



Duval County Public Schools

August 9, 2010, Special Board Meeting

Mr. Tommy Hazouri,
Ms. Brenda Priestly Jackson, Chairman
Ms. Martha Barrett
Ms. Nancy Broner, Vice Chairman
Ms. Betty Burney
Ms. Vicki Drake
Mr. W. C. Gentry
Mr. Ed Pratt-Dannals, Superintendent

CALL MEETING TO ORDER

[CALL MEETING TO ORDER - SPECIAL MEETING](#)

Minutes:

The Chairman called the Special Meeting to order at 2:54 p.m.

Topics To Be Discussed

[1. COLLECTIVE BARGAINING/FINANCIAL URGENCY](#)

Minutes:

Present:

Mr. Topher Sanders, Reporter, Florida Times-Union
Mr. Derrel Chatmon, Office of General Counsel
Mr. Walter Carr, Director, HR District Staffing
Ms. Vicki Reynolds, Chief Officer, Human Resource Services
Ms. Patricia Willis, Deputy Superintendent

Ms. Bonnie Upright, Chief Officer, Strategic Partnerships
Mr. DeAndre Jackson, Teacher

Ms. Priestly Jackson:

This meeting of the Duval County School Board is now convened in a Special Board meeting. I wish to extend a warm welcome to everyone present. The Duval County School Board is here, today, to set policy for the district that will improve student achievement and address other business items that require a vote of the Board. The management and day-to-day operations of the district are the responsibility of the Superintendent. It is not the role of the Board to make managerial or operational decisions. The Board has policies and procedures in place to assist the Superintendent in resolving management and operational issues.

As a show of courtesy and respect to each other, we ask that all mobile phones and beepers be turned off and that no flash photography be used during the meeting.

Thank you for taking the time to join us today and for your interest in the operation of the Duval County School District.

May I have a motion to approve the agenda?

Ms. Broner: Move the item..

Ms. Burney: Second

So properly moved and seconded.

1. COLLECTIVE BARGAINING/FINANCIAL URGENCY

RECOMMENDATION:

That the Duval County School Board declares "financial urgency" under Section 447.4095, Florida Statutes, in order to renegotiate certain collective bargaining contracts prior to their expiration.

Mr. Superintendent, is this your recommendation?

Mr. Pratt-Dannals: This is my recommendation.

Ms. Broner: Move the item

Mr. Gentry: Second.

Ms. Priestly Jackson: The item has been moved and seconded. Round-robin style, Ms. Broner.

Ms. Barrett: May we hear from the Superintendent?

Mr. Pratt-Dannals: Thank you, Madam Chair. I think it's, first of all, very important that it's understood what "financial urgency" is. This is an addition from a year ago in Florida Statutes 447.4095. It's in the Collective Bargaining area of the state Statutes and it allows school districts to modify their current Collective Bargaining Agreement if it's going to be financially constrained in terms of their ability to honor that current. It does not mean that the district is insolvent or unable to meet its current obligations. We will continue to have the required fund balance in reserve which is 3% and declaring financial urgency does not negatively impact our excellent bond ratings. Why do we need to do this? We're the only large Florida district with step increases in its contract that's unqualified by revenue and if you look at Salaries and Benefits from 2004 to 2010, Salaries and Benefits for Teachers have gone up 1.77% compared to the Cost of Living that is above the Cost of Living and during that same time, administrators salaries have gone up .67% above inflation and while I would never say that we're paying our teachers and principals enough, we have more than kept pace with inflation if you look at Salaries and Benefits over the last six years. During the last two years, no employees other than those that have a step in the contract, teachers and paraprofessionals, have received raises. Only one other school district has given a step in the past two years and they are not giving it for 2010-2011. As we look at steps, there's a great difference from step-to-step in terms of how much teachers make. It's from a low of \$139.00 to a high of \$8200.00. Twenty-five percent of the teachers received 75% of the money.

We're also looking at significant shortfalls next year with the loss of the federal stimulus money and not having the quarter mill added to our revenue. We anticipate at this point that cliff, starting in 2011-2012, is \$125,000,000. Where are we in the grant steps for teachers and paras? Not only will we be paying that this year, but it will become a part of next year's base as we begin negotiations. If we grant the step in all likelihood, we'll require either furloughs or further staff reductions or both. In addition, we anticipate there's a likelihood of a mid-year reduction. If you look over the last three years, we've had reductions of \$4,000,000, \$10,000,000 and \$17,000,000 over the last three years. So, each year, we've had a reduction. And, finally, we've done a lot of work on cost savings over the last two years. If you look at Cumulative Savings, it's \$124,000,000 over the last two years including reductions to the district staff, transportation, operational efficiencies. We've reduced time for students in which you know, the Board and I both were extremely disturbed having to do. We've dramatically reduced district personnel travel, we've eliminated cell phone stipends for this year, dramatically modified our health care benefits and we've done a lot of work on reducing costs through energy management and many more. So, it's my opinion that we do need to do this at this point. It also does not mean that it precludes the Board from doing something in connection with teacher salaries this year. It merely means that this moment in time limits us from being obligated to having to do that day one of the teacher contract time line which is fast approaching. It gives us the option to go into a 14-day negotiation process, although not limited to that, it simply means we have more flexibility on how to negotiate that current contract based on a

more realistic picture of our revenue this year.

Ms. Priestly Jackson: Thank you, Mr. Superintendent. Mrs. Drake.

Mrs. Drake: I'm not going to speak a lot on this. I think we need to move forward on this particular issue, basically, because by declaring financial urgency what this does is puts the matter on the bargaining table. At this point, we're kind of at a stalemate and we can't go forward or backwards. We, obviously, need to do something and move forward on this. By declaring financial urgency, simply says we can open up the contract and sit down and discuss it. This is when we now begin to bargain. We're not ending discussion by doing this, we are starting discussion with our union and with the collecting bargaining units that the union represents. Doing this will allow our bargaining agents to sit down with their people and to put on the table what the Board has to offer in the way of a settlement and they will bring to the table what they have to offer and they will begin those discussions that we always have at this time of the year. So, that's what all of this means at this point in time and I think it's important that we do that because we don't want this to drag on any longer. We want to settle something with our teachers and get them the best deal that we can and that's all what this is about at this point in time. So, I think it's important that we do this and move forward and begin these discussions so that we can concentrate on educating our children.

Ms. Priestly Jackson: Thank you, Ms. Drake. Ms. Barrett.

Ms. Barrett: I'd like to yield my time for just a few more minutes.

Ms. Priestly Jackson: Yes, Ms. Burney.

Ms. Burney: Thank you, Madam Chair. As I stated previously and in other sessions, I do have a problem with voting for financial urgency. My problem stems around the notion that when you look at not allowing or not honoring the contract that we established with our teachers through all the front lines...with our teachers who are dealing with our most valuable resources which are our children, yet at the same time as a district, not having a plan going forward that says we're going to freeze salaries, freeze spending, etc., that I think we're sending a message to our teachers and a message to the public that we are not really serious about the financial urgency matter. My problem is not with anything that we've done to date with regards to salaries. Our problem is with going forward with it. I have not seen anything from the district that is written that says, "From this date forward, as we establish the financial urgency, we will freeze salaries, we will freeze positions, etc." Nothing of that nature has been listed and I think we owe the public a little bit more than that to show them just how serious we are. We've talked about certain things that we've done as a district, for instance, eliminating the cell phone for our administrators and especially, more specifically, for our principals, etc., yet at the same time, we appear to have a problem when it comes to telling a vendor that we can not honor a contract that we possibly got into when we don't have a problem with sharing that same kind of information with our teachers which is what we're about to do.

I think, Madam Chair, well, I know, that I will not be voting for financial urgency and I think that as we go forward and truly look at as a district, what we're doing with our budget. We're kind of hit and miss, "helter skelter" right now and we've got to do a better job of looking at where we're headed, so, I won't be voting for financial urgency.

Ms. Priestly Jackson: Thank you, Ms. Burney. Mr. Gentry.

Mr. Gentry: Thank you, Madam Chair. Well, I certainly agree with Ms. Burney that we need to be more and more vigilant about our budget. What we are faced with, as I see it, this juncture, is that the fact that we're out of time and although it's the first time it's been in the public eye as we've been in these shade meetings, having to do with the teachers contract, this matter, obviously, has been something we've been worrying about, thinking about for a long time and we've come to the point where either the step that was negotiated three years or so ago when things looked alot rosier than they have turned out to be, is something that we don't have the money to pay unless we make other cuts to other employees given the present situation. We have made and the Superintendent, I think, has done an excellent job of trying to find ways to make cuts and to save money, I think this Board, and certainly since I've been on it for the last two years, I've been very impressed with its fiscal responsibility and we judge everything on a rate of investments issue and we're requiring everybody that comes before us to show us that the program works, that it's cost effective and we're asking alot of hard questions and we're starting to see alot of good results. I'm sure there are areas where we can do better and we're going to have to and I agree with Ms. Burney. I think, certainly, as we go into this next year looking at a potential \$120 million dollar shortfall, we need to be, right now, looking at what sort of things that we're going to do that will not totally devastate public education. So, it's a hard time and, unfortunately, this was negotiated at a time, I'm sure it seemed like a good idea, to lock into these annual raises. As it turns out with this worst recession and the history of this country, it's something that is not a good idea at this juncture and in my view, the salary schedule as it has been allowed to develop, is simply not fair to the teachers and it's not a good schedule. If we were to go forward with this, it would, as the Superintendent has said, it would give a nominal amount, \$12 a month to beginning teachers or something in that magnitude. The schedule needs to be readjusted and to me, at this time when we're faced with such a dire financial future, is a time to put everything back on the table and try to come up with the best way to make sure we pay all our teachers commensurate with what they should be paid to the extent we can in line with our budget. So, I want us to go back in a position to look at the teachers salary, as well as everything else, going forward. We can't do that unless we declare the financial urgency which is a collective bargaining statutory provision that allows us to say, "*I'm sorry, we can not agree to pay you this increase in the salary that was negotiated three years ago. We need to sit back down.*" That's what it says...that's all it says and we're saying that because we're looking at a \$120 million dollar shortfall next year and right now, we have a \$6 million dollar deficit of which is certainly a financial need. So, I think we have to do it. I think it's appropriate. I certainly

understand other Board members who have concerns and I certainly agree that we need to cut and cut more and be more frugal, but the fact that we can point to some program where maybe we didn't get every possible penny squeezed out that we could, doesn't mean that we shouldn't start doing the right thing now. Again, I think this is the right thing and I know other people may disagree. It does bother me and I just want to say that breaching the contract bothers me. It bothers all of us but I think that's why the law's the way it is that it permits this sort of process so that you can go back and relook and I think we should do that...and I just, one other thing because some people may go back and look at the transactions that have been done and say, "*Well, we shouldn't have done that.*" and that's probably true but alot depends on whose point of view it is. I know this contract for the audit has been raised. "*Well, why did you spend \$500,000 on that a few months ago if you're going to intentionally pay the \$6 million dollars to the teachers?*" Well, the answer to that is that \$200,000 of the \$500,000 is being paid by the Foundation and based on the presentations we've got, we could reasonably expect the return on the investment in terms of what we will earn and the savings we'll make will be bigger than the \$500,000. So, we make those kinds of decisions and not everyone here on the Board agrees with that and that's why we have a Board, but the majority of us concluded that the return on the investment on that, particularly given the fact that 40% of it is being funded by another entity was a good return on the investment. Long term was a good thing to do and time will only tell. So, I think you can look at everything that we've done in that light and in my view, the Board has been very in depth at scrutinizing things. We have members of this Board who really get into the details and we're all going to have to do more of that. So, to me it's an opportunity to sit down with the teachers and try to come up with something that, hopefully, is more fair to all of the teachers and more consistent with our finances and as we look forward and not being locked into this schedule that was designed three years ago. So, I think we need to do it in order to be able to move forward and what I think...hope is going to be, the way we're going to approach everything over this next year.

Ms. Priestly Jackson: Thank you. Ms. Broner.

Ms. Broner: So, I'll pick up kind of where you left off...the problem is I agree with everybody. I agree with everything that's been said, pros and cons, do it, don't do it, all good and reasonable contributions to the conversation. Nobody likes having to be faced with making this decision. I'm going to vote for the financial urgency and I want to be clear about why and for others to understand. Since I got on the Board in 2002 with Brenda and Vicki, we have made a strong commitment to raise teachers salaries and when you look back over time, I look back to 2004, I didn't pick up the last two, but every year, we have a 28.09% total increases in teachers salaries as far as adding up each year which averages 4.01% per year and we've stayed the course on that. Last year, we had a very difficult conversation about this about going forward with the steps and we knew this mechanism, financial urgency, was there in case we got into the situation that I feel that we're in right now. So, I actually see this as an opportunity to give us flexibility to do something better than what we have

been doing. I don't know that the public really knows that a step increase for a first year teacher equals \$139.00 for the whole year. I think we can do better than that. I think the salaries schedule is upside down. I think it ought to be more equitable. So, I agree with some of the statements that have been made that this will allow us by opening up the contract, as much as I also don't like to even think about the word "breaching" the contract, that's what it is, but opening up the contract allows us to get in and negotiate and I think, now, the negotiations begin...they don't end. This particular contract, we're only talking about teachers and paras...there are a lot of other employees we have in our district that this does not address. For example, UOPD's haven't gotten a raise in two years. So, we have a lot of areas we need to address and I'm all about having more flexibility to be able to do that.

One other thing and then, you know, as far as the being fiscally prudent, I really agree with Mr. Gentry and him building on what Ms. Burney said about being really scrutinizing every agenda item that came before us that costs money and we dug deeply into it to make sure that the results were there that related, whatever it was, to academic achievement and, I think, that has been our posture, I think it will continue to be our posture, but I'll be on this Board until just November and at this point in time, it was said earlier, we have to make decisions on what we feel is the best decision for the district where we sit right now and I feel that we have to declare financial urgency, open up the contract, see if we can negotiate a more equitable experience for our employees and I do not want to leave the Board and have next year's Board have to have this same conversation after all of the stimulus money goes away and possibly be talking about even more difficult cuts of employees or programs and when we look at the big ticket items, all that I see left are the untouchables that, I'll tell you, if you touch art, music, p.e., guidance or media, I'll be down here as a public speaker next year...but, I think these are the areas, we've cut the big ones. We have cut \$124 million dollars out of our recurring budget in the last 24 months. So, I don't think we have anywhere else to go, so for those reasons and because I feel that this will be in the process of negotiating with our employee units, I'm going to vote for financial urgency to give us that flexibility.

Ms. Priestly Jackson: Ms. Barrett.

Ms. Barrett: Well, this is probably the most difficult decision I've ever had to make on this Board even with the bus contract, as difficult as it was. Regarding the financial urgency, I've spoken to the Superintendent on Thursday afternoon while we had lunch and I said all along that these two words to sound a lot scarier than it really is, certainly to the people in the community, it's going to be very scary. And, all of these things were negotiated when I was here and we had some good times, especially in the early 2000's and up to, even with Joey in 2005, 2006, and 2007, were probably the best years in terms of negotiations. I'm going to vote for financial urgency but...because I do believe that it will free us up to negotiate. I think we are in a \$120 million dollar shortfall but we want to give teachers the best out of this. I have confidence in the Superintendent and I don't know about anybody else, but I have

confidence in the Superintendent and we will hold you, Mr. Superintendent, responsible because this will pass, obviously, because I can count votes and you and your people will be responsible to make it good for the teachers. We will be watching you, I will bet you that, and we need to raise teachers salaries. I don't believe that first *year* teachers should get \$139.00 nor do I think somebody with 22 years should make \$8,000, that's just not fair. What is fair is fair for everybody and that's what I want to see. I want to see flexibility. The only humorous thing with this whole thing was when I asked about furloughs and someone mentioned UOPD and I said they haven't gotten a salary increase in three years and they're going to get furloughed? That's ridiculous and that's not fair, so those kinds of things...we can stop the furloughs and stop those kinds of things immediately and that's what we should do. I think they're great...I love Terrie Brady...I love the teachers and this is the hardest thing I've ever had to do since I've been on this Board, but I know it's the right thing and we're going to be watching you because...we're going to give you all of that...obviously, that...keys to the City as Mayor Godbold used to say, "*You've got it but you better do well with it because if you don't, we will never...*" I will never forgive you and neither will the teachers.

Ms. Priestly Jackson: Mr. Hazouri.

Mr. Hazouri: Well, as Mayor Hazouri used to say, "*There's never been a contract that I haven't honored*" and, I can still say that today. As a legislator, as a mayor and being on the School Board, I think that we made a commitment. We knew it was in the language last year and it hasn't changed. Out of respect for everybody here and certainly the Superintendent, and I think the Superintendent is doing what he feels is best...confidence...the question to me is the credibility of this whole process and how we got here in the first place. I think that we all know we're experiencing some touch and (*inaudible*) times and, hopefully, it will be better in the next couple of years. I think that we can take this contract...financial urgency to me is that we've done everything that we could do and still find ourselves that we can't really afford to really do the steps that we promised. I think if we adopted it without financial urgency, we could still sit down at the table and negotiate all around the amount of money that we're...that's what collective bargaining is...all around the amount of money and the issues at the bargaining table. They may get \$6 million and steps, and certainly, we all know that the step schedule needs to be changed...it's ridiculous...the first few years, the middle years and, certainly, the end years...Step 7 is backwards to ones and about 40% of our teachers are saying they're only about 75% in between and the 25% of our teachers are getting the bigger raises...20-23...who has been around here for 95 years? Maybe Ed, but it really does bother me and I wonder and have a question...Where is the financial urgency when we hired consultants...we would not need it now or, perhaps, even in the future. How we fill positions...where's the financial urgency when we fill positions...it should be delayed, froze or even, quite frankly, even eliminated. I believe, again, we should honor our contracts, honor what we said we're going to do and mean what we say and negotiate from there. It's very difficult and I know we all love our teachers, some of us are married to them...Brenda and I are...and beyond that, we've always

supported our teachers and I don't think anybody here hasn't. I mean, we know that they're under paid and they're not in it for the money but the morale among our teachers, probably among the whole district and the district throughout the state, is really low, and especially among our teachers when we have to deal with the FCAT issue like we had these past few weeks with Commissioner Smith and whatever due diligence he did or didn't do for the scores. It continues to be a morale buster, I think, for our teachers, even our students and our parents. Senate Bill 6 is still *(inaudible)*...one more test and less teaching times. The paperwork still exists...the over abundance of paperwork...*(inaudible)* just to name a few and the beating of our teachers, I think, still goes on. I think that we agreed to a contract with our teachers...I hate the fact that "yes" we have a loop hole and it is in Chapter 447, our collective bargaining law that allows you to declare financial urgency and not keep your word. As the chairman of this committee for 8 years when I was in the legislature, everything was bargainable including pensions...everything. They challenged whether pensions could be bargained back then...everything. So, it's been an ongoing year, you can still bargain, you can still accept what we committed to with those steps and they are great steps. It is \$6 million dollars and we realize that, but I still say that you can go to the table with or without financial urgency and deal with our teachers and negotiate and hammer out. I know the good contract and when next year comes around as times get better, hopefully, we'll have a better pay scale for them and our situation will be better but how, we can go back, read the contract...not honor the contract...to me, doesn't speak very well for our commitment and I don't say that you all aren't doing this for the right reasons, I never questioned your integrity on this...I do question the fact that this Board, including me from time to time, I guess, would look at issues and say, "*Well, you know, we could skip out on this one and come back and do something else down the road.*" I believe that we made a commitment with this...with our contract and we should honor it and we should go to the table where it was properly, Chapter 447, placed, that we can negotiate sitting down for all of the different unions and hammer out our differences and hammer out a viable solution for this year's budget. And, so with that, I'm going to vote not to...I'm going to vote against the financial urgency. I think the urgency, while it may be there, it hasn't been there as far as some of the issues that we've continued to let go and not see and not recognize things that we could cut, eliminate or even not have it all down the road...even delay. So, with that, Madam Chairman, I'm done.

Ms. Priestly Jackson: Before my comments, I have a few questions for the Superintendent. What is our current deficit today...not what you projected to be the deficit for 11/12 but as we sit here and seek to make a decision today, what is our deficit?

Mr. Pratt-Dannals: \$5,000,000.

Ms. Priestly Jackson: We are in a \$5,000,000 deficit and that deficit provision - steps being awarded, correct?

Mr. Pratt-Dannals: Yes.

Ms. Priestly Jackson: Did we get an answer earlier on how many teachers at each step? That was something that we were asked.

Mr. Pratt-Dannals: We have a chart...I'm not sure...*(inaudible)*

Vicki Reynolds: I think....*(inaudible)*

Ms. Priestly Jackson: Would you like to explain?

Mr. Pratt-Dannals: Bachelors and Masters at each level..is that what it is...ran together?

Walter Carr: No, that's a pay types...let me get...

Ms. Priestly Jackson: The reason I think this is important, I think it's important for us to know who is impacted on the schedule and I also think that we must not collapse several years of history in a conversation about our step schedule for today because I believe we received information indicating that it often times depended who..what step they felt was most over looked at any given year that might have gotten a clump for that year that we now see the end results of it this particular year. So, I think that's a separate conversation but I'd like to know who's impacted and where...*(inaudible)* it's going to be how many in each step.

Walter Carr: OK, so, if you follow along the top of this sheet, those numbers will represent the step that everybody is at. So, 1,2, 3, 4 up to step 95 and 95 doesn't represent the number of years; that's the incumbent step that you have to have more than 23 years and your last year has to be here in Duval County. Then, if you...let's use the column number 1 for the explanation; you go down to the bottom of column 1, you see that there are 413 teachers at step 1 and those 413 teachers, if they were to get their step, it would cost \$57,407 and so then you could go across each column and you get a collective amount of money and this represents 5,332 teachers of the 8,500 teachers that this is operating. This does not include federally funded, state funded or grant funded teaching positions when they pulled the information but it gives you the representation and you would expect that the numbers if you stretched them out to 8,500 would equal the same incentive. So, if you look at years 1-5, that's approximately 37% of our teachers. If you added that up to the 7th year, you'd have approximately 49% of our teachers. If you come the other direction, use 18 through step 95, you'd have approximately 24% of our teachers.

Mr. Hazouri: You said 18?

Walter Carr: 18 through 95 is approximately 24% of our teachers.

Mr. Hazouri: You meant 6 and 7 is 49% or...?

Walter Carr: 1 through 7 years is 49% of our teachers; through 5 years is 37% of our teachers. So, you pick up another...

Mr. Hazouri: 8 through 17...

Walter Carr: 18...8 through 17 would be the remaining amount...so 49 and 24...roughly 27%.

Mr. Hazouri: Alright.

Ms. Priestly Jackson: I want to talk...I appreciate the information...I think that will be... further to have conversations when the Board takes additional action in terms of who is where and understanding that 23 to 95 is actually collapsed. There are people of different years in that 95 year range...correct? That's kind of like when you are...

Walter Carr: 95 to 24 years of....

Ms. Priestly Jackson: Right, right, right...because that's...that's not people reflected on the scale of what we have in front of us. OK. I kind of concur with comments made by Board Member Hazouri and Board Member Burney in terms of definitions of financial urgency and the lawyer in me wants, you know, to look at the actual statute...for myself to just, kind of read it, it says, "*In the event of a financial urgency requiring modification of (inaudible) Chief Executive Officer or his representative and the bargaining agent or its representative shall be, as soon as possible, can negotiate the impact of the financial urgency.*" And so, it appears that the financial urgency that we are representing right now is our inability to honor our contractual obligation to our teachers...the ones that were made in good faith. That is troubling and problematic for me because I feel that we have not been consistent in our financial outlook on the district as a whole in terms of certain comments made earlier by Board Member Burney and Board Member Hazouri. We have not held fast and held harmless all other entities. There's a perception that we have chosen selective to spend on what we felt on what we wanted to. I have always maintained and always believe that the most fundamentally ingredients to the health and wholeness of our system are two things: teachers and students. That, in all times, we must make certain that we honor our commitments to them. We have teachers that are disseminators of knowledge and information to our young people and young people are our future and our hope and I think that by declaring financial urgency or balancing our budget, at this particular time, in light of the other decisions that we've made as a district, on the backs of our teachers, is not fair. Some have upheld and contended that this statute simply allows us to begin the bargaining process. Well, I will contend that three years ago teachers...well, two years ago, teachers bargained. They bargained for a multi-year contract at that time and in that contract, there were steps. Steps did not just come to the contract three years ago. Steps may have been in the contract, I don't know, maybe always...I know as long as I can remember in my 43 years, they have always been a part of the contract. So, steps are not a new concept. Steps have always been a part of it. I don't believe that I've seen the fiscal discipline from the district on a whole to indicate or to support a position right now to not honor our financial commitments to our teachers and honor the contracts with obligation. I asked what was the current debt as of today because you

will hear a lot of numbers bantering around \$120 for next year...one that...I am a Board member. I made the statement earlier...I am the Board member elected to make the decision that I feel is in the best interest of the district, today. Today, the Superintendent represents to me, that either the commitment to teachers, it will be an additional \$5 million dollars. I believe that we have spent other funds that may or may not equal up to that amount on things that we have chosen to do and that if I would have seen overwhelmingly fiscal discipline in terms of all of our expenditures...if I were to have seen it in...as Mr. Hazouri said, "*not filling positions, not awarding pay raises with positions...*" if I would have seen that, then I would have been the first person to be supportive of financial urgency. I have...I'm not comfortable with using this as a mechanism to not honor the contractual arrangement we have with our teachers and I am very concerned with not only public perception of nuances of financial urgency. You may talk about in a room or talk about it as a collective bargaining agreement...it's going to create a whole different dialog in the community on a whole regarding our financial well being. Additionally, I think it's going to create serious morale issues for our teachers for the upcoming year. It has nothing to do with the dollar amount as you will find no one goes into teaching because they desire to become wealthy. They go into it because they, by and large, have a heart for changing the lives of young people and in times, they made that choice when in other industries, they could have gone to corporate America and made a windfall, but they chose to be public servants which teachers are, at a time when many looked with the profession with a side-long glance and so, I think that it is unfair not to honor the covenants and commitments that we have made to them. I don't believe based on the past practices of what we have done more recently in terms of how we've decided to spend and what decisions that I felt we could have waited to make in terms of awarding, perhaps, pay increases commiserate to whatever the positions are. I believe those were decisions that were clearly in the purview of the Superintendent and could have sent a more consistent message by us, as a Board, to hold fast in all of those to say that we all feel the pain together. We're all going to come to the table together and make the best decisions and so with that in mind, I don't believe that financial urgency...I believe and I'm going to ask (*inaudible*) history...I should have done before I came today but I...collective bargaining...I believe it was definitely on the horizon to anticipate that these other decisions would have been made by the district to necessitate and we would have frozen positions. You would have actualized cost savings in every way that you could...that you would have sent a consistent message. I don't believe that it was put on the table simply as a mechanism to undercut your obligation to the teachers under contract. This contract expires next summer, it will then be incumbent upon that Board to make the decisions based on the financial landscape of the district at that point or what is best and how best to move forward to make certain it can accomplish its goals and missions. For me, today, I don't believe we're in a financial urgent situation, so with that, I will not be voting in support of financial urgency, thereby, voiding our current contracts (*inaudible*) School Board moving us down the road, but negotiations, possibly will pass. There's a process and could you articulate the process after this is voted in...could someone share that, Mr.

Superintendent?

Ms. Vicki Reynolds: The process in the statute is that I will immediately put the unions on notice that we want to sit back down and...sit down and negotiate. We have a 14 day window. During that 14 days, the union can not file an unfair labor practice. We are protected during that period. At the end of that period if we haven't reached an agreement, then after discussing it with the Superintendent and the Board, we...either party can declare impasse at that time and go through the impasse procedure which is a totally different procedure.

Ms. Priestly Jackson: I understand...so, 14 days from now...the first day of school...you have from now until then...after this vote is...Ms. Burney....

Ms. Burney: Madam Chair...Mr. Superintendent, I articulated and so did Mr. Hazouri...I think everybody said...it's going to be difficult that we have some teachers going back to school this week and we can all anticipate what the headlines...What is the district prepared to say to our teachers?...You lost this vote (*inaudible*) So, what will the district say to our teachers with regards to this vote?

Mr. Pratt-Dannals: Well, I think we'll follow much of the information that we presented earlier and that is it is our intent to enter into this negotiation process with the bargaining unit and if something can happen within two weeks, it will...if not, our intent would be to move forward until we can come up with a negotiated agreement...that we value our teachers and principals and other staff, but because of not only where we are now but where we look to be next year, that assuming the Board votes in the affirmative, that the decision of the Board to declare this in order to be able to reopen contract negotiations in order to modify them as opposed to what is in there, currently.

Ms. Burney: And, with that being said, my next question would be, "What will the district then do?...What will the district provide to this Board to say what its policies will be for the next year or however long it takes until we can see some additional funds come in so as we declare financial urgency now?...(*inaudible*) what I talked about before? What are some of the things the district is going to say to the public that it's going to do or say to this Board that it's going to do to show that it is truly at a standpoint?

Mr. Pratt-Dannals: Well, I think some of it depends on some of the so-called triggers that Ms. Broner mentioned earlier. I don't think we're out of the woods yet and there were five areas that were discussed...some of these could go up or down...some are, if they happen, they're down...some are potentially up and I'll just mention those rather quickly. Enrollment could go either way. If it were higher than we had projected, that's a plus because...well, it costs us more to higher the teachers...often we can accommodate those students with an existing capacity. If it goes down, typically, that means a hit on the budget. So, that could go either way. If we have a mid-year reduction, that's a potential negative. As we shared

earlier, in the last three years, we've had a mid-year reduction between \$4-17 million dollars. If we have a lower than anticipated collection rate...in the past, we've had a 95% anticipated collection rate...this year the legislature bumped it up to 96%. Many people believe that's unrealistic. If it comes in lower, the budget had to be built on 96% because that's what the legislature told us we had to do. So, if it comes in lower, that could be a negative. The Class Size Amendment vote could really go either way. If it's accepted, it would give us the kind of flexibility that we've already looked at. If it's not accepted, it could over time, impose a penalty that would require us to spend even more of the district's funds beyond what we received for class size in order to fulfill the class size, if in the following year there's a stronger penalty than there is this year. And, finally, there is some Job Bill that's pending before the federal Congress. I understand it's going through the House this week and so, potentially, that could be a plus we could look at. Again, as far as the dollar amount, we'll have to see what those impacts are. But, it is incumbent upon us to look at every dollar that we spend. We're going into a process that we do each year only this year, it's going to be earlier and even more rigorous. We're going to review starting within the next month, as soon as we can open school, through December, a rigorous dollar-by-dollar position-by-position review of all our spending in the district. We've done that in the big ticket items and the big buckets...we'll do that this year and certainly every item that came before the Board got that kind of rigor, but this will probably be the most rigorous review that we've had since, at least I've been, in an administrative position and I think we have to that not only in terms of the amount of district staff, how they're positioned, how much they're paid, but also what are those things that are ongoing and expenses that we could either reduce or eliminate. We shared with you earlier the rigorous process the academic programs have done this year. Looking at our programs; looking at our costs; looking at the impact...we'll be redoing that not only in that area but also in the area of Operations in terms of how we're doing contracts, looking for efficiencies and effectiveness in order to make sure that each dollar is spent wisely. I don't think it will ever come to the point where we will stop spending because the other part of the equation is that we need to make sure that we're making gains in academic achievement. So, that's the balance on the other side as we also have to have effectiveness as well as efficiency. I do promise to the Board that we're going to go through a very rigorous process and ensure that we will reduce everywhere possible without impacting the effectiveness in terms of long term academic achievement for students.

Ms. Burney: I'll share this with you, Mr. Superintendent, then...when the district goes out to make its case to the public, that the public is going to hear certain words. Certain words the public will want to hear is one that starts with an "f" - freeze - that...because they're going to say "financial urgency" (*inaudible*) continue to do some things; you're going to say you'll be looking at it...a close look at it...our Academic Services estimated program costs...we are adding more than we're cutting, so this is not something that I think we want to have someone saying that we've done some things when you look at the bottom line...cost of the programs for 2009-2010 was \$30,440, 352; cost of programs for 2010-2011- \$30,

(inaudible) - so, we didn't do a whole bunch of cutting...we need to take a real look at what this actually says. So, I think that there's some tough choices that we've got to make and as a Board member, I will want to hear a little more stronger wording and we're going to look at some things. I want to hear some strong wording that you're going to freeze some things; you're going to stop doing some things; it's logical, I mean, we can't stop spending, but we've got to take a look at that when we go out and say things to the public, everything is public record and, of course, the union and anybody else, they say, actually, when you flip it over and go to the bottom line...not much...not much. So, I think we just need to do a better job and if we're going to say it, we need to make sure we're going to show it. I'm done now.

Ms. Priestly Jackson: Now, do any of the members have anything they wish to address at this time? Say, no further discussion, members will please register their votes.

Mr. Hazouri: (inaudible)

Ms. Priestly Jackson: I am going to say that. The item reads:

"That the Duval County School Board declares "financial urgency" under Section 447.4095, Florida Statutes, in order to renegotiate certain collective bargaining contracts prior their expiration."

All those in favor, signify by raising your hand - 4.

All those opposed - 3.

Vote: PASS

Motion: Nancy Broner
Second: W. C. Gentry

Nancy Broner - Aye
Martha Barrett - Aye
Betty Burney - Nay
Vicki Drake - Aye
W.C. Gentry - Aye
Tommy Hazouri - Nay
Brenda Priestly Jackson - Nay

Your item passes, Mr. Superintendent. We are adjourned.

Adjournment

[ADJOURNMENT](#)

Minutes:

The Special meeting adjourned at 3:46 p.m.

Isd

Superintendent

Chairman