

Negotiation Meeting minutes
Tuesday, December 13, 2016

SRCSD Representatives: David Gunter, Darren Brock, Warren Stevens, and Tonya Shepherd

SRPE Representatives: Rhonda Chavers, Landra McCrary, Marie Bodie, David Godwin, Tamela Strickland, Ruth Blackman, and Jeannette Miller

Meeting was called to order at 4:06pm.

Rhonda Chavers opened with new language regarding “Article V” – working conditions in reference to entering and updating Progress Monitoring Plans (PMPs). (See page 3 of Attachment 1).

Marie Bodi stated that Gulf Breeze High School’s ESE department chair is responsible for as many as 400+ PMPs. There’s no consistency across the District as to how often PMPs are open, how often to update, etc. Chavers stated that she thought this was addressed, but apparently it has reared its head again.

Chavers continued with additional language regarding “renewal” and “automatic” contracts. Chavers continued to state that they (SRPE) want to go on record withdrawing any grievances they (SRPE) have pending.

Chavers turned it over to Godwin. He presented the “Bargaining Scorecard” (see Attachment 2). Godwin stated that SRPE has come down more from their original offer than what the Board has come up. Godwin reviewed “Administrative Salaries from Operating (not including benefits): Projected vs Actual (see Attachment 3). Godwin discussed the percent (%) of projected spent suggesting that the District has overspent on administrative salaries since the 2009-2010 fiscal year; for a total of \$5,555,008.96 + \$842,694.86 in additional benefit costs from operating, for a total of **\$6,397,703.82** over spent on administrative salaries from the 2009-2016 fiscal years.

Godwin stated that despite what was spent over budget on administrative salaries, SRPE has another offer. Godwin stated that SRPE is coming down another \$125,000 from the previous offer (see Attachment 4). 1.3% cost-of-living increase for ed-support, instructional effective, instructional grandfathered highly effective, and instructional performance pay highly effective. 1.3% performance pay increase for ed-support and instructional effective; and 1.7% performance pay increase for instructional grandfathered highly effective and instructional performance pay highly effective.

David Gunter stated that the parameters of SB736 may present an issue with how SRPE’s offer is structured and the total amount is going to be higher than what the board can accept at this time. Gunter acknowledged the movement on SRPE’s latest offer and stated that increasing offers have been made and continued across the table from the beginning by District. Gunter also noted that he appreciates the offer reduction from SRPE but pointed out that the District basically received 1% in new money from the state and SRPE’s original offer asked for 4 times that amount. Gunter reviewed the fact that the District has continued to make incremental offers in

hopes that SRPE would move and present an offer more in line with what new money was available.

Gunter continued his response and presented “SRCSD Responses and Counters” (see Attachment 5). Gunter stated that he dropped several items of language that could have been opened and presented the vetted language as requested by Chavers at the last meeting. Gunter reminded everyone that the Superintendent and Board would like to settle and the language did not change from the previous session other than to be reduced and vetted with the re-opener clause as requested by SRPE. The major issue from the Boards perspective deals with the contract renewal language being requested by SRPE. Gunter presented a case: St. Johns Education Association vs School Board of St. Johns County, Florida (see Attachment 6). Page 16 begins to lay out the format for reappointment of teachers on annual contract and presents the legal foundations as to why the District believes renewal language is not only not allowed by law but it is identified by other law and case precedents as an unlawful subject of bargaining.

Gunter reviewed page 18 and provided Florida statute (Attachment 7). Bodie stated that the brief is being presented, but where is the judgement? Bodie stated that SRPE needs to see the judgment, not the brief. Gunter told Bodie the judgement in this case dealt with impasse but the legal arguments against renewal language are the same as what SRCSD holds. Chavers stated that this case is an impasse case, when they would need to look at the whole entire thing. Gunter stated that’s fine and the entire case is public record and available through PERC where SRPE can look at all of that, but SRPE asked questions last week and wanted legal foundations as to why the District opposed renewal language so this document represents “question asked, question answered”. Gunter stated if SRPE has can find a judgment or legal foundation to support their case then that can be brought to the table. Chavers thanked Gunter for what he provided, but stated that they would check with their legal counsel on all of this.

Godwin sought clarification of SB736 as it relates to cost-of-living for performance pay employees. Godwin says that cost-of-living cannot exceed 50% of the annual adjustment. Gunter clarified with his understanding of how it should be applied and stated the bigger issue at this point is the total amount of the offer and getting that settled. Both sides will seek further clarification on the COLA issue.

Gunter presented a counter offer (see Attachment 8). This will be an incremental offer. 2.0700% for highly effective and 1.5500% for effective. This is the proposal that the Board is willing to put on the table at this time. Godwin questioned as to whether administrators would be considered for a highly effective raise. Gunter stated that he would have to talk with the Superintendent about that but administration is not in the SRPE bargaining unit. Godwin then stated that they would like ed-support considered, but was told at last meeting that it was against SB736. Gunter stated that was the case but he would clarify that.

Landra McCrary stated that ed-support should be included because they are an important part. Gunter acknowledged that ed-support is a vital part of what is done in the District. Gunter asked if ed-support would be willing to go on annual contract in order to have access to performance pay because that is what a teacher has to do to be considered for performance pay. Darren Brock

pointed out that administrators are on annual contract as well which is why they are subjected to performance pay.

SRPE wanted to caucus.

After caucus, Godwin opened with the 2015 Strategic plan; highlighting #1: manage fiscal practices to maintain a financial condition ratio of 5%-7% (see Attachment 9). Godwin stated that based upon this, SRPE is not willing to accept the Board's last offer. Gunter asked if they (SRPE) had a counter. Godwin said "NO." However, Godwin did seek clarification again on the interpretation of the cost-of-living adjustment being in addition to the annual adjustment. Godwin doesn't believe annual adjustment is defined as performance-pay adjustment.

Gunter stated again that we can certainly clarify the COLA issue, but the bigger issue is going to be what is any potential salary increase going to cost? The District is at \$2.2 million and SRPE is at \$3 million. Godwin stated that the last proposal the District gave, the District only came up \$75,000. Gunter reiterated that since the 3rd of October, the District has continued to offer, and offer, and offer, and only tonight has SRPE decided to reduce their offer again. Gunter pointed out that when the District has to move the offer up that many times trying to indicate to SRPE they need to move down more there is no room to make big moves especially in light of the fact that prior to the session tonight SRPE has not moved since October 3rd.

Bodie questioned why Gunter is keeping track of how many offers the District has made? Gunter stated that he is not and pointed out to Bodie that the District is not the one handing out "scorecards" across the bargaining table instead of legitimate salary offers. Gunter reiterated that the District has steadily increased salary offers at every session in genuine attempt to settle as soon as possible and get money to the employees. Gunter stated that we can sit here and argue process and twist semantics, but he would rather devote the time to settling the contract. Chavers agreed, and said, "Let's just move forward."

Gunter provided clarification on Godwin's claim that the district over spent the budget for administrative salaries (see Attachment 10). Gunter stated that the numbers Godwin presented included all of fund 100 object 110 a summary item on the report he used. When you take out all of the personnel that are not site-based or district-based administrators, the district only spent \$8.1 million. Chavers stated that she doesn't believe this is correct; it can't be reported to the state that way. Godwin stated that the numbers he presented came from DOE.

Gunter asked and clarified that Godwin's calculations were attempting to show that the District overpaid administrative salaries and underpaid teachers. Godwin confirmed that was the intent. Gunter noted the errors in the calculations and stated that is not the case. The numbers when calculated correctly clearly show that the district only spent 89% of what was budgeted in 15-16 on what Godwin and SRPE identify as administrative salaries. Gunter also noted that what SRPE presented previously would show that the District spends more on a percentage basis on salaries for the bargaining unit and teachers than what is spent on administrative salaries.

Chavers questioned the Superintendent's salary; stating that there is a flaw in the document presented. Godwin stated that what he presented was what was budgeted and what was spent.

Gunter noted that Godwin is making the assumption that this total amount was only for site-based administrators and district-level administrators but the report provided by Gunter clearly shows other salaries were included in the number Godwin used for his calculations. Godwin says that the state report includes ed-support as instructional. Gunter says he understands what Godwin is doing, but feels it is too broad of an assumption and creates inaccuracies the calculations. McCrary asked why an Assistant Superintendent is being included as a site administrator. Gunter stated that they are not but what the report is showing represents categories of employees which were all included in the number that Godwin and SRPE assumed only represented their definition of administration.

Gunter restated that his desire and purpose here is to settle and even though SRPE does not have a counter, he has another offer to present.

Gunter presented an offer of 2.2% for highly effective and 1.65% for effective with both parties agreeing to drop all language (see Attachment 11).

SRPE elected to caucus.

SRPE rejected the offer.

Godwin opened with a counter (see Attachment 12). He stated that SRPE has come down another \$125,000 for a total cost of \$3.2 million. Gunter stated that this proposed offer was still outside of what has been approved by the Board.

Gunter noted that the Board and the Superintendent would be sorely disappointed that we could not come to a settlement prior to the break. Gunter asked again if SRPE is willing to say no to the \$2.3 million sitting on the table and go into Christmas break with no closure for the employees. Chavers said that SRPE is willing to do so and wanted to schedule to meet after the break. Gunter stated then so be it, but the Board has nothing left to offer and everything approved by the Board has been put on the table at this point. Gunter noted that short of SRPE's willingness and ability to move into the \$2.3 million range, the District has nothing left to offer. Gunter asked if they want to caucus again and reconsider. Bodi stated "we're packed up."

The meeting was adjourned with no future date identified for a next possible session.