School District and the Sheriff's office will work well together on making sure our schools are safe for our students. Mrs. Coleman attended Durham's south end luncheon and shared with the audience that the employees appreciated the activity. She also mentioned that while at HNI, a parent wanted to share a praise report on how happy she was with the school and her child's teacher, Ms. Wells.

1. Florida Schools Boards Association 2013-14 Dues

Motion to Approve was moved by Hugh Winkles , Seconded by Diane Scott. Motion Passed by a vote of 5-0.

The board approved payment of the 2013-14 Florida School Board Association dues in the amount of \$18,042.00. The dues remain the same as they have been for the previous six years.

N. Items from Board Attorney

Mr. Green reported to the board that they are continuing to work on the purchase of the property on Highway 90. The variances requested have been approved and it has been sent on to the County Commissioners for their approval. One new matter has come to our attention regarding a property owner at the back side of the property. The Moulton promised to provide him with some type of easement so that he would have access to his property, but until then, Mr. Hobbs, the property owner has asked that he be permitted to cross the board's property until construction begins in the future. Mr. Green feels there is a way we can offer him temporary access and protect ourselves from any liability. We will need to ask him to sign an agreement that releases the board from any liability and will include a revocable 30 day notice. Dr. Scott asked if we allowed him to continue to pass thru our property could a legal principal ("de facto") be established. Mr. Green only received notice yesterday and hasn't had an opportunity to review the request completely. He will provide further information to the board at a future meeting.

O. Items from Superintendent

1. Board Hearing with Santa Rosa Professional Educators (Step 3 Grievance - Dec. 2012)

The Superintendent asked the board to stay after the meeting for an executive session at the conclusion of the board meeting.

He asked Mr. Green, Board Attorney to review the procedure we are going to use for the Board Hearing with the Santa Rosa Professional Educators (Grievance 3).

Mr. Green shared with everyone that a grievance has been filed and the process under the Master Contract for Step 3 in a grievance is a hearing presentation before the board. The Master Contract does not set forth a procedure, but he has consulted with other board attorneys to come up with a procedure that would be agreeable to both sides. The process this evening will be for each party to be given 15 minutes to present their side. SRPE will be first because they filed the grievance. There will be no cross examination and no questions asked of the board. However, the board members will be able to ask questions for clarification purposes. After the board presents their case, they will deliberate and discuss the presentations. The Chairman will invite a motion and if seconded, the board will vote.

Mrs. Chavers, Santa Rosa Professional Educators came forward and distribute a booklet containing copies of the grievance, copy of board minutes approving the 2011-2014 Master Contract between the Santa Rosa County School District and Santa Rosa Professional Educators and copy of the language from the Master Contract. SRPE believes the two conditions set forth in the contract have been met, and is asking the board to immediately adhere to the contract language. She called attention to some issues about time lines. She asked the board to see page 4 and 5 of her hand-out which contains copies of SRPE's correspondence and a calendar to reflect her belief that all responses were filed and received in accordance with the Master Contract and Grievance Procedure. Page 6 contained the copy of the school board minutes where the contract was approved Sept. 2011.

Mrs. Chavers asked the board to look at page 7 which contained a copy of the page from the Master Contract which stated the following. Negotiated Wages for 2012-13 school year: As long as the two conditions below are met, the school district agrees all instructional employees with an evaluation of Highly Effective, Effective, or only one Needs Improvement in the two most recent evaluations, will move forward one salary level on the Grandfathered Salary Schedule as appropriate; and All ESP employees with Satisfactory or Above Satisfactory evaluations will move forward one level on the ESP Salary Schedule as appropriate, effective July 1, 2012. Conditions for forward movement on salary schedules: 1. The unassigned fund balance, as reported to the School Board at the final budget presentation in September 2012, will represent 7% of the estimated total operating revenue for 2012-13 and 2. The total operating revenue increases for 2012-13 over 2011-12.

Last Mrs. Chavers called attention to page 9, 10 and 11 of the hand outs. Page 9 contains a copy of the Final District Summary Budget for 2012-13. Pages 10 and 11 were copies from the final budget presentation which stated the District prepares its operating budget to maintain a three to seven percent unassigned fund balance to comply with the intent of Section 1011.051, Florida Statutes. As of June 30, 2012, the General Fund unassigned fund balance of \$13,765,621 is 8.8 percent of General Fund revenues. Page 13 contained a copy of the Florida Education Finance Program 2012-13 FEFP Calculation and indicates that Santa Rosa County's funding went up 4.17% from 2011-12 to 2012-13. In accordance to the figures presented, SRPE believes the board should adhere to the Master Contract and feels if the issue went onto arbitration, the arbitrator would rule in their favor. She asked David Godwin to come forward and make the closing statement.

Mr. Godwin, Pace High School teacher came forward and told the board that he met with Susan McCole, Assistant Superintendent for Finance at Mr. Wyrosdick's request to get clarification on the budget. He indicated that he received no information that changed his opinion on the budget.

Mr. Godwin reminded the board that back in 2009-10 Mr. Wyrosdick said that the district could no longer afford step increases and recommended to the board they be stopped, the board voted in agreement thereby breaking a long standing contract. At that time the district estimated they would have 5.1 million at the end of the year and we ended up with 24.1 million. He feels the district has a history of grossly overestimating expenses and that the district is not in a financial crisis as we have been told. He asked the board to be a watch dog and make sure all employees are treated in accordance with their contract.

He stated that when Mr. Wyrosdick presents his side, SRPE will be accused of not filing the grievance within the mandated time line and the grievance is not valid because an employee or group of employees did not sign. SRPE believes they did file in accordance with the time line and the president of the Union has the authority to file a grievance on the employees' behalf. The two conditions of the contract have been met. The district received more money in 2012-2013 than it did in 2011-12 and the district has a fund balance over 7%. He believes the arbitrator will rely on facts and therefore SRPE would win if the grievance continues.

He told the board a vote in favor of SRPE will reunite the school district but a vote against the step increase will further divide us. He asked them to please send a message of appreciation to teachers who have done a great job.

Ms. Lori Mans, an attorney with Constangy, Brooks and Smith, came forward and said she was here on Mr. Wyrosdick's behalf. She said the board should have in front of them additional documents that will help as the board considers this matter. They should have relevant excerpts that the parties agreed on and copies of the grievance and response to each step. After hearing from two people representing SRPE the board has a background on how we got to this point. She said there was no dispute on whether the contract was ratified. The specific grievance steps and process is part of the contract. The grievance alleges violation of one subject of the parties' contract. That is that qualified employees with an evaluation of highly effective, effective, or only one Needs Improvement in the two most recent evaluations, will move to the next level on the salary schedule if the following two conditions are met. #1. The unassigned fund balance, as reported to the School Board at the final budget presentation in September 2012, will represent 7% of the estimated total operating revenue for 2012-13 and #2 The total operating revenue increases for 2012-13 over 2011-12.

We are here today because Steps 1 and 2 were denied. She began by explaining that the first two parts of the grievance are procedural and although they might seem to be technicalities, they are still important. The grievance was filed and signed by Rhonda Chavers. The grievance has to be filed by an employee or group of employees. Ms. Chavers is not an employee of the school district. The second issue is the untimely response by SRPE to Step 3. Ms. Mans reviewed the time lines and dates of the correspondence.

This leads us to the third issue and the one we need to spend the most time on. There is a disagreement between the parties on the meaning of the language describing the conditions for forward movement on the salary schedule. Ms. Mans shared with the board that it was the Superintendents position that the 2012-13 Projected Unassigned Fund Balance be used to determine whether we had 7% estimated total operating revenue. It was never his intension to refer to the previous year unassigned fund balance. The Superintendent feels this was understood by the union at the time the contract was approved.

Based on the presentations, Ms. Mans urged the board to deny the grievance.

Mrs. Scott asked Mr. Godwin and Mrs. Chavers, in reference to his previous statement about causing a divide between the board and the employees “why would and what would the board have to gain by denying the grievance?”

Mr. Peden asked Mr. Green if the union could re-file the grievance and adhere to the time lines. Mr. Green said he did not believe the union could re-file the same grievance for the purpose of correcting the time lines.

Mr. Winkles asked Ms. Mans to review Article 4 Section 2 and review the time lines between Steps 1 and Step 2 of the grievance. Ms. Mans reviewed the dates of each documents. Mrs. Chavers disputed the dates and reference to a meeting that was made by Ms. Mans because she was out of the country at the time and could not have attended such a meeting. Mrs. Chavers also mentioned she had a copy of the e-mail message between Mr. Wyrosdick and herself where they agreed on the release of specific timelines due to the Christmas Holidays.

Mr. Wyrosdick confirmed that Ms. Chavers and he did agree to suspend the dates during the holidays.

Mr. Winkles asked Ms. Chavers what she understood the district would base their financial decision on. She responded she would have never agreed to use the Projected unassigned fund balance. She stated the reason September 12 date is in there is because that is the date used in the GASB report.

Mr. Winkles asked Mr. Green if we could make a motion to deny grievance based on the procedural process. Mr. Green responded that the board can state any motion they want to and they can deny the grievance because procedural aspects have not been met. Mr. Green stated that Mr. Wyrosdick has asked the board to deny the grievance based on three issues and they don't have to deny the grievance based on them individually.

Mr. Peden asked if the figures in the fund balance report that SRPE is using are accurate and Mrs. McCole, Assistant Superintendent for Finance confirmed they were.

Mr. Winkles shared with the board that he has been on the board for 24 years and the term unassigned fund balance used to be called Undesignated fund balance and that was usually a good figure. However, through the course of time we have learned you can't rely on the undesignated fund balance because we have had the legislature actually cut our funding half way through a school year. That's when we decided to use the estimated unassigned fund balance as our base figure for making financial decisions. He feels the language in the Master contract doesn't read what we had assumed. If the grievance is based strictly on language and how it's written, then he doesn't see any way not to uphold the grievance. It looks as though the Board interpreted it one way and the Union interpreted it another. Based on the language in the Contract, he moved that we uphold the grievance. Mr. Peden seconded the motion. The board voted unanimously in favor of upholding the grievance.

Mr. Wyrosdick stated that in light of the board's decision, there was no need for an executive session.

P. 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 21st day of February, 2013 A. D.

***SCHOOL BOARD OF
SANTA ROSA COUNTY***

Chairman

ATTEST:

Superintendent of Schools