

Pemayetv Emahakv, Inc.  
Board of Trustees Meeting

December 16, 2021

Web Ex

Present: Mitchell Cypress, Mariann Billie, Larry L. Howard, Christopher Osceola, Jim Shore, Lee Zepeda, Tracy Downing, Bryan Granie, Matthew Galvin, Michele Thomas

Vice-Chairman Mitchell Cypress called the meeting to order in Chairman Marcellus W. Osceola, Jr.'s absence. Vice-Chairman Cypress gave the invocation followed by a roll call by Michele Thomas. All were present except for Chairman Osceola. Vice-Chairman Cypress asked board members to review the minutes from the August 19, 2021 meeting. He asked for comments or questions, then asked for a motion to approve the minutes. The motion was made by Mariann Billie, seconded by Larry Howard, and approved by all present.

Vice-Chairman Cypress introduced item number five, a resolution to approve the Pemayetv Emahakv Charter 2020 - 2021 King & Walker Representation Letter; Ratification. Ms. Downing presented the resolution. Vice-Chairman Cypress asked for comments/questions, then asked for a motion to approve. The motion was made by Mariann Billie, seconded by Christopher Osceola, and was approved by all present.

Vice-Chairman Cypress introduced item number six, a resolution to approve the Pemayetv Emahakv Charter School 2020 - 2021 Independent Auditor's Report; Ratification. Ms. Downing presented the resolution. Vice-Chairman Cypress asked for comments/questions, then asked for a motion to approve. Ms. Downing added that there were no concerns and no findings in the completed audit. The motion was made by Larry Howard, seconded by Mariann Billie, and was approved by all present.

**Discussion Items -**

**Medical Marijuana Policy Update**

Ms. Downing reminded everyone at the last school board meeting the board raised concerns over federal funding issues and potentially adverse effects of developing the Medical Marijuana Policy for students. After the board meeting, she along with Mr. Zepeda, Mr. Granie, and Mr. Galvin consulted with independent counsel on multiple occasions and she reported this update. 1) Although students must be guaranteed some form of access to prescribed marijuana, it is not necessarily on a school campus. 2) Florida law does not prescribe penalties for failing to adopt a policy. 3) Despite the statutory command to develop student access policies, reports indicate that most Florida county school boards have declined to promote a medical marijuana policy out of concern for conflicts with federal law. 4) Employers with drug-free workplace policies are not required to accommodate medical marijuana, and they have the discretion to prohibit it. So given that this school receives federal funds and we must comply with a Drug-Free Workplace

Act, it is our position that we do not have to accommodate medical marijuana on campus by students or employees. Independent counsel has reviewed and approved the Drug-Free Workplace statement for our employees making them aware of the prohibition and what actions will be taken if employees violate the policy. Ms. Downing recommended she submit a resolution with the proposed policy for review and possible approval at the next school board meeting. Vice-Chairman Cypress, Mariann Billie, and Larry Howard all stated they were in full support of the proposed policy and instructed Ms. Downing to present a resolution at the next scheduled board meeting.

### **Service Agreement/Business Lease Agreement Update**

Ms. Downing reported at the last board meeting the discussion of the possibility of creating a Service Agreement between the Seminole Tribe of Florida (STOF) and Pemaquid Emahakv Charter School (PECS) to facilitate maintenance, capital projects, technology, and other services. She reported at that time she had been working with Jennifer Kolakowski, with STOF Real Estate to discuss the termination of the existing Pemaquid Emahakv Charter School lease and the issuance of a new Business Lease Agreement because the Charter School would be expanding their current boundary due to the new Culture/Immersion Building construction. Knowing that the Business Lease Agreement was the backbone of our Service Agreement project, she looped Mr. Shore's office in by contacting Mr. Galvin and arranging contact with Jennifer and outside counsel. As a result of that collaboration, Ms. Downing reported they are now looking at the possibility of incorporating the Service Agreement in with the Business Lease Agreement. A new Business Lease Agreement with the Service Agreement component is being drafted now and once it has been completed, it will be presented to Legal for review.

### **PECS Salary Schedules**

Ms. Downing stated at the beginning of the 2020 - 2021 school year, the Board approved an adjustment to our salary schedule in response to House Bill 641's Teacher Salary Increase provision calling for the beginning teacher salary to increase to \$47,500 or as close to that amount as possible given the money the state allocated for the adjustment. Just as we adjusted our salary schedule, so did all the other districts in the state of Florida. In addition to that Teacher Salary Increase Adjustment, some districts are using their ESSER Funds to provide retention supplements to their staff. So, because of that, our teachers at some steps on our salary schedule, in some districts, are not making more than teachers at other schools and other districts. At the beginning of this school year, a teacher resigned to take a position in Palm Beach County because it paid more, and she needed to provide around the clock care to her husband who suffered a stroke. Since then, we reported she has been approached by three teachers on campus who live closer to other schools about the salary schedule in Hendry County paying \$7,000.00 more at step 30. These conversations prompted her to pull salary schedules from five surrounding districts to do a comparison analysis. She found that Hendry County and Palm Beach County do pay more than us at certain steps. She

also found that we do pay more than some districts, but the gap is not that big. Each summer she meets with Jeanette Merced, the Charter School Associates VP of Finance, this summer she will present a new Salary Schedule that reflects this issue, and they will have an analysis of the overall impact. Ms. Downing also stated she would be looking at the non-instructional salary schedule in order to meet the challenges we have recently faced as it relates to recruitment and retention of qualified candidates. Her intention today is to just make you aware of this issue because the Tribe has prided itself on paying more than the surrounding school districts and that has been key in recruiting and retaining highly qualified teachers. Larry Howard was concerned by this information and asked Ms. Downing to provide him her findings so he could have a heads up and be prepared to move forward with the next approved budget. His goal would be to keep the high standards set for PECS with highly qualified teachers. Vice-President Cypress agreed then asked Mr. Shore if the Tribe's Human Resources Department should be involved. Mr. Shore replied if only state funds were to be used for the increase, then the Tribe's Human Resources Department may not need to be involved but if Tribal funds are required it may be a good idea to have them involved and to also review the Ahfachkee School pay schedule as well. Ms. Downing confirmed it would require Tribal contributions. Mariann Billie agreed she would like to see the figures and how it would affect the Tribal budget. Ms. Billie then asked Mr. Zepeda and Mr. Granie if this would also be reviewed for Ahfachkee School in an effort to retain staff to which Mr. Zepeda replied yes. At that time Mr. Zepeda excused himself due to a family emergency.

At this time Ms. Downing asked Vice-Chairman Cypress if she may add two more discussion items that were not on the agenda. He replied with a yes.

### **Spring Sports**

Ms. Downing reported that due to the CDC's recommendation that students do not engage in close-contact, in-door sports, she opted out of playing soccer and volleyball in the fall and did not play basketball in the winter. Given that spring sports are upon us, she would like to recommend that we participate in Baseball and Softball since the CDC only cautions against in-door, close contact sport. Baseball and Softball are out-door and not close contact so how does the Board feel about PECS participating in those activities. Ms. Downing assured the Board safety and health would be priority. Ms. Downing reviewed safely protocols that would be in place. After much discussion it was decided a decision would be better made after the holidays depending on the positivity rate in our Tribal communities. It was decided Ms. Downing would send an email to Board members after the holidays for approval.

### **FLDOE Petition to Start a Native American Writing and Art Contest**

Ms. Downing spotlighted two recent events at PECS the Board may have interest in. One of our kindergarten students Eziel Juarez, whose mom, Ms. Eduarda Anselmo, works at our school, was recognized by Governor DeSantis for winning the Hispanic Heritage Writing and Art Contest.

The red carpet was rolled out for him and his family as they went to Tallahassee to meet the governor to be recognized for his accomplishments. While in Tallahassee, our school, and the wonderful things we are able to accomplish here were highlighted by our teacher who just happens to be our Teacher of the Year this year. The Seminole Tribune came out to interview him and his mother, so please be on the lookout for that article. Our student winning this contest brought to our attention that there currently is not a Native American Art and Writing Contest so our 6/7 grade teacher, Amy Carr, and her students have made it their mission to change that. They have started a petition and are asking our legislative leaders to create a Native American Heritage Art and Writing Contest because they want to honor their ancestors and bring about cultural awareness. The students are working closely with Paul Backhouse and Kelly Chase of the STOF Heritage and Environment Resource Office (HERO). The teacher and students have heard back from Jacob Oliva, Senior Chancellor of Education, saying he would share with their colleagues and possibly write a letter of support. Larry Howard and Mariann Billie were very impressed with this student initiated project. Ms. Downing will forward the survey link to Board members so they can sign showing their support. She reported there are currently 377 signatures, and the goal is to have 1,000 signatures.

In closing, Board members wished all a happy holiday season and gave the PECS staff many accolades for their dedication to students of the Brighton Community. Vice-Chairman Cypress called for a motion to adjourn the meeting. The motion was made by Larry Howard, seconded by Mariann Billie, and was approved by all present.