

## **I. Call to Order**

Call to Order: Chairman Holcomb

Present: District 1 – Joe Arnold  
District 2 – Malissa Morgan  
District 3 – Dixie Ball, Vice Chairman  
District 4 – Amanda Riedel  
District 5 – Jill Holcomb, Chairman  
  
Ken Kenworthy, Superintendent of Schools  
Tom Conely, School Board Attorney  
John McClure – Special Counsel to the Board

Okeechobee County Education Association #1604:  
Graham Picklesimer  
Frank Peterman  
Lisa Harwas  
Mike Ingram  
Scott Nichols

Invocation: Tom Conely  
Pledge of Allegiance: Led by Chairman Holcomb

## **II. Opening Items**

**Jill Holcomb, Chairman**

### A. Purpose of Legislative Hearing

This is a public hearing conducted by the School Board of Okeechobee County, Florida ("School Board") pursuant to §447.403, Florida Statutes, to resolve impasse(s) in negotiations between the Superintendent of the School District of Okeechobee County, Florida ("Superintendent") and the Okeechobee County Education Association ("OCEA") involving unresolved issues in the 2017-18 Collective Bargaining Agreement for Instructional and Classified Personnel.

The Association declared impasse and invoked the statutory impasse procedures set forth in Chapter 447, Florida Statutes. OCEA requested that the parties proceed with a Special Magistrate Hearing which was conducted on December 15, 2017. Both parties and members of the School Board have received copies of the Report and Recommendations of the Special Magistrate. The following items are not settled: Instructional Article XI.A. Salary Schedule, Instructional Article XII.I Outcome of Final Evaluation, and Classified Article XI.D. Salary Schedule, Classified Article VIII.C Employment Conditions – Probationary Employees.

Pursuant to §447.403(4), Florida Statutes, both parties have submitted to the School Board their recommendations for settling the impasse issues. This hearing is now required pursuant to §447.403(4)(c), Florida Statutes, in order that each party is afforded the opportunity to explain their positions to the School Board with respect to the impasse issues.

This proceeding is open to the public to observe, but it is a labor proceeding with specific statutory requirements and only the two parties, the Superintendent and OCEA, will make presentations to the School Board.

Each party will be afforded a specific amount of time, as provided for on the agenda, to present their positions on disputed impasse issues. In order to allow each party to fully make their presentations/rebuttals, School Board Members will hold any questions until the end of each party's presentation/rebuttal. Upon conclusion of the presentations/rebuttals of each disputed issue, the School Board will then have an opportunity to deliberate and vote on resolution of the impasse issues.

## **III. Presentations**

### A. Introductory Remarks

- OCEA: Graham Picklesimer
- Superintendent: Ken Kenworthy
- Both parties provided background information leading to the Legislative Hearing and set the stage for their presentations to the School Board.

### B. Instructional Article XI.A. – Salary Schedule

- The Special Magistrate recommends adoption of the district's proposal for the payment of non-recurring bonuses in the 2017-18 contract year.  
Superintendent: Accepted Special Magistrate's Recommendation  
Association: Rejected Special Magistrate's Recommendation

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- The Special Magistrate recommends adoption of the District’s proposal for the payment of non-recurring bonuses to non-classroom teachers similar to the Best and Brightest Program.

Superintendent: Accepted Special Magistrate’s Recommendation

Association: Accepted Special Magistrate’s Recommendation

Classified Article XI.D. – Salary Schedule

- The Special Magistrate recommended adoption of OCEA’s proposal for seven different job classifications and recommended adoption of the District’s offer for all other classified job positions.

Superintendent: Rejected Special Magistrate’s Recommendation on the seven specified job classifications.

Accepted Special Magistrate’s Recommendation on the remaining job classifications.

Association: Rejected Special Magistrate’s Recommendation

- Presentations were made by both parties in support of their positions on Instructional and Classified Salary Schedules at impasse. OCEA based its presentation on affordability, stating that the District has over 9% in reserves, District performance is always better than projected and there is slack in the budget. The Superintendent explained that expenses exceed revenue, fund balance is rapidly depleting which cannot be sustained long term, and salaries comparable in contiguous and like-size districts. Employees benefit from additional sources of salary such as supplements, bonuses and other means of differentiated pay.

- Board Deliberation/Vote on Instructional Article XI.A. and Classified XI.D. – Salary Schedules: After power point presentations and rebuttal by both parties, a five minute recess requested by Member Arnold, followed by an extended question and answer session, Special Counsel John McClure reminded members that the vote is not about the \$500 bonus, but whether to grant a step increase. The \$500 bonus has already been agreed upon. Member Arnold said that he has long term concerns with expenses exceeding revenue and the fund balance depleting quickly. Chairman Holcomb said that it would be irresponsible to vote for a permanent, reoccurring raise given the information shared by Ms. Wheeler. School Board Vice Chair Dixie Ball stated that she must abstain as she is married to a teacher.

- Chairman Holcomb entertained a motion for Article XI.A. Instructional Salary Schedule:

Motion:	Member Joe Arnold made a motion to accept administrations recommendation to deny a step raise this year.
Second:	Amanda Riedel
Vote:	3-1 In Favor Abstain: Dixie Ball In Favor: Jill Holcomb In Favor: Joe Arnold In Favor: Amanda Riedel Opposed: Malissa Morgan

- Chairman Holcomb entertained a motion for Article XI.D. Classified Salary Schedule:

Motion:	Member Joe Arnold made a motion to accept administrations recommendation to deny a step raise this year.
Second:	Dixie Ball
Vote:	4-1 In Favor In Favor: Jill Holcomb In Favor: Dixie Ball In Favor: Joe Arnold In Favor: Amanda Riedel Opposed: Malissa Morgan

C. Instructional Article XII.A. – Outcome of Final Evaluation

- The Special Magistrate recommends adoption of the District’s proposal to strike current contract language and recommended additional language to be inserted that outlines requirement to give a reason for non-renewal and that principal must meet and discuss reasons for non-renewal if requested.

Superintendent: Accepted Special Magistrate’s Recommendation to strike current contract language.

Rejected Special Magistrate’s Recommendation to add any additional language.

Association: Accepted Special Magistrate’s Recommendation

- Presentations were made by both parties in support of their positions on Outcome of Final Evaluation at impasse. The Superintendent explained that like a causal hearing, you do not have to show cause, the District must maintain ability to non-renew without cause. OCEA based its presentation on low employee morale and job security. Witness statements included the following statements: employees need feedback for respect and to improve and student education suffers when teachers are let go – revolving door effect.

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- Board Deliberation/Vote on Instructional Article XII.A.  
 Presentations and rebuttal from both sides, questions and answers and comments by Special Counsel McClure and Attorney Conely were given on this Article. Mr. McClure reviewed Article on table, District struck all language, both parties’ agreed, and Union wants to add additional language.
- Chairman Holcomb entertained a motion for Instructional Article XII.A. – Outcome of Final Evaluation

Motion:	Vice Chair Dixie Ball made a motion to deny the Union’s proposal
Second:	Malissa Morgan
Vote:	5-0 In Favor

D. Classified Article VIII.C. – Employment Conditions – Probationary Employees

- The Special Magistrate recommended language to be included in the contract that provides for the probationary period to be one year.
- Superintendent: Rejected Special Magistrate’s Recommendation
- Association: Accepted Special Magistrate’s Recommendation
- Presentations were given by both parties in support of their positions on Probationary Employees, including witnesses. The Union stated the probationary period is too long, showing other probationary periods for other jobs and in other areas. The Superintendent stated that the District reduced the probationary period, other jobs may not offer the benefits equal to the Districts.
- Board Deliberation/Vote on Classified Article VIII.C.  
 After presentations and rebuttal from both sides, question and answer time was allotted.
- Chairman Holcomb entertained a motion for Classified Article VIII.C. – Employment Conditions – Probationary Employees

Motion	Member Arnold made a motion to recommend the Special Magistrate’s recommendation
Second:	Malissa Morgan
Vote:	5-0 In Favor

**IV. Final Comments by Members of the Okeechobee County School Board**

- Member Arnold thanked the District, Union and representatives for their comments and time and for all they do.

**V. Adjournment**

There being no further business to discuss, the Board adjourned at 8:38 p.m. The next regular meeting of the School Board is scheduled for 6:00 p.m. on Tuesday, April 10, 2018, at 700 S.W. 2<sup>nd</sup> Avenue, Okeechobee, Florida.

OKEECHOBEE COUNTY SCHOOL BOARD

Signature on File  
 Jill Holcomb  
 Chairman

Signature on File  
 Ken Kenworthy  
 Superintendent of Schools