

CHARTER REVIEW COMMISSION MEETING

DATE: Friday, September 13, 2019

TIME: 9:09 a.m. - 11:58 a.m.

PLACE: Jacksonville City Council Chamber
First Floor
City Hall at St. James Building
117 West Duval Street
Jacksonville, Florida 32202

BOARD MEMBERS PRESENT:

Lindsey Brock, Chairperson
Ann-Marie Knight, Vice Chairperson
Jessica Baker, Board Member
Frank Denton, Board Member
William "W.C." Gentry, Board Member
Charles Griggs, Board Member
Chris Hagan, Board Member
Nick Howland, Board Member
Heidi Jameson, Board Member
Emily Lisska, Board Member
Nelson McCoy, Board Member
Celestine Mills, Board Member
Betzy Santiago, Board Member
Hon. Matt Schellenberg, Board Member

ALSO PRESENT:

CRC Staff:

Cheryl L. Brown, Council Secretary
Carol Owens, Chief of Legislative Services
Jessica Smith, Legislative Assistant
Melanie Wilkes, Legislative Assistant
Anthony Baltiero, Council Research
Paige Johnston, Office of General Counsel
Louie Marino, Information Systems Analyst
William Coffee, Information systems
administrator.

1 P R O C E E D I N G S

2 CHAIRPERSON BROCK: All right. I feel
3 like I'm at mission control here. I think
4 we've got green for launch. So, with that,
5 we'll call the meeting to order, Charter
6 Revision Commission, Friday, the 13th,
7 September 13. Any folks with
8 triskaidekaphobia?

9 I am Lindsey Brock, Chair. I'm going to
10 be passing around the sign-in sheet for
11 attendance. I'll start it here to the left,
12 and then we can circulate it around to my
13 right.

14 First item on the agenda is approval of
15 the August 29 --

16 COMMISSIONER SCHELLENBERG: So moved.

17 CHAIRPERSON BROCK: Okay. I need a
18 second.

19 COMMISSIONER GENTRY: I second.

20 CHAIRPERSON BROCK: All right. All in
21 favor of approving the minutes, say aye.

22 COLLECTIVELY: Aye.

23 CHAIRPERSON BROCK: Any opposed?

24 All right. Those are approved.

25 September 6 minutes.

1 COMMISSIONER SCHELLENBERG: Move.

2 COMMISSIONER LISSKA: Second.

3 CHAIRPERSON BROCK: All in favor?

4 COLLECTIVELY: Aye.

5 CHAIRPERSON BROCK: Any opposed?

6 All right. Those minutes are approved.

7 Thank you.

8 Next item is remarks from the Chair.

9 Let me first, because he's been so gracious
10 to come here with -- yes, we did that.

11 MS. OWENS: We did that. Sorry.

12 CHAIRPERSON BROCK: Yeah, we did both of
13 them. That's all right. That's all right.
14 I got some coffee if you need it.

15 Let me introduce to you Chris Hand, who
16 has some information for us.

17 Name and address, please, sir.

18 MR. HAND: Sure. Chris Hand, 1301
19 Riverplace Boulevard, Jacksonville, 32207.

20 Thank you, Mr. Chairman.

21 Long time since I've been at this
22 podium, so good to be back. In fact, as I
23 look to my left and I see Matt Schellenberg,
24 I'm not clear if this is 2019 or 2014 right
25 now when we're standing here. But thank you

1 very much for having me.

2 Mr. Chairman, as we've discussed, just
3 in conjunction with the Jacksonville
4 Historical Society, I have just completed an
5 update to Dick Martin's book about the
6 history of consolidation, A Quiet
7 Revolution. We wrote this latest update to
8 commemorate the 50th anniversary of
9 consolidation, which, as you know, fell last
10 October 1st, 2018.

11 And the book is written in a couple of
12 ways. The update, in addition to having the
13 previous four editions included, included
14 all of the history that Mr. Martin told. We
15 also tell the story of the last ten years of
16 consolidation, since the last update was
17 done in 2008.

18 And the update also provides a bit of a
19 look forward to what some of the issues
20 might be that impact the future of
21 consolidation. And, frankly, that update
22 was very much written with the Charter
23 Revision Commission in mind, knowing of the
24 hard and important work you're doing,
25 encouraging citizens to participate in this

1 incredibly important process, and also
2 identifying what some issues perhaps should
3 be for consideration as you work through
4 this process.

5 I know that, Mr. Chairman, you've
6 graciously invited me to come back next week
7 after people have had a chance to review the
8 book and the update and speak to some of
9 those issues, but I just wanted to come and
10 pass those out.

11 And while I'm here just also thank all
12 of you for the incredibly hard work you're
13 putting into this super important process.
14 I know it's a devotion of a lot of time and
15 energy and investment, but it just
16 demonstrates your great commitment and
17 dedication to the City of Jacksonville. So
18 I also wanted to say thank you very much.

19 CHAIRPERSON BROCK: Well, thank you.
20 And so is there a specific chapter that
21 deals with the proposed Charter issues?

22 MR. HAND: Yes. So if you start --
23 again, the first part of the book is what
24 Dick Martin and others have written
25 previously up through 2008. The 50th

1 anniversary update starts on page 353. And,
2 again, it sort of chronicles the evolution
3 of consolidation over the last decade, while
4 also then kind of looking forward and
5 suggesting some issues the Charter Revision
6 Commission may want to take a look at based
7 on the interviews I did and other community
8 members we've spoken to in this process.

9 CHAIRPERSON BROCK: All right. Thank
10 you, because that was what I was wanting to
11 make sure. If we don't have the chance to
12 go through the entire thing, at least
13 between now and next meeting, we can get
14 through that portion of it so that we can
15 ask them some questions and get your
16 insight. You know, from your service from
17 the administration, I'm sure we'll have a
18 lot of questions for you at that time.

19 But thank you very much for bringing the
20 books. And I look forward to hear from you
21 next time.

22 MR. HAND: And I do want to point out,
23 this is very important, the books are a gift
24 to the Charter Revision Commission from
25 Former Council President Bowman, who has

1 provided this to the Charter Revision
2 Commission. So I wanted to make sure that
3 you knew that he was -- as soon as he knew
4 we were doing this, he said, the first thing
5 I want to make sure we do is get copies for
6 the Charter Revision Commission. So Council
7 President Bowman has provided those to each
8 of you.

9 CHAIRPERSON BROCK: Thank you for
10 pointing that out, appreciate that.

11 MR. HAND: Thank you.

12 CHAIRPERSON BROCK: All right. The next
13 item I wanted to talk about is you have the
14 Charter Revision Commission topics. And
15 what I have tried to do on this is go
16 through and have broad topics, which you'll
17 see with the solid dots. Then the open
18 circles are the more detailed topics or
19 suggestions related to the broader topic.
20 And then with the dashes are names of people
21 that have been mentioned and discussed with
22 regards to certain of these topics.

23 You know, we obviously aren't going to
24 get to hear from everyone we want to hear
25 from on every topic, but the goal is that we

1 begin to refine our topics. And what I'm
2 hoping to do is, by the midpart of October,
3 one of our meetings then, is for us to have
4 a consensus on these are the broad topics
5 and to rank them.

6 And then I'd initially hoped that we
7 could work on five things, but given the
8 depth of some of the ones that I think are
9 likely going to be rising to the top, that
10 three may be the better choice. But we can
11 refine that process as we go along.

12 But I wanted everyone to have this. I
13 want you to look it over. And if we're
14 talking about, you know, some things that
15 you want to see on here that aren't listed
16 on here, then please be prepared to bring
17 that to us next week. You can email Carol
18 Owens, and we can get those on so that we've
19 got all of our topics in here. So I just
20 wanted to provide that as a piece of
21 information.

22 That pretty much concludes the remarks
23 of the Chair.

24 So the next item is Ms. Johnston, and
25 she has -- I believe everybody got the two

1 memos that were circulated around. I
2 understand she's going to tell us -- she's
3 updating some others in there. But at this
4 point I wanted to have Ms. Johnston kind of
5 walk us through these memos.

6 MS. JOHNSTON: Thank you.

7 Through the Chair to the Commission, I
8 circulated two memos in the last few days.
9 One of those is in regards to JEA, and I
10 believe you received that yesterday. This
11 memo was actually a memo that was prepared
12 by Jody Brooks, who was an attorney in our
13 office who was dedicated to JEA. And the
14 memo was written in 2015 when the City and
15 JEA was negotiating JEA's contribution to
16 the City.

17 And so in that memo there is some
18 background information on the JEA and after
19 consolidation the role of JEA and the water,
20 sewer expansion authority, which was also in
21 place for some time.

22 This information, I thought, would be
23 helpful for those of you on the Commission
24 who have discussed what is -- you know, some
25 of the original promises that were made

1 pre-consolidation and whether they've been
2 fulfilled, that kind of thing.

3 So I had -- another attorney in my
4 office had reached out to Ms. Lisska because
5 she had asked for some guidance on the
6 Charter provisions regarding JEA. And we
7 shared this memo with her, and she thought
8 it would be helpful for you all to have that
9 memo as well.

10 If there are specific questions on the
11 JEA Charter that I can go back and research
12 or go back and ask our JEA attorneys to
13 assist with, I'm happy to do that. But I
14 thought perhaps having this information and
15 background would be helpful. And then any
16 additional questions you may have, you could
17 email Carol Owens or you could email me
18 directly, and I can circulate the response
19 to everyone on the Commission.

20 The second memo that I circulated was
21 from a question that came through the
22 Commission at the last meeting having to do
23 with whether the Charter provisions could be
24 waived by the City Council. And the short
25 answer is that there is no ability to waive

1 Charter provisions by the City Council. The
2 Council is able to amend certain provisions
3 of the Charter without having a referendum
4 or a special act of the legislature, but
5 that is very limited.

6 And so in the discussion I gave you an
7 example. For instance, in the article
8 regarding JEA, the Charter specifically
9 provides that the Council can repeal or
10 amend certain provisions within JEA, JEA's
11 article with the two-thirds vote of Council.

12 However, otherwise, as you would see in
13 the language on the second and third page of
14 the memo that I provided, you actually have
15 Section 3.1 of the Charter, which provides
16 the cases in which the Charter could be
17 amended by Council and the actions that
18 would need to be taken by referendum and
19 also -- or as a special act.

20 So that leads me into the third memo
21 that I am still currently working on. I
22 hope to have that completed today. I would
23 hope to have it circulated today; if not
24 today, very soon in the future. But that
25 was the question on the interplay between

1 the Constitution of Florida and the Charter.
2 And that is a little more substantive. I
3 give you a little bit more background on
4 historical context. And some of that will
5 be -- you may remember some of the comments
6 that Rick Mullaney gave when he spoke to the
7 Commission. I get into detail a little bit
8 about the 1885 Constitution and the 1934
9 Amendment, which permitted Jacksonville to
10 consolidate, which Jacksonville didn't
11 consolidate until much later, but that gave
12 them the authority.

13 And then through the 1968 Constitution,
14 that provision remained from the 1934
15 Amendment allowing Jacksonville to create
16 its Charter. And there is specific language
17 in the State Constitution, which states what
18 Jacksonville's Charter can include, the
19 language and the powers that it can set its
20 structure. So Jacksonville Charter is
21 actually based upon the language within the
22 Florida Constitution, which permits it.

23 So the memo goes into more detail about
24 that. But the memo also discusses the
25 manner in which the City Charter can be

1 amended, and that's based off of Section
2 3.01 of the Charter. And so it will go into
3 more detail. And, hopefully, when you've
4 had a chance to read that, it will answer
5 many questions that have been asked. Thank
6 you.

7 CHAIRPERSON BROCK: All right. Anyone
8 have any questions regarding the memos?

9 Mr. Gentry.

10 COMMISSIONER GENTRY: Um --

11 CHAIRPERSON BROCK: I forgot to turn
12 mine on as well.

13 COMMISSIONER GENTRY: I got confused
14 from being in the other room. It takes me a
15 while to transition.

16 This issue of amending the rules of the
17 Charter by the Council came up primarily as
18 a result of some comments by
19 Mr. Schellenberg. But, as I read this, if
20 the -- if the Council wants to waive a
21 provision that involves the Charter, it
22 would have to go through this whole process
23 of notice and hearing and everything set out
24 in your memorandum; correct? I mean, it
25 can't just do it, it has to do it as an

1 amendment to the Charter?

2 MS. JOHNSTON: Yes, correct. It
3 wouldn't truly be a waiver; it would be an
4 amendment to the Charter. And then it would
5 either -- depending on the subject matter,
6 it may have to go through a special act of
7 the legislature to be approved or by a
8 public referendum, depending on the subject
9 matter.

10 COMMISSIONER GENTRY: One last question:
11 Did I understand that you're going to be
12 providing a more extensive memorandum on the
13 Charter? I'm sorry, I --

14 MS. JOHNSTON: Yes.

15 COMMISSIONER GENTRY: Other than the one
16 that you've already provided?

17 MS. JOHNSTON: Yes. Through the Chair,
18 I was working on a memo that is more in
19 regards to the interplay of the Charter and
20 the State Constitution. And so that
21 includes some of the language that was
22 discussed in the first memo as to amending
23 the Charter or waiving the Charter, but it's
24 more detailed. So that should hopefully be
25 ready today or within the next few days.

1 COMMISSIONER GENTRY: May I ask a
2 follow-up?

3 CHAIRPERSON BROCK: Sure.

4 COMMISSIONER GENTRY: When you're doing
5 that, you mentioned the 1934 Amendment to
6 the 1885 Constitution of the State of
7 Florida, particularly Section 9, which
8 relates to Duval County. As I understand
9 that provision, it's kind of a one-shot pony
10 in a sense that the 1934 Amendment refers to
11 being open to the various governments and
12 included -- also included Miami-Dade,
13 Hillsborough, for them to have an
14 opportunity to do consolidation and not just
15 a continuing thing that can happen like now
16 or forever. And I would appreciate your
17 addressing that, if you can, in your memo,
18 because that was kind of confusing to me.

19 MS. JOHNSTON: Through the Chair, I do
20 attempt to do that in the memo, and
21 hopefully I'm successful. What you're
22 referring to is correct. And that's why I
23 think the historical background is helpful,
24 because we throw out the 1885 Constitution,
25 1934 Amendment. I tried to explain how

1 those play in with the current Constitution
2 of the State of Florida, which is the 1968
3 Constitution.

4 But what Mr. Gentry said is correct.
5 Within Article 8 of the current 1968
6 Constitution of Florida, there is a specific
7 section which is somewhat like miscellaneous
8 provisions for local government. It's
9 called Schedule to Article 8. And within
10 that schedule it states: This article shall
11 replace all of Article 8 of the Constitution
12 of 1885 as amended, except those sections
13 expressly retained and made a part of this
14 article by reference.

15 Then if you go further down into that
16 article, within Section 6, paragraph -- or
17 Subparagraph E, there is provision that
18 states Consolidation and Home Rule. And
19 within that paragraph they refer to
20 Section 9, as well as Section 10, 11 and 24
21 of the Constitution of 1885.

22 And as Mr. Gentry pointed out, the
23 Section 9 is the one of relevance to
24 Jacksonville. The other provisions have to
25 do with Miami-Dade County and some other

1 provisions that were adopted in 1934.

2 But, essentially, it references that
3 Section 9, and then it actually in a
4 footnote includes the entire language from
5 the Section 9, 1934 Amendment. And so it
6 essentially incorporates within the 1968
7 Constitution the actual 1934 Amendment. So
8 it provides to Jacksonville and Duval County
9 the authority and power to establish a
10 municipal corporation.

11 And further, within that same paragraph,
12 which I am going to include the language
13 from the Constitution in the memo like I did
14 for the other -- for the waiver memo. But
15 it actually sets forth what can be included
16 within the Duval County Charter. And then
17 Duval County ultimately adopts a Charter for
18 the City of Jacksonville, which incorporates
19 these provisions and is approved by the
20 legislature so that, in effect, it becomes a
21 special act of the legislature, and that's
22 how it comes into play.

23 CHAIRPERSON BROCK: Okay.

24 COMMISSIONER GENTRY: Thank you.

25 CHAIRPERSON BROCK: Mr. Schellenberg.

1 COMMISSIONER SCHELLENBERG: Not on this,
2 this will be on number five.

3 CHAIRPERSON BROCK: On number five,
4 okay.

5 Thank you. And having previously many,
6 many years ago litigated some of those
7 issues, Ms. Johnston, it might be helpful to
8 have some sort of a PowerPoint, because we
9 speak that language, but it's often
10 difficult for folks that don't have the
11 background and training to follow along.
12 And so it might be more helpful, because
13 it's been a while since I've delved into all
14 of that that deep, to have some sort of a
15 PowerPoint that we can follow along and go,
16 okay, I got that. So we don't have people
17 glazed over, but we got nodding heads.

18 MS. JOHNSTON: I can work on that.

19 CHAIRPERSON BROCK: Isn't that good when
20 you have a jury nodding their heads?

21 COMMISSIONER GENTRY: I don't understand
22 either.

23 CHAIRPERSON BROCK: One thing I wanted
24 to go back on with remarks from the Chair
25 before we get to the updates from

1 Commissioners is at our last meeting, and we
2 circulated the memo, the letter from Aaron
3 Zahn, and I was unfair to him, because I
4 went back and I looked at our letter, the
5 invitation letter, and that invitation
6 letter was for them to come and tell us
7 things that they wanted us to look at. And
8 there has been some that said, yes, we have
9 some things we want you to look at; others
10 that said no.

11 So what I did, I reached out to JEA,
12 actually had a conversation with Herschel
13 Vinyard. And what I'm going to do is --
14 and, by me, I mean Ms. Owens. We're going
15 to send an email back out to them.

16 And, from what I understand, generally,
17 what we want them to be prepared to address
18 is how their independent authority meshes
19 and works with the consolidated government,
20 particularly, and with regards to strategic
21 planning and goals, maybe even budgeting,
22 and talking about those things so that we as
23 a Commission understand where each of those
24 independent authorities are touching the
25 consolidated government so that we can see

1 if there is something that we can possibly
2 tweak.

3 Does that generally cover -- so that
4 they're prepared to be able to answer,
5 because the worst thing is to have them get
6 up here and go, that's a really good
7 question, I have to get back to you on that.
8 So I want to try to get them to be ready for
9 that.

10 But I also wanted to make sure that I
11 said it clear that I think I was probably a
12 little bit unfair in that, because they were
13 not requested to come speak to us; they were
14 requested to give us items that they wanted
15 us to look at, so just wanted to clear that
16 one up. So that -- we'll get that out and
17 have those appropriate representatives here
18 to address that.

19 So, now, going on to updates from
20 Commissioners. And I see Mr. Schellenberg
21 had popped up on that.

22 And, you know, again, to reiterate, for
23 all of us, if there is someone that you
24 think might have some information that's
25 beneficial to us, there is nothing that

1 stops you from meeting with them one on one
2 and then coming back and reporting to us,
3 hey, I talked to so-and-so about this issue,
4 which may be one that we have on our list or
5 may be a new one that you want to have in
6 there. And this is that opportunity for you
7 to report back of, I've had these meetings
8 and here is something that I think we should
9 be looking at.

10 So, Mr. Gentry, are you still on, I
11 think, for the last one?

12 COMMISSIONER GENTRY: No.

13 CHAIRPERSON BROCK: Okay.

14 Mr. Schellenberg.

15 COMMISSIONER SCHELLENBERG: Mr. Chair, I
16 just want to recognize that we have Matt
17 Carlucci and Garrett Dennis here. And they
18 wanted to say a few words if there is time
19 either right now or before. I just wanted
20 to let you know that they wanted to speak on
21 the potential J Bill or the School Board
22 issue specifically.

23 THE COURT: Okay. We can do that
24 perhaps after Mr. Fischer speaks and then
25 the Chair will recognize you for that.

1 COMMISSIONER SCHELLENBERG: Thank you.

2 CHAIRPERSON BROCK: Next I have

3 Ms. Mills.

4 COMMISSIONER MILLS: Good morning,
5 through the Chair, I just wanted to say
6 this, that from the blueprint of the 2014
7 Charter, when it spoke about independent
8 authorities and it asked, you know, what
9 they -- we should have meetings to meet with
10 all the independent authorities to make sure
11 that their mission aligns with the City. So
12 I think that, you know, this goes back to
13 saying that, if they're taking the
14 recommendations of the Charter serious, then
15 this is something that should have already
16 been into play, whereas when we sent a memo
17 to JEA, they would understand what we need.

18 So that's why I just say, you know, we
19 have to make sure what we're doing here,
20 that it's taken serious. Because if we're
21 going to have a bunch of pages, killing
22 trees, and we're not going to do anything,
23 this is a lot of time, as I said before, and
24 I would never deviate from that. We're
25 spending time here every week to make sure

1 that we're accountable for what we do. And
2 I need to have a clear understanding that
3 we're going to be taken serious, and not
4 just here having meetings and having people
5 come and give a presentation, and we're
6 looked upon as being a blueprint in a book.
7 Thank you.

8 CHAIRPERSON BROCK: I agree with you and
9 I believe everyone sitting here in this
10 Commission agrees with you on that point.
11 And one of the items that I added, if you
12 flip over to the back page of the Charter
13 Revision Commission topics, specifically
14 relates to the Charter Revision Commission
15 and the idea of putting it into the Charter
16 and having some provision in there to where
17 there is some sort of action taken with
18 regards to our recommendations.

19 With regards to the idea of the
20 strategic planning, I do know that there was
21 recent legislation that has the Council's
22 strategic planning is now part of the
23 ordinance code in there. So then Council
24 President Bowman, it's going to be something
25 that's done on an annual basis. So

1 hopefully there is some momentum in there at
2 least in regards to some of these items that
3 we've all talked about.

4 Mr. Schellenberg, are you still on?

5 COMMISSIONER SCHELLENBERG: No, sir.

6 CHAIRPERSON BROCK: Okay. Well, then
7 moving along our agenda.

8 COMMISSIONER GENTRY: May I ask you
9 something, Mr. Chair?

10 CHAIRPERSON BROCK: Sure.

11 COMMISSIONER GENTRY: Just two things:
12 One, thank you for preparing this topic. It
13 seems to cover pretty much everything that's
14 been thrown out. And it's very helpful to
15 have it in writing. I appreciate it very
16 much. And I think each of us, it's
17 incumbent upon us, if we want to add
18 something, to send it to you in writing.

19 CHAIRPERSON BROCK: Send it to Ms. Owens
20 and she'll --

21 COMMISSIONER GENTRY: If I send it to
22 you, I know where it will end up anyway.

23 But in your Charter Revision Commission
24 idea, to give it some substance either in
25 the Charter or require something to be done

1 by it.

2 Another thing that I would add that we
3 want to consider is the appointed process
4 for the Charter Revision Commission. Since
5 you have so many stakeholders in this
6 process, including the Mayor's Office and
7 the City Council and the independent
8 authorities and judiciary, it would seem
9 like, similar to what's done at the state
10 level, that there would be appointments from
11 various bodies to the Charter Revision
12 Commission and not all of them from the
13 Council. So that would be one addition I
14 would add to that.

15 CHAIRPERSON BROCK: I have noted that
16 down. And I will also point out the irony
17 that, as we talk about somewhat
18 strengthening our Charter Revision
19 Commission, that there has now been a
20 sufficient petition gathering to eliminate
21 the Constitutional Revision Commission that
22 I just saw.

23 COMMISSIONER GENTRY: That probably will
24 happen here too after this Body finishes up.

25 CHAIRPERSON BROCK: Who knows.

1 COMMISSIONER GENTRY: And the other
2 thing, I just make a comment, and I
3 understand the Council is trying to address
4 the strategic planning issue, but it's my
5 understanding one council can't bind
6 another. We can't -- it's hard to transcend
7 year to year. I would think we would have
8 to look in the Charter to come up with a
9 vehicle to impose a meaningful multiyear
10 plan.

11 CHAIRPERSON BROCK: Well, and it may be
12 that we can look at the current legislation
13 that's there and transition that into -- as
14 a Charter revision, so I think that's --
15 under that strategic planning. That's why I
16 had put in there, I believe, one of them
17 was -- yeah -- the city-wide strategic
18 planning on the back page, I put building on
19 City Council's strategic plan. And that's
20 the whole idea with that.

21 COMMISSIONER GENTRY: Thank you.

22 CHAIRPERSON BROCK: All right. Seeing
23 no one else on the queue, we -- in
24 anticipation of a lot of questions, I am
25 going to tell everyone we are going to stick

1 with the five minutes. And we do have a
2 hard stop at noon. But knowing that we
3 would have a lot of participation, we have
4 asked Representative Yarborough and
5 Representative Daniels to reschedule so that
6 we would have a full opportunity to talk to
7 our next speakers. The first of which is
8 Representative Jason Fischer.

9 Thank you for being here, sir. He's the
10 Chair of the Duval Delegation. And, for the
11 record, your name and address?

12 MR. FISCHER: All right. My name is
13 Jason Fischer, State Representative from
14 House District 16, address is 2630 Stonegate
15 Drive, Jacksonville, Florida 32223.

16 So do I only have five minutes or that
17 was just for --

18 CHAIRPERSON BROCK: No, sir.

19 MR. FISCHER: Just wanted to make sure.
20 I got a little bit more than just that --

21 CHAIRPERSON BROCK: Five minutes for
22 everybody up here.

23 MR. FISCHER: -- prepared. Well, I
24 thought I had an hour and a half prepared.
25 I was going to save 15 minutes for

1 questions.

2 So I wanted to address a couple topics.
3 And I'm going to start -- I've separated
4 them into what I think are governance areas
5 and then some policy areas. And I think
6 even the policy areas have some governance
7 components to them. But I want to talk
8 about them.

9 I think the first place I would start,
10 which would be the Charter and the City
11 itself, right. So I would hope that you
12 would all ask yourselves, we say we're a
13 consolidated city, but ask yourselves really
14 are we that, are we a consolidated city, and
15 how consolidated or not consolidated should
16 we be.

17 So, you know, just to kind of point out
18 some things that are not consolidated, we
19 have multiple municipalities. We have a
20 former Council Member, who was very popular,
21 and quipped once that a particular agency
22 put the independence in independent agency.
23 So there is not this real broad -- this real
24 strong consolidation that's happened.

25 We say we're consolidated, but the

1 question is are we really. And if we should
2 be, maybe we should look at more
3 consolidation. If you don't think that we
4 should be, then, you know, maybe make some
5 recommendations otherwise.

6 But the point of that was consider that
7 question -- don't take it for granted that
8 we are. Really dig into it. Look deeply at
9 it and say, you know, are we and then should
10 we, and what would it look like.

11 The other thing I would say on the
12 governance piece is to think of our Charter
13 as a governance document, not a policy
14 document. And so if you're not able to
15 completely revision it and relook at it,
16 reimagine it and make it just a governance
17 document, try to make it more of a
18 governance document, take out some of the
19 policy preferences in there or significantly
20 alter those policy preferences to get more
21 public engagement there.

22 But my hope is that just like the
23 Federal Constitution and just like the State
24 Constitution, they're really more governance
25 documents. And the policy and the

1 preferences are left up to the elected
2 branches there. So the electeds are
3 governed by the governance document, they're
4 constrained. But the referendums or
5 whatnot, we're not looking at doing policy
6 preferences.

7 The other piece to that would be the
8 changing of the Charter itself. So, again,
9 consider it a foundational document, a
10 governance document. I don't think it
11 should look like a Twitter feed, right. You
12 don't want to just continuously make, you
13 know, all of these amendments on to there.
14 Keep it concise, so, you know, potentially
15 relook at that. But try to make it
16 difficult to change.

17 And when I say difficult to change, the
18 goal here really in my mind is to get broad
19 support. Things that, you know, have a
20 higher threshold tend to be supported by
21 more people. So look at it from that angle.

22 The last real true governance thing that
23 I wanted to bring up is enumerated powers.
24 And so you look at the Federal Constitution,
25 Article 1, Section 8, it enumerates the

1 powers enlisted in congress. All of you
2 have had civics in the past. But, you know,
3 it is a foundational principle of our
4 country to have enumerated powers.

5 The city Charter, when you look at it,
6 first came to -- first came apparent to me
7 back when I was working with JCCI on a study
8 in 2008 about the City's Charter. And if
9 you look at article -- Part A, Article 3 of
10 the Charter, where it talks about how the
11 powers of the consolidated government are
12 set, if you look in Section 3.02, it talks
13 about the construction.

14 I'm not going to read the whole thing
15 for you, but I will at least quote off the
16 first two sentences and you'll understand my
17 concern: The powers of the consolidated
18 government shall be construed liberally in
19 favor of the consolidated government. The
20 specific mention of or failure to mention
21 particular powers in this Charter shall not
22 be construed as limiting in any way the
23 general powers of the consolidated
24 government as stated in Section 3.01.

25 Clearly does not follow the historical

1 American tradition of clear enumerated
2 powers. We're talking about unbounded
3 versus limited government.

4 So my hope and recommendation is that
5 you take a look at part -- I think it's
6 Part A, Article 3, look at Section 3.01, try
7 to figure out, you know, what those
8 enumerated powers are there that we should
9 have, have that real debate about what those
10 enumerated powers should be, and either get
11 rid of Section 2 altogether or reform it in
12 some way where it captures that foundational
13 principle of enumerated powers so it's a
14 bounded, it's a limited form of government.

15 The other -- three others that I want to
16 bring up, and then I'll close it out with
17 something that I think some other people
18 came to listen in on. The other three, I do
19 think the angle that I'm taking at them are
20 a governance angle, but there are policy
21 implications to them.

22 So if you're not able to fully address
23 the first point I made, which was taking all
24 the policy items out and just making it a
25 strict governance document, if you still

1 have to have some policy pieces in there and
2 you piecemeal part of the process, I would
3 say make it harder to raise taxes on the
4 public. And so when I say make it harder, I
5 mean make it harder for the politicians to
6 do it. And by making it harder, I mean make
7 sure that there is enough broad support and
8 broad appeal for what they're looking to do.

9 I personally feel like I am taxed enough
10 already. And I know there are a lot of
11 people who feel that way. But even if you
12 don't, I think you would agree that the more
13 support that you have from the public on an
14 item, the better it is for the public,
15 right.

16 So things -- passing taxes on a simple
17 majority or at seemingly lower thresholds is
18 not necessarily great for the public. The
19 legislature, we change the Florida
20 Constitution to that, if the legislature was
21 going to raise taxes or fees, that it had to
22 have a two-thirds vote by both chambers.

23 So whether it's two-thirds or
24 three-fourths or whatever the right number
25 is, what I hope is you guys take a look at

1 that and you debate what that number will
2 ultimately be for the different components
3 to it, but that you make the hurdles a
4 little bit higher so that you get broader
5 support from the public on those
6 initiatives, rather than just a simple 50/50
7 percent plus one.

8 The other thing is try to look at the
9 delegated powers in taxing/fee authorities.
10 I know at the state level we're looking at
11 cities and counties who have given that
12 power over to bureaucrats to raise fees.
13 And so make sure that -- I don't know
14 specifically if Jacksonville has done it or
15 not. I'm still -- a few of us are still in
16 the process of looking at how each of the
17 cities and counties are doing those
18 different things.

19 But try to make sure that any time there
20 is an initiative to raise a tax or a fee,
21 that not only does it have a higher vote
22 threshold so it has broader support, but
23 that it's done by an elected branch, not an
24 appointed branch, not employees, but people
25 who are directly accountable to the voters.

1 I think another one, I talked a lot
2 about it when I was on the School Board.
3 And, unfortunately, there wasn't a lot that
4 was done on it. But it's been talked about
5 in the news a little bit lately. I think
6 the General Counsel process -- I don't know
7 if any of you guys have looked at it in
8 article -- it's Part A, Article 7, 7.03, and
9 it lays out how the General Counsel is
10 selected.

11 And this isn't a question or criticism
12 of the current occupant. I brought this up
13 under a previous Mayor and in two General
14 Counsels before the current one. But the
15 process as it's written is a very elitist
16 process. So it lays out the review
17 committee, the selection committee. It's
18 totally handed over to one profession. It's
19 five lawyers that make it up, no offense to
20 any of you that are lawyers. But I think in
21 the public we need a diversity of opinions
22 and a diversity of occupations looking at
23 these things. And it's mostly farmed out to
24 nonprofit organizations, which I think have
25 an input in the public arena.

1 But when you have a General Counsel that
2 serves all of us -- and I say all of us
3 because, as the Chair of the Duval
4 Delegation, we are a board in the City
5 Charter. The General Counsel's office is
6 responsive to us, they draft up legislation
7 for us. They do other things.

8 So my thought on -- you know, if you're
9 going to keep this provision and keep
10 policy, some of the policy in there, that
11 you look at the selection process of how
12 it's done. And, you know, this transcends
13 mayors, it transcends individual holders of
14 the office. But that office should be
15 responsive to the bodies that it ultimately
16 serves and reports back to.

17 So the chair of the School Board, I
18 think, should be a member of that, the chair
19 of the Duval Delegation should be a member
20 of that, I think maybe the chair of JEA, the
21 chair of JTA. I think you guys should look
22 at that. But the General Counsel serves a
23 bunch of different entities.

24 And so on the front end creating a
25 process where those have buy-in, they make

1 maybe a recommendation to the Mayor where
2 they say, you know, here are three people
3 that have made it through our process, the
4 Mayor makes their selection, and then it
5 goes to City Council for confirmation,
6 similar to how it is done today.

7 But that selection process, have the
8 people on the front end doing the interviews
9 be the one that the General Counsel is going
10 to serve then later, rather than these five
11 lawyers that -- you know, again, they're
12 predominantly, you know, part of nonprofit
13 organizations, and that's okay. But I think
14 this would be more inclusive and responsive
15 and more in line with the spirit of a
16 consolidated government. You might end up
17 with less alignment issues, I think, if you
18 considered that.

19 And then the other piece that I would
20 bring up deals with municipal elections. So
21 my ask would be to look at how the municipal
22 elections are working, potentially moving
23 them to the gubernatorial cycle, I think,
24 the presidential cycle, one or the other,
25 presidential or gubernatorial. I think

1 gubernatorial might get a little bit more
2 focus.

3 But if you look at the turnouts for the
4 municipal elections, they're really low.
5 And so people are expecting to vote in
6 November and in August, that's just when the
7 majority of votes happen. And I think that
8 would be something to seriously consider.
9 It wouldn't just be a cost savings aspect;
10 it would be a tremendous increase in voter
11 participation based on just sheer volume,
12 right, more people will show up and vote
13 during that time.

14 The last thing I would bring up, which I
15 actually wasn't planning to bring up,
16 because it's already being talked about and
17 being considered in some other avenues, is
18 the original recommendation that I pulled
19 from the previous Charter Revision
20 Commission, which was J1.

21 So, initially, the previous iteration of
22 this Body made some structural
23 recommendations about changing the school
24 district. The proposal that came out of the
25 Charter Revision Commission was to make an

1 appointed school board. My goal is to make
2 our school system better by really any means
3 necessary.

4 And so that's where the community left
5 the conversation off. That seemed like the
6 most logical place to start it up. But what
7 became very clear to me was that -- at least
8 my constituents want more say and more input
9 in who their school district officials are.

10 I mean, I've had constituents suggest we
11 have elected principals. And I think that's
12 a bridge too far for me, particularly at
13 this point, because certain parts of town
14 feel like they get left out and they get
15 forgotten. When you're a part of a huge
16 district with 125,000 kids, you know, or
17 125,000 -- yeah, serves 125,000 kids,
18 different parts of the community feel left
19 out. So they want to make things more
20 localized. And so I made the recommendation
21 recently to suggest an elected
22 superintendent.

23 As you know, the majority of counties in
24 Florida have elected superintendents. And
25 I've already started collecting some

1 empirical data back from my district. I
2 think those of you who have seen me in
3 politics for a while know that I'm a
4 notorious hard worker, I never stop, and I
5 constantly go, go, go.

6 Just in the last couple of days, I've
7 already knocked on over 210 doors to ask the
8 question about this issue. And 80 percent
9 of the constituents that I've talked to --
10 so, again, out of 210 doors, 80 percent of
11 those have said that they supported an
12 elected superintendent, 12 percent said they
13 didn't, 8 percent said that they either
14 didn't know or didn't care.

15 Now, I think that those numbers -- and
16 I'm going to continue to aggressively do
17 this, but I think those numbers will
18 eventually become more in line with where
19 Amendment 10 was, which in my area is upper
20 60 -- upper 60s, lower 70s. I think it will
21 probably end up hovering around in that
22 range. So I think the 80 percent will
23 probably come down a little bit. But,
24 regardless, the number is incredibly
25 striking. Constituents from my area

1 definitely want an elected superintendent.

2 And what I would ask you to consider is
3 something that I have done in my time in
4 Tallahassee. So in the legislature I've
5 carried two bills that ultimately became
6 proposals by the CRC, the Constitutional
7 Revision Commission. I had a bill to make
8 sure that sheriffs were an elected position
9 in every county in the state of Florida.
10 There is a county where that wasn't the
11 case. And we've now guaranteed that voters
12 in every county in the state of Florida now
13 have an elected sheriff.

14 And then the other proposal that I
15 carry, which was one that really started
16 here in Jacksonville, was school board
17 member term limits. It did get adopted by
18 the CRC. So I ran them concurrently. I had
19 my bills running at the same time that the
20 CRC ran. They ended up passing it. And so
21 they ended up -- one ended up becoming law,
22 the other one the Supreme Court ultimately
23 tossed off the ballot for other reasons
24 unrelated to that policy component to it.

25 So I would ask you to consider maybe not

1 necessarily J1 in any one particular
2 iteration, but that you look at how we
3 handle our school system. Because how Duval
4 County -- Duval County's authority over that
5 is fundamentally different than it is in any
6 other county, it's one of the reasons why I
7 brought up the General Counsel.

8 I brought that up back when I was a
9 School Board Member because of my concern,
10 hey, we're elected officials independently
11 or so we thought, and then there is all
12 these other governance angles to it.

13 So my ask to you is to consider,
14 seriously consider, things in regards to our
15 school system. And I would say, you know,
16 listen to a broad, you know, array of
17 individuals, try to make sure you get as
18 much input on it as possible. Because there
19 is definitely parts of town that don't feel
20 like that they've either gotten their fair
21 share or they don't feel like they're
22 listened to. And we need government that's
23 responsive to the people.

24 And so, with that, I'll take questions
25 if that's what the Chair had in mind.

1 CHAIRPERSON BROCK: Yes. We have time
2 for some questions. Anyone have any
3 questions?

4 First up, I see Mr. McCoy.

5 COMMISSIONER McCOY: Good morning,
6 Mr. Fischer.

7 MR. FISCHER: Good morning.

8 COMMISSIONER McCOY: I just have two
9 quick questions. One regarding the taxes
10 and increasing the threshold for raising the
11 taxes. Would you also be in favor of that
12 for cutting taxes? And the reason I ask
13 this is because there are times that I've
14 seen state legislature and I've seen
15 national tax cuts that actually ended up
16 detrimentally hurting certain services
17 because they had to pull money from them
18 because they didn't get the revenue that
19 they needed, because government gets their
20 money from taxes or fees. So would you also
21 recommend the same for raising taxes as far
22 as keeping that threshold the same?

23 The other question that I had is, when
24 you're asking about having an elected super,
25 is that attached to an appointed school

1 board or an elected school board, or it's
2 just, hey, we want an elected super as well?

3 MR. FISCHER: So to the first question,
4 I don't think that any change -- maybe make
5 it easier to lower taxes would be my
6 response. I haven't seen the examples that
7 you're talking about. You know, if you have
8 something you would like to talk about, I'd
9 be glad to talk to you about them now or
10 later if you want to follow up, because I
11 would be interested to hear those examples.

12 But I would say, any time that a
13 politician is trying to make money out of
14 the pockets of our constituents, it should
15 be for a really good reason and it should
16 have really broad support. And that's just
17 my philosophy on it.

18 The other piece, what I'd asked you to
19 consider, is how to make our school system
20 better. So my ask wasn't -- if you were
21 listening clearly, my ask to the Charter
22 Revision Commission was to consider options,
23 not necessarily run a concurrent one. I
24 mean, I'd like you to if you want to.

25 But if you don't, my general ask is that

1 you consider that, because we should all
2 care a lot about our children, and we should
3 all try to do everything we can in our power
4 to make our school system better.

5 The J1 proposal specifically, it was a
6 substitute amendment. It initially started
7 off from the CRC's recommendation to have an
8 appointed school board. That's no longer in
9 the bill. It is only an elected
10 superintendent. So you'd have an elected
11 school board and an elected superintendent
12 like you have in Clay County, like they have
13 in 41 other counties in the state.

14 COMMISSIONER McCOY: Thanks.

15 CHAIRPERSON BROCK: Next we've got
16 Ms. Mills.

17 COMMISSIONER MILLS: Through the Chair,
18 good morning, Mr. Fischer.

19 MR. FISCHER: Good morning.

20 COMMISSIONER MILLS: I have a couple of
21 questions. The first one, I would like to
22 know the geographical locations that you say
23 you went to knock on those 200 doors, that's
24 one.

25 The next one, I did like what you said,

1 you know, by any means necessary, that our
2 education system needs to be better, because
3 it does. But when we say by any means
4 necessary and when I look at you stating
5 about an elected school board
6 superintendent, I think about in the late
7 1950s, Ish Brant was an elected
8 superintendent. And I think under that
9 Duval we almost -- or we probably did lose
10 accreditation with our public schools.

11 So I guess I want to find out from you,
12 what would be different now and I guess --
13 not guess, I feel this, that there is a lot
14 of players that could be in the room because
15 you're going to be going on popularity, who
16 could raise the most money. When I look at
17 those two things, it doesn't look like
18 they're in line with what the
19 responsibilities and duties are for a
20 superintendent. So those are my questions
21 for right now for you, sir.

22 MR. FISCHER: Okay. Can you state the
23 first one again? Because the second one --

24 COMMISSIONER MILLS: I just want to know
25 the area that you traveled in to knock on

1 the 210 doors.

2 MR. FISCHER: So I represent House
3 District 16, which I happen to live in
4 Mandarin. So I say it starts in Mandarin
5 and goes north. But if you live in San
6 Marco, it starts in San Marco and goes
7 south, that's fine. So it goes from the
8 county line along the river, all the way
9 down to the San Marco area, and then it
10 stretches over towards UNF.

11 So right now I've knocked doors in
12 Mandarin. I have plans, over the course of
13 the next 45 days -- I'll probably hit 1,700
14 doors or so in the course of that time to
15 grab different communities in each part of
16 the district. So I'll get some in the
17 Baymeadows area; I'll get some in the San
18 Marco area; I'll get some in Deerwood; I'll
19 get some in different parts of the city.
20 But when you're starting something off, it's
21 easy to start at your home base, where you
22 live. So I started off right in the area
23 where I live and I'm spreading out to other
24 areas.

25 The other piece, again, I came to -- my

1 recommendation to the CRC is to consider
2 options to make our school system better.
3 Whether you like the idea of an elected
4 superintendent or not, you know, I didn't
5 come here today to say, do this, you know,
6 because it's the only thing you should be
7 doing. I think you as a body should be
8 considering a multitude of things. That's
9 one I do hope that you guys ultimately end
10 up supporting.

11 You know, I think your point earlier
12 about how when the democrats were in control
13 in an elected role of our school system,
14 that they lost accreditation, that's '50s,
15 '60s time period. I think we live in a
16 different world from that.

17 The charge about things being elected or
18 dominated by money, I use an example of when
19 I ran for the School Board. I was outspent
20 three to one if you count the pack money on
21 the other side. And because of shoe
22 leather, I won it. So elections aren't just
23 about who spends the most amount of money.
24 It's who connects with voters; it's who's
25 authentic; it's who people trust.

1 I have three young boys, and so that
2 probably came across to constituents when I
3 would meet and knock on their door and say,
4 hey, I'm just a dad and an engineer, you
5 know, I'm not a teacher, I'm not a
6 principal, but trust me to go help fix
7 our -- for our education system.

8 Because, you know, two-thirds of our
9 kids need to get remedial education when
10 they go off to college. So they graduate
11 and think, oh, well, hey, I have a
12 college-ready degree.

13 And then they have to go back and take
14 remedial courses. So there are a lot of
15 metrics you can look at where there are
16 issues.

17 So, again, I don't think that in an
18 elections process that it's always about who
19 has the most money. It's not necessarily
20 about who says the most outrageous
21 statements. I think it comes down to who
22 people trust. And I trust the voters to
23 make that decision, just like 41 other
24 counties do in our state. So I don't think
25 it necessarily politicizes it any more than

1 it's already a political position.

2 And anyone who says that it's a
3 de-political, or not a political position,
4 there are so many things that -- decisions
5 that they have to make that are around that,
6 that there is no way that it's not -- that
7 there is not -- it's not depoliticized. So
8 whether it's appointed or elected comes down
9 to whether or not you think the voters
10 should make that decision or if you think
11 that a handful of people should be able to
12 make that decision.

13 And I have come to the conclusion
14 somewhat in response to constituents and
15 also to some of my own inclinations that
16 let's trust the voters. Let's just give
17 them a choice to decide, right. Let's let
18 the voters have a choice.

19 CHAIRPERSON BROCK: Next I have
20 Mr. Schellenberg.

21 COMMISSIONER SCHELLENBERG: Thank you,
22 Chair.

23 Representative Fischer, I have just a
24 couple questions. I appreciate you doing
25 the shoe leather back when you first ran,

1 but that's not really true anymore. You
2 raised a lot of money to prevent people from
3 running.

4 But help me out, how does this appointed
5 school superintendent work? And what, does
6 it not make the school board itself
7 basically useless? Because the
8 superintendent is in there for four years.
9 You almost make the school board now not
10 even worthwhile being there. Explain to me
11 how this works.

12 MR. FISCHER: Are we free flow? Sorry.
13 I just want to make sure I'm recognized.

14 CHAIRPERSON BROCK: Yes.

15 MR. FISCHER: Yeah. So I think calling
16 41 other county school boards useless is
17 offensive. And I think the folks in Clay
18 County, just south of us, would take umbrage
19 with them being useless. I think that
20 having an elected superintendent in a way is
21 similar to how the City of Jacksonville
22 functions, where you have an elected Mayor,
23 a strong form of mayor, and a City Council.
24 And so there is a balance between the
25 executive and the legislative. They still

1 have to work together, but one is the
2 administration and one is the board.

3 So I don't think one becomes useless or
4 less useful. The difference is how -- who
5 makes the decision about who is going to be
6 the chief executive to lead an agency like
7 that.

8 What the Charter Revision Commission
9 decides to recommend -- if you want me to
10 defend J1, if that's ultimately where you're
11 going, you're certainly welcome to come and
12 talk to us at the Duval Delegation, and we
13 can go through all of that. And I'm glad to
14 answer any other questions that you have.

15 But, yeah, I fundamentally reject that
16 an elected school board member would be
17 useless with an elected superintendent.

18 COMMISSIONER SCHELLENBERG: Well, I
19 would say that it really depends on who you
20 hire -- who we get elected on the school
21 board. But I would still state my position
22 that -- but let's go back to the next one
23 that I have, actually.

24 I represent your area too -- or I did.
25 And I appreciate you knocking on doors, but

1 my experience is that no one likes the
2 elected school board superintendent. And I
3 think the best way to do it is actually do a
4 poll. Because I'm not sure -- and it's not
5 a criticism. It's the way you ask people
6 what you think and not knowing the other
7 side. You know, if you want the people, the
8 constituents, to know what's going on, you
9 have to be on both sides, say, this is
10 what's good, this is what I'm thinking, and
11 have the other person say the same thing.
12 And that's why polls are important.
13 Knocking on doors is important.

14 But the ultimate thing is actually do a
15 poll to all -- you know, a vast majority of
16 people and not necessarily knocking on
17 doors. Because, generally speaking, people
18 will always be on the affirmative on certain
19 things like this.

20 I'll come back. I want to let other
21 people talk. But do you think term limits
22 overall is good?

23 MR. FISCHER: I do, yeah, I do. I mean,
24 there is a reason why I recommended it as a
25 constitutional change to the State of

1 Florida. We have a term-limited governor;
2 we have term-limited cabin officers; we
3 actually have term limits for our U.S.
4 members of congress in the Florida
5 Constitution. I think the Supreme Court
6 wrongly struck that down.

7 But, yeah, I mean, there is a reason why
8 I recommended it. I actually wanted to term
9 limit all politicians. And the broadest
10 support I could get for it was to term limit
11 school board members. It also made sense
12 because I came from a school board where we
13 had term limits. And don't think that's
14 caused any negative impacts.

15 The other thing I would say, some people
16 may chose to govern by polls, you may be one
17 of them. I certainly --

18 COMMISSIONER SCHELLENBERG: No, I don't,
19 but I'm just thinking --

20 MR. FISCHER: -- am not.

21 Can I please have the opportunity to
22 speak without being interrupted?

23 COMMISSIONER SCHELLENBERG: Well, I only
24 have a certain amount of time. So we can
25 disagree.

1 CHAIRPERSON BROCK: Well --

2 COMMISSIONER SCHELLENBERG: One second.

3 CHAIRPERSON BROCK: No. Please don't
4 interrupt when he's trying to answer. I'm
5 trying to be respectful, but we need to show
6 courtesy.

7 MR. FISCHER: So what I would say to
8 that is that, you know, sure, you can write
9 off my hard work as anecdotal. You know, my
10 goal is to look at people who are going to
11 vote, right, three out of three voters, four
12 out of four -- three out of four voters and
13 four out of four voters. And, you know, my
14 goal is to get real input from them.
15 Whatever numbers I give you, I don't need to
16 make them up or I don't need to misquote
17 them. I mean, my goal is to govern based on
18 what my constituents think, not on what some
19 poll tells me, but what do people in the
20 flesh, human beings, what do they think,
21 what do they have to say.

22 And sometimes town halls work out and
23 you get a lot of folks. I've done town
24 halls in the past and the interest seems to
25 be relatively low, you end up 15, 20 people.

1 They're still not a bad thing to do. I
2 think they're still worthwhile. But I think
3 in a couple days I can hit, you know, a
4 couple thousand doors and get a good sense
5 of where my constituents are.

6 That may not be reflective of the area
7 where you live, Nick. You live in the
8 Beaches, and so maybe they think
9 differently. I don't know.

10 But my goal as an elected representative
11 is to represent my constituents. And I
12 think they'll reelect me based on that.

13 CHAIRPERSON BROCK: Okay. Well, that
14 was a nice segue because Mr. Howland is next
15 on the queue.

16 COMMISSIONER HOWLAND: Well, thank you,
17 Mr. Fischer, for coming to talk with us and
18 taking time out of your schedule for it. I
19 know you're busy.

20 I have one comment, one question. The
21 comment is I think it's incumbent upon all
22 of us who are leaders in this city to always
23 think about ways to improve education,
24 always look at ideas and never disregard
25 them for political purposes or because they

1 might be difficult to do or they might be
2 uncomfortable. So I applaud you for
3 introducing this topic as a way to
4 potentially improving public education.
5 It's something we need to be doing all the
6 time, every day.

7 One idea that came up during this
8 process is one that actually intrigues me a
9 little bit. I brought it up during some of
10 the Commission discussions; and that is, the
11 idea to improve accountability of our school
12 board via an eighth elected at-large member
13 that potentially -- or potentially be
14 elected to the chair position. And why
15 that's interesting to me is one of the great
16 things about our education system here in
17 Duval County is that we're a choice
18 district.

19 Both Mr. McCoy and I were talking
20 earlier that we send our children to magnet
21 schools that are amazing schools. And those
22 schools and that element of choice has
23 certainly helped provide options to parents
24 and raised the performance of our district
25 as a whole.

1 But one thing that's caused is that we
2 have representatives in each district, and I
3 live in one member's district and my kids go
4 to school in another member's district.
5 Could an eighth at-large representative help
6 improve accountability for the School Board?

7 MR. FISCHER: It's possible. There is
8 actually state law that was created for
9 districts of a certain size that will
10 require them to have an elected chair person
11 of the school board. I didn't put that in
12 my proposal because I didn't get a sense
13 from any of my constituents that that was
14 really as big of an interest of them. I
15 think it's definitely within your purview to
16 consider.

17 I'm not sure of any other counties that
18 actually have a county-wide elected
19 chairperson. That's possible. I do kind of
20 think a body should be able to choose its
21 own leader. And so that's ultimately why I
22 didn't include it in my proposal.

23 I think also sometimes criticisms are
24 made about proposals, will they affect
25 so-and-so and dah, dah, dah, dah, dah. And

1 that's not my goal. In fact, if you look at
2 my proposal about the superintendent
3 component, it's very clear and explicit, the
4 referendum is 2020, the election wouldn't
5 happen until 2022. So, you know, that's
6 beyond the contract of any current
7 superintendent, right. So it's beyond the
8 time of a mayor, like, it's beyond, you
9 know, everyone that's involved.

10 So that would be my other thought is to
11 try to do policies that don't look like
12 they're going after any one particular
13 person, because that's not fair and that's
14 not right. I mean, it's better to just look
15 at the process and say what is the best
16 outcome and what do our constituents want,
17 what do the people want.

18 And so, you know, I hope you consider a
19 variety of issues around education. I hope
20 it's not limited to just one.

21 CHAIRPERSON BROCK: All right. Thank
22 you.

23 Next, Mr. Gentry.

24 COMMISSIONER GENTRY: Mr. Fischer, thank
25 you for being here and thank you for your

1 service.

2 I wanted to just ask you about the
3 comment you now made three times, that
4 majority of school districts in the state
5 have elected superintendents. It's also --
6 that's one of those facts that can be a
7 little bit confusing. It's also a fact that
8 all the major school districts have
9 appointed superintendents by the board, and
10 the largest 100 school districts in the
11 nation all have appointed superintendents.
12 Is that not correct?

13 MR. FISCHER: That's probably accurate.
14 I haven't done the research on the
15 nation-wide piece.

16 COMMISSIONER GENTRY: But on this whole
17 issue -- and I'll be candid with you, I'm
18 not sure where I fall on this question of
19 elected versus appointed. Your experience
20 is, I'm sure, that most people out there
21 want to elect their officials and not have
22 them appointed, they prefer to vote whenever
23 they can; is that correct?

24 MR. FISCHER: Uh-huh.

25 COMMISSIONER GENTRY: And that goes back

1 to your initial point that other than the
2 enumerated powers, all powers should be with
3 the people.

4 MR. FISCHER: Right.

5 COMMISSIONER GENTRY: Okay. And in that
6 respect, certainly, since the School Board
7 sets policy and the Superintendent is
8 supposed to be the operating officer, if you
9 will, the policy being set by the School
10 Board, it would be most important then to
11 have the School Board Members elected.

12 MR. FISCHER: I wouldn't agree with that
13 point.

14 COMMISSIONER GENTRY: You would not
15 agree with that?

16 MR. FISCHER: No. From my own
17 experience on the School Board, even though
18 the Superintendent, who was appointed at the
19 time, was supposed to only enact the
20 policies that we set forth, there were
21 probably more administrative policies or
22 interpretations of those policies than there
23 were actual board policies. And so as
24 constituents would have issues with those,
25 if there wasn't the votes to change it, they

1 just didn't care. You know, the person in
2 the administrative role just didn't care.

3 So I think having them directly elected
4 by the public would make sure that those
5 interpretations of the board policies either
6 better aligned or, you know, just aligned
7 with their constituents.

8 COMMISSIONER GENTRY: Okay. And so it's
9 important to have all of them elected?

10 MR. FISCHER: That's what I think we
11 should consider. But I hope that you
12 consider a multitude of issues in the
13 education space, not just that one. I
14 really do, honestly.

15 COMMISSIONER GENTRY: All right.
16 Thanks. And let me ask you, going back to
17 the Office of General Counsel comments that
18 you made, and I can tell you I don't -- the
19 issue of the Office of General Counsel and
20 how it's appointed, its extensive power has
21 been the subject of comment by many people.

22 Several of the constitutional officers,
23 people in government have come to us saying,
24 you need to look at this. So you join a
25 number of folks who have raised that issue.

1 One of the things I did want to ask you,
2 as we try to understand better the power of
3 the Office of General Counsel, when you
4 first proposed your J Bill, which was to
5 make the school board members appointed as
6 opposed to elected, that document, that J
7 Bill was crafted by the General Counsel's
8 Office; correct?

9 MR. FISCHER: It -- necessarily, uh-huh.

10 COMMISSIONER GENTRY: And at that time
11 did they bring to your attention to the
12 constitutional issues involved with having
13 an appointed school board when article --
14 Section 4 of Article 9 says it should be
15 appointed -- should be elected?

16 MR. FISCHER: Yeah. So we discussed it.
17 So the reason I said necessarily is because
18 the Duval Delegation is a member -- we are
19 part of the consolidated government. So the
20 General Counsel's Office works for us as
21 well. They draft up legislation, they do
22 lots of different things.

23 And we discussed that issue. And, you
24 know, I think it's Article 8, Section 9 of
25 the Florida Constitution, Jacksonville is

1 unique and is able to have special powers on
2 how it forms its local government, and
3 including school districts. That's why it's
4 in the City Charter about the school board
5 responsibilities and the superintendent
6 responsibilities.

7 The School Board pay actually is set by
8 the City Council, not by the state
9 legislature like all the other school boards
10 in the state. Like, if you go and you look,
11 the City Council actually sets their
12 compensation. I don't know if they in
13 practice do, but it's much more of a local
14 consolidated government than just the state,
15 like all the other school districts. So
16 it's different.

17 COMMISSIONER GENTRY: So just so I'm
18 clear, because I was going to ask the
19 General Counsel that question too. You were
20 advised by them that the Charter of Duval
21 County trumps Article 9 of the State
22 Constitution?

23 MR. FISCHER: No. The advice from
24 counsel was that because of Article 9 -- I
25 think it's Article 8, Section 9, the Charter

1 has the explicit ability to do that. So
2 it's not that it trumps it. It's that the
3 Florida Constitution gives the City Charter
4 the ability to form their government
5 differently. And so where there is
6 conflicts, it is where the Charter stands,
7 at least according to Article 8, Section 9.

8 CHAIRPERSON BROCK: Mr. Denton.

9 COMMISSIONER DENTON: Thank you,
10 Mr. Chairman, and Mr. Fischer.

11 MR. FISCHER: Can General Counsel weigh
12 in? I know we're -- sorry to interrupt
13 Mr. Denton's time, but if --

14 CHAIRPERSON BROCK: We're actually going
15 to be having that discussion at our next
16 meeting. We're going to be having a memo
17 coming from the Office of General Counsel on
18 that topic, so stay tuned.

19 MR. FISCHER: All right.

20 COMMISSIONER DENTON: Mr. Fischer, I
21 appreciated your comments on -- suggestions
22 on the General Counsel. I have two
23 questions. One is, on the selection of the
24 General Counsel, you suggested that the
25 people who ultimately would be the clients,

1 in effect, of the General Counsel have a
2 role in selecting him or her. How would
3 that work? I think you just said there are
4 so many of these customers, including
5 yourself as the Chair of the Delegation, how
6 do you see that practically working?

7 MR. FISCHER: I just want to say that,
8 even though I'm the chair, the board hasn't
9 taken a position on any of these issues. So
10 I may speak in my capacity as chair, but not
11 on behalf of the full board.

12 What I think is that it ultimately
13 should be left up to you guys to figure out
14 who those constituents should be. But I do
15 think it should be partially elected and
16 partially -- because some of those are
17 appointed. But the agencies -- so right
18 now, like I said, it's five attorneys, the
19 president of the Jacksonville Bar
20 Association, two former General Counsels and
21 two members of the Florida Bar -- Florida
22 Bar Board of Governors who represent Circuit
23 Four.

24 So those individuals, I think they
25 should just be outlined as the constituents

1 who the General Counsel serves, there being
2 an application process, they'd make a
3 recommendation of, say, three people to the
4 Mayor, the Mayor would -- and then it would
5 follow the regular process as is. The Mayor
6 would make a recommendation to City Council,
7 and City Council would approve it.

8 So on the front end you have Duval
9 County -- the chairperson of the School
10 Board, the chairperson of the Duval
11 Delegation, the chair of JEA, the chair of
12 JTA, the chair of JPA, and AA. I don't
13 think I'm leaving any of them out. But just
14 go for the big authorities, maybe not like
15 the TRUE Commission chair have a board
16 there -- seat on that.

17 But on the reviewing of it, kind of like
18 a JNC in a different way how in Florida, you
19 know, we have a JNC that makes proposals,
20 it -- applications about judges, the judges'
21 recommendations are then sent to the
22 governor, and then governor makes a pick out
23 of three of them. Similar to that, but have
24 the people that the General Counsel is going
25 to serve, have them on the review committee

1 at the front end.

2 COMMISSIONER DENTON: One other question
3 is do you -- we've seen recently the, I
4 think, extraordinary power that the General
5 Counsel has in City government. Do you see
6 any need to change the structure or powers
7 of the General Counsel?

8 MR. FISCHER: I think that goes back to
9 what I mentioned in, I think, the first
10 point that I brought up, right. It had to
11 do with the Consolidated City of
12 Jacksonville. Are we really consolidated?
13 And if we are, like, what's the right form
14 of that? And so I think, if you ask
15 yourself that question as you wrestle
16 through that, decide, you know, if we really
17 are a consolidated city and how consolidated
18 should we be.

19 And I think a critical point to
20 consolidation would be the ability for these
21 various entities to not sue each other. I
22 mean, I think that's one of the great
23 benefits that we have is that -- unlike some
24 places in South Florida where they're all
25 just suing each other. And the taxpayers

1 continuously lose because of the legal fees.

2 So I think the ability to issue binding
3 opinions is great in a consolidated form of
4 government because you want direction, you
5 know, to be clear. But that comes down
6 to -- that's the core question of
7 consolidation, do you want a consolidated
8 government or not.

9 None of my thoughts or criticisms on it
10 have to do with individual occupants of it.
11 It's more of being a guardian of, you know,
12 public sovereignty. So how does the
13 public's input play in it? How do the
14 powers be defined, like I talked about,
15 enumerated powers?

16 And so the General Counsel in itself
17 would then be necessarily limited if you
18 changed how the construction is of this
19 document to not be construed liberally to
20 mean whatever you want it to mean at the
21 time you want it to mean it.

22 COMMISSIONER DENTON: Thank you.

23 CHAIRPERSON BROCK: Next we have
24 Ms. Lisska.

25 COMMISSIONER LISSKA: Hello,

1 Representative Fischer. How are you?

2 MR. FISCHER: Good.

3 COMMISSIONER LISSKA: Just real quickly.

4 And some of my other questions have been
5 answered, but I heard you say, which puzzled
6 me, a body should select its own leader.
7 Did I misunderstand you? And I'm not sure
8 what that specifically was directed at. Was
9 it just a broad general statement or did you
10 specifically mean something? Because, after
11 all, with the legislation you filed, that
12 seems to fly in the face of that
13 legislation, that statement.

14 MR. FISCHER: So I don't think that
15 those were -- I don't think that those two
16 things were confused. That was a response
17 to talking about having an elected school
18 board chairperson. So say, for instance,
19 City Council should pick who the City
20 Council president is going to be.

21 COMMISSIONER LISSKA: Okay. Thank you
22 for clarifying.

23 MR. FISCHER: The speaker of the house,
24 the house should pick who the speaker of the
25 house is going to be, that kind of thing.

1 So when you have a deliberative body, they
2 should be able to choose their leader.

3 COMMISSIONER LISSKA: Okay. But you
4 wouldn't feel the school board
5 superintendent would play that role --

6 MR. FISCHER: Funda- -- sorry. Go
7 ahead.

8 COMMISSIONER LISSKA: Well, go ahead.

9 MR. FISCHER: It's fundamentally
10 different. It's executive branch versus a
11 legislative branch, right. So the School
12 Board would be like the City Council and the
13 Superintendent would be like the Mayor,
14 right. So that's an executive function.
15 This is a legislative function.

16 So it's fundamentally, like, you know,
17 from basic civics, right. So legislative,
18 executive, judicial, you've broken them up,
19 right. So the School Board is the
20 legislative, the Superintendent would be the
21 executive, so it's different, would be how I
22 characterize it.

23 COMMISSIONER LISSKA: Okay. Thank you
24 very much.

25 CHAIRPERSON BROCK: Next we have

1 Ms. Mills for the second time.

2 COMMISSIONER MILLS: Thank you. Through
3 the Chair, Mr. Fischer, thank you for
4 answering some of my questions, but -- and
5 this is not an all out -- I guess, me and
6 you, we can have a free flow. I ran for
7 office too, so I do know that funding does
8 play a part in that. And by me running for
9 District 10 and for you to -- I have a
10 problem when people, they make references to
11 "my district," "my district," but then when
12 something big happens, it's "our city
13 Jacksonville."

14 Most of those schools that -- a lot of
15 those schools that are feeling left behind,
16 where children are not seeing a bright
17 future, a lot of those schools are in the
18 northwest quadrant.

19 So I don't know if you're planning on
20 putting a team together to go in the
21 northwest quadrant to see how they feel
22 about it, what are some of their issues, you
23 know, with the current schools. The bottom
24 line is that we have to be adult enough,
25 citizens enough to understand that it's

1 about the whole city.

2 And when it comes to consolidation, you
3 know, consolidation works for certain
4 issues. Because consolidation has not
5 worked in the urban core for over 50 years.

6 And then when you said something about
7 under the democratic leadership, when he was
8 elected to the School Board, you know, to
9 me, that sounds kind of partisan. And I
10 really don't know if the current
11 Superintendent is democratic or republican,
12 because it shouldn't make a difference. It
13 should make a difference that we're here to
14 do the right thing. That's a concern.

15 So I don't know, like I said, if you're
16 interested in going outside of where you
17 live, because it doesn't just affect where
18 you live; it affects the whole city. And I
19 just want us to be about -- you know, we
20 have to understand the mission. The mission
21 is that we make Jacksonville a better city.
22 In order to do that, our schools have to be
23 better.

24 And back in the '50s -- you're saying
25 that was a long time ago. Yeah, it was.

1 But when I look at the frame of the schools
2 now, I've been in several schools, they have
3 buckets everywhere, the textbooks are torn,
4 you know, they get to feel all four seasons,
5 which Jacksonville -- well, Florida really
6 doesn't have all four seasons, but when they
7 go to school, they feel all four seasons.

8 So, you know, those are just my
9 concerns. I appreciate, you know, you
10 coming here to speak with us today. And,
11 you know, I'm just one of those people, I
12 shoot from the hip up, because I think when
13 you're very clear about things, you don't
14 have to worry about running around the bush.

15 MR. FISCHER: Can I respond to some of
16 that?

17 CHAIRPERSON BROCK: Yeah.

18 MR. FISCHER: Yeah, thanks.

19 So, yeah, Ms. Mills, I appreciate the
20 candidness. In fact, one of my former
21 colleagues, Paula Wright, and I didn't
22 always agree. But, I think, in the
23 principle of it all we really did, which was
24 that we were both open and honest and very
25 public about what we believed and passionate

1 about it and willing to debate. So I'll
2 never want to put words in her mouth,
3 because we didn't often agree on some
4 things, but we fought vigorously because we
5 both, I think, genuinely care. I mean, I
6 certainly do and I felt like she did as
7 well. And I get a similar sense from you.

8 What I would say, you know, when it
9 comes to an elections process, I don't
10 believe that politicians are bought and paid
11 for. I mean, there are some out there that
12 may be. But just because there is an
13 election, I don't think that there is some
14 kind of grand conspiracy going on.

15 I think that trusting the people -- I
16 mean, the core word of democracy, demos, is
17 people, right. So if we believe in having a
18 free society, we need that input. We need
19 that constant engagement from our
20 constituents. We need elections.

21 So the other point that I would say is
22 in my response earlier I did mention that I
23 was going to go outside of, you know, my
24 home base and that I was going to start to
25 work other parts of House District 16. I'm

1 certainly welcome to come -- I'm certainly
2 interested to come knock doors in your
3 neighborhood if you're interested to go do
4 that, and we'll just ask them the simple
5 question: Do you support an elected
6 superintendent?

7 And then just continue to go on. You
8 know, people that have a high likelihood of
9 voting, let's hit some doors in your
10 neighborhood, if you'd like to do that. I'm
11 interested in their input as well.

12 I think you can look at my record both
13 as a state legislator and as a school board
14 member supporting reform initiatives in
15 parts of town that have been left behind.

16 Your point about consolidation has
17 worked well for some parts, I mean, maybe is
18 the answer. Some parts have done well and
19 not necessarily because of consolidation.
20 Some parts have been systemically failed,
21 right. They have not had the kind of
22 attention, the kind of focus that they
23 deserve.

24 And the specific constituents that
25 you're talking about actually will have a

1 greater say in the administration of their
2 school system if we have an elected
3 superintendent, because they'll have the
4 chance to vote, not on just one school board
5 member, but they'll have the chance to vote
6 on the chief executive who makes the
7 day-to-day decisions about how those are
8 done.

9 The last thing that I'll point out,
10 which you said, so the School Board budget
11 is \$1.7 billion. It's up a little bit, down
12 a little bit from year to year, but it's
13 about \$1.7 billion, 125,000 children. If
14 you break it down, you know, there are some
15 restrictions on how some of the dollars are
16 used. That's why I tried to push more money
17 always in the BSA, base student allocation,
18 which is the most flexible portion.

19 But if you do back of the napkin, kind
20 of how the money is allocated,
21 13-and-a-half-thousand dollars per kid per
22 year. Some it's much more, some it's much
23 less, depends on the school individually.
24 But if you just look at the aggregate of if
25 you were sending your kid to a school, you

1 know, what is the state, feds and local
2 spending on them. In Duval County, it's
3 roughly \$13,000 a year. That's a tremendous
4 amount of money.

5 You know, I think -- when I was on the
6 School Board, I led us through a zero base
7 budgets process. We let go of 300
8 administrators, 298 to be specific. We
9 hired more teachers, we gave our teachers a
10 pay raise, we hired more reading coaches, we
11 hired more math coaches. This coming off
12 the heels of a previous school board pushing
13 out a superintendent who didn't fully give
14 them the truth, an appointed superintendent
15 who hid \$128 million in the school board
16 budget and didn't tell them about it. Go
17 back and read the Times Union as they talked
18 about it in 2011 and 2012. So there's been
19 those issues and there's been funding
20 challenges.

21 And there's a lot of money that goes
22 into the system. So how is the money being
23 spent? Where is it going?

24 If you look at my record on the board, I
25 led us through that process. I helped us

1 get through some of those things. We did a
2 complete revamp at Eugene Butler, the Girls
3 Academy and the Boys Academy, we redid the
4 school, I think it was, Lone Star
5 Elementary, turned it into the Grasp
6 Academy.

7 So we went into areas and fixed either
8 schools that were low performing or schools
9 that had chronic under-enrollment. So, you
10 know, there's a lot of money, I guess, going
11 out there. So how is that money spent?

12 We shouldn't have started the school
13 year with, what was it, 40 schools that
14 didn't have air conditioning on day one. I
15 mean, that's like the single biggest job to
16 get done over the summer.

17 So, yeah, I'm being told to wrap it up.

18 But my point there is none of your
19 points were lost on me. I don't agree with
20 every one of them, and I think I've outlined
21 those. But I would be glad to come walk in
22 your neighborhood and around some of the
23 areas where you think it's impactful,
24 because my goal is to listen to what people,
25 what human beings in the flesh have to say.

1 CHAIRPERSON BROCK: All right. Thank
2 you.

3 We have another speaker, Ms. Baker.

4 COMMISSIONER BAKER: Hey,
5 Representative. Thank you for being here.
6 I'll be really quick. I just think that
7 what you're saying is that an elected
8 superintendent would be a check and balance
9 on the board whether they were appointed or
10 whether they were elected. In your
11 experience, you think that an elected
12 superintendent would be held more
13 accountable to the voters than to the board,
14 essentially, whether elected or appointed.

15 MR. FISCHER: I do. And I think, you
16 know, Ms. Mills' point about how certain
17 parts of town have been left behind by
18 consolidated government actually makes one
19 of the more stronger reasons to go this
20 direction, because we've had, you know, 40,
21 50 years of communities continuously being
22 left behind in an appointed superintendent
23 format.

24 So, yeah, it would provide a check and
25 balance. It would also make sure that

1 different constituent groups are also
2 brought into the mix in a bigger, broader
3 way. Thank you.

4 CHAIRPERSON BROCK: All right. I don't
5 have anybody else on the queue.

6 COMMISSIONER GENTRY: I am.

7 CHAIRPERSON BROCK: You are? Okay. I
8 don't have you on the queue.

9 All right. Mr. Gentry, for the second
10 time.

11 COMMISSIONER GENTRY: I must have taken
12 myself off the queue when I thought I was
13 putting myself on the queue.

14 Mr. Fischer, I think that the legitimate
15 concerns of folks, particularly in Lori's
16 districts who support an appointed
17 superintendent is that, as you pointed out,
18 the budget is humongous. You're over
19 logistics, hundreds of buses, schools,
20 principals, teachers, just the day-to-day
21 operations of the district are huge. And it
22 does require a CEO, or should require a CEO
23 with substantial experience in those arenas.
24 And I think that's the main issue.

25 And one thought I have, would you

1 consider in your proposal in your
2 legislation to set out some minimum criteria
3 or requirements for someone to be eligible
4 to run for superintendent, so as to be -- I
5 mean, to run for superintendent so that
6 you'd be assured that they, one, are an
7 educator, and have a background in
8 education, but have at least some of the
9 credentials that you would want that person
10 to have in order to be superintendent. And
11 then let the folks vote on that person, but
12 being assured at least you have some minimum
13 requirements.

14 MR. FISCHER: So I'm interested in
15 solutions. So if folks have particular
16 proposals they would like to bring forward,
17 I'm certainly glad to consider them. I do
18 think that the State Constitution outlines
19 some qualifications around what a
20 superintendent has to do or has to be.

21 I think that taking the opinion that it
22 can only be someone with a terminal degree
23 in education could lead us down a very
24 elitist and partially wrong path. You have
25 John Thrasher, right, who is the president

1 of FSU; you could look back at Mayor Delaney
2 from JU; you could look at General Frier
3 (ph), who I know has done some work in
4 education, but didn't have, you know, the
5 terminal degree in education.

6 Because what you said about how the
7 school system operates is key to this point,
8 which is it is an institution that's core
9 function is teaching and learning. So that
10 has to always be remembered. But it is a
11 large organization. It is the single --
12 it's the second largest employer in our area
13 because of the Navy, but in most counties
14 it's the single largest employer in any
15 county.

16 Largest food service provider in the
17 county, by the way. It's the largest
18 transportation agency in the county. I
19 mean, I guess if you don't count, you know,
20 the airport, but if you look at the buses,
21 right, where they have over 980 buses in the
22 fleet, I think. I don't remember what the
23 number is today, but it's something similar
24 to that.

25 So they are a complex organization that

1 at its core mission is teaching and
2 learning, but there are so many other
3 functions that it's really a chief
4 executive. So whether they're a general or
5 a former, you know, leader or something like
6 that, those things are important. You
7 wouldn't want to exclude them.

8 But I'm interested in maybe some kind of
9 criteria, particularly, you know, in order
10 to get it on the ballot, because I think
11 it's a good initiative that can help improve
12 things.

13 CHAIRPERSON BROCK: All right.
14 Representative Fischer, thank you again,
15 thank you for your service, for your
16 leadership. And more importantly, I greatly
17 appreciate you coming to us with specific
18 ideas and sections of the Charter for us to
19 look at. I think those are the most helpful
20 things, when speakers come to us with some
21 specific items to look at. So thank you.

22 MR. FISCHER: I really appreciate the
23 opportunity to come and speak to the Charter
24 Revision Commission. I'm an engineer, so,
25 if you couldn't tell, very detail-oriented,

1 very specific.

2 If you would like to talk about any of
3 the things I brought up after this, I'm free
4 and available to talk to you, whether it
5 just be about education or it be about the
6 variety of issues that I brought up, because
7 I'm passionate about making sure that we get
8 as much voter input as possible, that we
9 have a local government that's responsive to
10 the people, and that it's concise charter
11 and that it's limited. Thank you.

12 CHAIRPERSON BROCK: Thank you.

13 And, now, I was advised early on that
14 Council Member Dennis and Council Member
15 Carlucci would like to speak to us. I would
16 ask that you be brief. And in the future,
17 if you do want to speak, you know, kind of
18 let us know, because we are running pretty
19 tight on our schedule, and I want to make
20 sure that we allow enough time for Chair
21 Hershey and Dr. Green. So gentlemen.

22 COUNCIL MEMBER CARLUCCI: Mr. Chair, I
23 would defer. I can speak at public comment.
24 I don't want to take up the time from
25 Dr. Green or her School Board

1 Superintendent, Lori Hershey (sic). I
2 wasn't expecting to be jumped in front of
3 them. So my colleague here may want to do
4 different because of his time frame. But I
5 would rather them speak first, they're on
6 the agenda first. Thank you.

7 CHAIRPERSON BROCK: Thank you for that.
8 Mr. Dennis?

9 COUNCIL MEMBER DENNIS: I agree with
10 Council Member Carlucci.

11 CHAIRPERSON BROCK: Okay. Thank you all
12 very much. I want to be respectful of
13 everybody's time, and I didn't know if you
14 guys had other things you needed to be
15 attending to.

16 So, with that, we will move on to the
17 next item in the agenda, and it is listed as
18 Dr. Hershey (sic) first, but I was advised
19 that the way the presentation was done, that
20 Dr. Green would be the first person to come
21 and speak.

22 So, Dr. Green, thank you. Name and
23 address, and you have the floor, ma'am.

24 DR. GREEN: Diana Green, Superintendent
25 of Duval County Public Schools, address

1 15693 Corralero Court.

2 Good morning. It's indeed an honor and
3 a pleasure to come present to you today. My
4 portion of the presentation is to talk about
5 where we've come from ten years ago when the
6 Charter Revision Commission came together at
7 that time in 2010 or 2009/10 to have a
8 conversation about public education.

9 I believe you were given a notebook and
10 also inside that notebook is the
11 presentation, in case it doesn't transmit.

12 Just a little bit about Duval County
13 Public Schools, we are a large urban school
14 district. We're the 20th largest school
15 district in the nation and the 6th largest
16 school district in the state of Florida. We
17 are very diverse in that we have 200
18 schools, including comprehensive schools,
19 charter schools, center schools and a
20 virtual school.

21 We are the -- a major employer in Duval
22 County. We employ over 12,000 full-time
23 employees and over 1,000 part-time
24 employees. So we are one of the largest
25 employers in our city. We also serve close

1 to 130,000 students in Duval County.

2 This School Board does a strategic plan
3 every five years. And part of that
4 strategic planning is to set our vision and
5 mission for our organization. Our vision is
6 that every student is inspired and prepared
7 for success in college, or a career, and
8 life. Our mission is to provide educational
9 excellence in every school, in every
10 classroom, for every student every day.

11 So everyone from the Superintendent
12 down, including our illustrious School
13 Board, is focussed on improving education
14 for all students.

15 We are very proud of where we've come
16 from since 2010. Today Duval County is the
17 highest performing B school district in the
18 state of Florida. We are four points, four
19 points, from being rated as an A school.

20 When you look at our demographic of
21 students and enrollment by accountability
22 rating system, over 37 percent of our
23 students are in A rated schools, 25 percent
24 of our students are in B rated schools,
25 27 -- a little over 27 percent in C rated

1 schools, 9 -- a little over 9 percent in
2 schools graded as a D, and less than 1
3 percent of our students are in a school
4 graded F. We have one F school.

5 So as it relates to how we perform
6 amongst the big seven, these are the seven
7 largest school districts in the state of
8 Florida: You have Duval, Miami-Dade,
9 Orange, Palm Beach, Broward, Hillsborough,
10 Pinellas. In 2015 and '16, Duval was pretty
11 much at the bottom of the heap as it relates
12 to the big seven.

13 But, as you can see, Duval has made
14 tremendous growth. And this is based on our
15 state rating system, how they rate school
16 districts.

17 Again, as you see, we are just below
18 Orange County. Orange -- to be an A school
19 district, you have to earn 677 points.

20 This is still not showing, okay.

21 So we've moved from towards the bottom
22 of the heap to now towards the top of our
23 school district as it relates to the big
24 seven.

25 But when we look at Duval for the entire

1 state of Florida, Duval is considered in the
2 middle, what we call the middle third. It
3 is the -- we are above 50 percent of the
4 school district's performance. If you look
5 at where Duval is currently at 673, in 2010
6 and at 673, Duval is ranked 28th highest
7 performing school district in the state of
8 Florida. But in 2010 Duval was at the 51st
9 rated school district. So in ten years
10 Duval has moved from the 51st rated school
11 district, which if you look at that -- if
12 you look at the chart, that would be
13 somewhere between Okeechobee and Polk County
14 where they performed ten years ago. And now
15 today we are at the 28th ranked school
16 district in the state of Florida.

17 But here is where the rubber meets the
18 road. Our number one priority is to ensure
19 that, when our students matriculate, whether
20 it's from pre-K to 12 or kindergarten to 12,
21 that when they leave us, that they have an
22 opportunity of many pathways, that they
23 graduate from high school and that that
24 diploma actually means something.

25 If you look ten years ago, Duval County

1 was graduating just a little over 50 percent
2 of their students. Today we are at our
3 highest graduation rate at 85 percent. And
4 I'm very proud to say that our initial
5 assessment for last year's data is coming in
6 even higher than 85 percent graduation.

7 When you look at Duval County compared
8 to the seven, the big seven, we were -- we
9 were at the bottom of the barrel. And, as
10 you can see, not only have we improved, but
11 we are pretty much closing the gap between
12 Duval County and the other six large urban
13 school districts in the state of Florida.
14 Not only closing the gap, but we are right
15 at the state average, which means we are
16 closing the gap amongst many school
17 districts in the state of Florida.

18 Here it is broken down by subgroup,
19 because some districts have a great
20 graduation rate, but there is an achievement
21 gap between their demographics. So in Duval
22 we've -- we have almost closed that
23 achievement gap as it relates to graduation.

24 ELL, that is for students who are
25 speakers of other languages, it's gone from

1 47 percent graduation rate to 82 percent.
2 Free and reduced lunch, our students of
3 poverty, has gone from 41.8 to 79.5.
4 Student SWD, that's students with
5 disabilities, an astounding growth from 19.8
6 percent to 77.1 percent. Caucasian students
7 from 61.5 to 86.1; Hispanic students, 50.1
8 to 84.3; African American students from 44.2
9 to 83.2 percent; multiracial students from
10 58 to 84; Asian students, 72 to 95,
11 basically 96; other, from 66.7 to 90.9.

12 We are closing the gap as it relates to
13 students of having an opportunity to
14 graduate from high school ready to either go
15 to postsecondary, the military, or into the
16 world of work.

17 Many times we hear, yeah, you're
18 graduating students, but they can't read.
19 Well, that is not true. And it's not true
20 because you can't graduate unless, one, you
21 pass the 10th grade ELA, FSA, or have a
22 concordance score on the ACT or SAT. You
23 also have to pass Algebra I EOC or a
24 comparative score on the PERT. So if a
25 student walks across the stage with a high

1 school diploma, they've done both --

2 CHAIRPERSON BROCK: Can I just interrupt
3 you for one second?

4 DR. GREEN: Yeah.

5 CHAIRPERSON BROCK: When you throw out
6 acronyms, that's a language that most of us
7 here probably don't speak.

8 DR. GREEN: Okay. SAT, ACT, those are
9 college entry exams. So if a student
10 doesn't pass the Florida State Assessment,
11 that's our state assessment in 10th grade,
12 they have an opportunity to take either an
13 ACT or SAT to get a concordance score, or
14 they can retake the FSA. And so for
15 students to graduate, they have to pass it.

16 What gets reported is only first time
17 test takers. So you may have a school that
18 only had 28 percent of their students pass
19 the FS- -- 10th grade FSA English Language
20 Arts Assessment ELA. Well, that's the first
21 time they've taken it. They can take it
22 again in 11th grade, two times, they can
23 take the ACT or SAT, but that information is
24 not reported.

25 So it's just very important for people

1 to understand, no, they're not graduating
2 and they can't read, because they can't
3 graduate without passing those assessments.

4 All of our high school students, they
5 must take end-of-course exam assessments
6 that is also from the state of Florida.
7 That constitutes 30 percent of their grade.
8 And those assessments are Algebra I, Biology
9 I, Geometry, U.S. History.

10 Off to the right-hand side of this
11 PowerPoint, you will see these are the 24
12 credit requirements for high school
13 students. High school students must take
14 four credits of English. That means one
15 credit is a yearlong course. Four credits
16 of math, three credits of science, three
17 credits of social studies, one credit of
18 arts, one credit of PE/health. All high
19 school students must take an online course.
20 They have eight electives.

21 And if they are planning to attend any
22 of our state colleges or universities, they
23 must have two credits of a world language.
24 And those two credits generally must support
25 one another. So it's not one year of

1 Spanish and the next year of French. It's
2 Spanish I, Spanish II, French I, French II.

3 Now, people say, well, they have a high
4 school diploma. Now, when they go to
5 college, they have to take remedial courses.
6 What good was that high school diploma?

7 Well, the State of Florida many years
8 ago passed a requirement that high schools
9 had to do those remedial courses while they
10 were seniors in high school. We have
11 continued to administer those assessments
12 that would show that those students are
13 college-ready and would not need
14 remediation. If you look at reading, since
15 2012 we jumped 10 percent over the last six
16 years from 73 percent college-ready to 83
17 percent college-ready. In math, 23 percent
18 increase from 55 percent college-ready to 78
19 percent college-ready. So we have a
20 requirement for our students to show that
21 they are college-ready before they actually
22 graduate from high school.

23 Another point of interest that would
24 show that our students are college-ready is
25 the amount of scholarships that our students

1 receive. This year we have had an all-time
2 record high of \$188.5 million given in
3 scholarships to Duval County Public School
4 students. Students don't receive
5 scholarships, money, if they need
6 remediation.

7 Many of these students are receiving
8 academic scholarships; many of these
9 students are receiving Bright Futures
10 scholarship monies; and, yes, students are
11 receiving athletic scholarship dollars. But
12 even our student athletes have to pass the
13 same requirements as all other students in
14 their entrance into college.

15 So I've talked a lot about what we've
16 done at the high school level. That --
17 because, quite frankly, that is where the
18 rubber meets the road. The goal is to
19 ensure that when students leave us after
20 their senior year, that they are ready to go
21 to that next level.

22 But we also have data that shows that we
23 are making a difference at the elementary
24 and middle school. That difference is being
25 shown on what we call the NAEP -- and I'll

1 explain it because it's an acronym --
2 National Assessment of Educational Progress.
3 It is one of the largest ongoing and
4 national representation measures of trends
5 in academic achievement. It is used to
6 compare the United States with other
7 countries and programs for international
8 student assessment.

9 Duval County voluntarily participates.
10 You are not required to participate in this
11 program. The district assessment is used to
12 benchmark against other large districts and
13 national averages.

14 So let's talk about how well Duval
15 County Public Schools is doing. We have
16 been ranked in the top 3 out of the 27 urban
17 school districts in nearly all reporting
18 categories on this national assessment. We
19 were ranked number one -- we are ranked
20 number one in fourth grade math for all
21 students. We're ranked number one for
22 African American students. We're ranked
23 number one with students with disabilities.
24 We're ranked number one for eighth grade
25 reading for African American students.

1 We're ranked number one in eighth grade math
2 for students with disabilities.

3 I'm not going to go through each one,
4 but you see we were ranked number two,
5 ranked number three.

6 So who are we competing against? This
7 map shows the 27 urban districts that
8 participate in the NAEP assessment. Top
9 five urban cities for reading on the
10 national assessment: Number one Miami-Dade;
11 number two, Hillsborough; number three,
12 Duval. Florida urban school districts, the
13 number one, number two and number three in
14 reading.

15 For math on the national assessment for
16 fourth grade, top five urban cities: Duval
17 County, number one; Miami-Dade;
18 Hillsborough. Again, Florida urban school
19 districts, number one, number two, number
20 three.

21 Eighth grade reading on the national
22 assessment, Duval County, number three;
23 Hillsborough, number one; San Diego, number
24 two. Again, Florida school districts in the
25 top three.

1 Duval County for eighth grade reading on
2 the national assessment, we were number
3 eight. Again, continuing to show that we
4 are ranked amongst the best urban school
5 districts in the nation.

6 The executive director, the Council of
7 Great City Schools, Michael Casserly, said:
8 The new NAEP results confirm that Duval
9 County is one of the highest performing big
10 city school districts in the nation. The
11 public should be encouraged by the progress
12 their schools have made and hopeful for a
13 very bright future.

14 Duval County Public Schools ten years
15 ago recognized they had a problem. And over
16 the past ten years this school community and
17 community have rolled up their sleeves,
18 gotten in the game and made great progress
19 in moving this school district forward.

20 Again, other points of pride,
21 acceleration. We earn points for our school
22 grade based on how well our students perform
23 in accelerated courses. We offer IB, which
24 is International Baccalaureate, ACE, AP,
25 early college, advanced and gifted. Today

1 over 74 percent of our students are passing
2 IB and ACE exams.

3 We have a very liberal enrollment into
4 these very prestigious programs because we
5 believe that every student, if they show the
6 willingness to work hard, should have an
7 opportunity to take advantage of these
8 advanced courses. You will notice, if you
9 walk through any of our classrooms, that
10 many of these advanced courses are very
11 diverse. They are very diverse in the
12 ethnicity of students. They are very
13 diverse in the ethnicity of the people who
14 are standing in front of them, their
15 teachers. And these students have truly
16 made a commitment that they believe the
17 college-going career, or the college-going
18 focus, philosophy of this board truly has
19 been embraced.

20 The one factor that I am most proud of
21 is our dual enrollment participation. Dual
22 enrollment means students are taking college
23 courses while they're still in high school.
24 Today we have over 16,000 of our high school
25 students taking dual enrollment courses,

1 which means they're taking college courses.
2 And we have a 94 percent pass rate of
3 students taking college courses.

4 And many of our students are taking
5 these courses on those college campuses.
6 FSCJ, which is our largest provider, many of
7 our students go directly to FSCJ and they
8 are taking these courses and they are
9 passing these courses.

10 Not everyone is going to the university
11 or going to a state college. But everyone
12 has an opportunity to also be focussed on
13 what are the needs of our community. We
14 work very closely with the Chamber of
15 Commerce to focus on those areas that they
16 say we need a pipeline for employees to
17 fulfill the many vacant positions that we
18 have.

19 So today we have over 110 CTE business
20 partnerships. CTE stands for career
21 technical education. We have 110 part- --
22 business partnerships. Literally that means
23 we have a business that is partnering with a
24 school to support that academy.

25 We have five VyStar academies. Those

1 VyStar academies are actual credit unions
2 inside of those five high schools. And the
3 students run the credit union.

4 Thirty-four career technical education
5 academies, 98 career technical education
6 programs at middle and high school. We are
7 helping our students at middle school see
8 the potential. And we have career academies
9 at our middle schools so that, when they
10 make a choice about which high school they
11 want to attend, they can keep that pathway
12 moving forward.

13 Another thing that this district has
14 been very successful -- and, unfortunately,
15 it took desegregation to move in that
16 direction, but that is the implementation of
17 magnet programs. The district has 66
18 dedicated magnet programs. We are a school
19 district of 100 percent choice.

20 It was mentioned early -- earlier that
21 we have a little over 980 buses. The reason
22 we have close to 1,000 buses is that we
23 transport students all across this county.
24 We transport students from downtown all the
25 way to Baldwin. We transport students from

1 the north side over to the south side. We
2 create opportunities for every student in
3 this district.

4 And those opportunities also are
5 included of charter schools. We have 31
6 charter schools. And, as you can see, the
7 enrollment in charter schools is at 17,572.
8 Enrollment in our magnet programs is at
9 23,603. So that represents a little over
10 40,000 students.

11 So when I talk about we are very proud
12 of this, you still have to recognize over
13 90,000 students still think their
14 neighborhood school is quite an opportunity
15 for them. They still attend their
16 neighborhood schools and they are quite
17 happy and satisfied with their neighborhood
18 schools. But our goal is to ensure that
19 parents have choices and that those choices
20 allow their child to meet their highest
21 potential.

22 Other points, we are rated by the
23 Council of Great City Schools not only for
24 our academic success, but also the business
25 side of what we do. We talk about -- it was

1 mentioned that the leadership doesn't have
2 to always be an educator. And that is so
3 true. But leadership is also about the
4 people who are working in the organization,
5 their commitment to the organization and how
6 that leader can inspire them to continue to
7 the highest levels of outstanding
8 performance.

9 And, as you can see, when it comes to
10 finance, risk management, food service,
11 maintenance and transportation, we rank
12 amongst the top urban school districts, not
13 only in the state, but in the nation, in the
14 following areas, whether it's risk
15 management, food service, financial
16 management, procurement, human resources.

17 And, as it relates to financial
18 management, we just had a workshop with our
19 School Board. And the School Board has a
20 policy that the goal is to have five percent
21 of fund balance that's unreserved, that
22 means the School Board can make decisions on
23 how to utilize those dollars as best that
24 they see fit.

25 Two years ago that fund balance was at

1 2.11. Today that fund balance is now at
2 4.11. That doesn't just happen by
3 happenstance. That happens because there
4 are people who are very knowledgeable about
5 what they do and are very committed and
6 dedicated to Duval County and working
7 through that process. That is how we have
8 worked together with the Board to improve
9 that fund balance.

10 Again, technology -- I'm not going to
11 read each of these slides so that I can get
12 through in my amount of time. But, again,
13 technology, we are rated amongst the top ten
14 urban school districts, average age of
15 computers, computers per employee, devices
16 per student. We are a one-to-three ratio
17 for devices to students. So that means
18 there is one computer for every three
19 students in our school district.

20 We are also very excited about our new
21 endeavor with high school students by
22 supplying free Wi-Fi hotspots. That will be
23 for any high school student that doesn't
24 have reliable Internet service. And this is
25 one more opportunity that we are allowing

1 our students to have access to high quality
2 education.

3 We are one of the best green and healthy
4 school districts. We are very excited that
5 we just won the 2017 USD Green Ribbon
6 District and District Sustainability Award.
7 The reason it is so powerful and so humbling
8 to receive this award is because we are
9 working with some of the oldest facilities
10 in the state of Florida, yet we are still
11 able to receive this award. Currently now
12 it will be -- we have one coming up in 2018.
13 So it will be two years in a row that this
14 district will have won that award.

15 We can't do this in a vacuum. We can't
16 do this without the partners, the community,
17 the business community. And because we
18 can't, we have an entire department whose
19 whole focus is ensuring that we can align
20 the dots and connect people to support our
21 students. We have great partnerships with
22 industry and business, faith based and
23 influencer partnerships, support of lifelong
24 learning and parent leaders.

25 Last weekend I just spoke to the second

1 cadre of parent leaders. This is a
2 partnership with JPEP that we are sort of
3 educating our parents to then go out and
4 connect with other parents and help them
5 connect to the school district, help them
6 understand this massive system and how to
7 matriculate through the system, how to help
8 them go have a parent-teacher conference,
9 how to help them do school choice.

10 We serve over 130,000 students. We have
11 over 200 schools. And you need almost a
12 Ph.D. to understand how school choice works.
13 But when we teach our parents who can teach
14 another parent, it's the old adage teach one
15 reach one. The more parents that we reach
16 that understand our system, the more they're
17 going to be engaged, and the more our
18 students will benefit from that.

19 And last, we have regular engagement
20 with student, staff, parents and ensure a
21 healthy and positive culture. One of the
22 great things about our relationship with the
23 Board is that we do this in partnership.
24 It's great when Board Members go out to the
25 schools and they hear what's happening at

1 the schools. It's great when they connect
2 with parents.

3 We have a very robust constituent
4 service system that when parents have a
5 question, it is answered within 48 hours
6 through our relationship with our Board,
7 through our -- the Board's relationship with
8 the schools and the community at large.
9 Parents get information and they get it
10 quickly.

11 But I've talked a lot about what's good
12 and great about Duval County Public Schools.
13 I would be remiss if I tried to walk away
14 from this podium and say we still -- we
15 still have a lot of work to do. We are
16 still not there. Not sure we'll ever be at
17 there, but here is some of the areas that we
18 still need to put a tremendous amount of
19 focus on. Decreasing the number of
20 persistently low performing schools,
21 improving literacy, increasing instructional
22 rigor, improving school facilities, and
23 recruit and retain high quality employees.

24 Very quickly, just talking a little bit
25 about each of these, when we look at our

1 persistently low performing schools, it's
2 important to know that law was passed just
3 this last year. Persistent, being on the
4 list means that you, for the past five
5 years, have less than either three Cs, or in
6 the last two years an A or a B grade.

7 So it's a little misleading when you say
8 we have 22 low performing schools, because
9 if you look at your chart, you'll see that
10 St. Clair Evans and Arlington Heights are
11 currently B rated schools. I would not -- I
12 don't think I can tell a parent your child
13 is going to a low performing school when
14 they see they're a B school, what are you
15 talking about. But this is based on the
16 last five years.

17 More -- about 50 percent of the schools
18 that are on the list are B and C schools.
19 Those that are highlighted in green, if they
20 receive a C or higher, they will come off
21 the list. Therefore, it leaves nine schools
22 that would be on the persistently low
23 performing schools. We have two schools
24 that if they don't -- they're not on the
25 list because they currently have three Cs,

1 but if their performance doesn't maintain,
2 they could join the list.

3 So our goal is that we're not going to
4 have more than 9 to 11 schools on this
5 persistently low performing school list.
6 And even though those nine may still be on
7 the list, our goal is that they're going to
8 be in the category of B or C working with
9 them.

10 We put a tremendous amount of resources
11 and support into these schools. And when
12 people question me, well, why do you have
13 these schools, whether it's right or wrong,
14 I question and go back and ask them, well,
15 where were you five years ago when it was
16 indicated that these schools were low
17 performing.

18 We are doing everything possible to
19 ensure that we are focussed on all students.
20 But all students deserve and have a right to
21 be in a school that allows them to be
22 successful, that allows them to have access
23 to the same great things as if they were
24 attending one of our more upper echelon
25 schools. So we've done some tremendous work

1 with our teams, working with our principals.

2 I actually have visited just about --
3 I'm 80 percent through this list to these
4 schools, visiting their school, walking
5 their classrooms. And from what I see, they
6 may have a failing grade, but they are not a
7 failing school. They have many roadblocks
8 that they have to overcome.

9 And one of those schools is St. Clair
10 Evans, that is a B graded school. That is
11 the school that last year, through no fault
12 of their own, had three bullets pierce the
13 windows of a third grade classroom from
14 something that happened out on the street
15 and in the community. And to think that
16 that school can still overcome the type of
17 violence that they see outside of their
18 school and, unfortunately, entered into
19 their school and still get a B grade means
20 that people are working, people are doing
21 what they're supposed to do.

22 And the very sad thing about that
23 incident is that myself and our police chief
24 went and talked to the children. And I'm
25 thinking I'm going to walk into a classroom

1 of children crying and upset, because when I
2 saw the two teachers who were in that
3 classroom, they were crying and upset. And
4 I'm consoling them. But I go into that
5 classroom and you know what those students
6 told us, it's okay, we see it all the time.

7 For that not to be alarming to babies,
8 that's not an education issue. That's a
9 community issue. That's an environment
10 issue.

11 That's an issue that these schools,
12 these 22, anyone of them could see that same
13 level of violence happening around their
14 school. And the fact that they are still
15 moving and still progressing and still
16 making gains is short of nothing but a
17 miracle because of the dedication that they
18 have.

19 Facilities, I am not going to spend a
20 lot of time because I'm sure you read enough
21 about it, but we do have the oldest schools
22 in the state of Florida. Simple, that's --
23 it's a simple fact.

24 And the fact that the air conditioning
25 was indicated that it wasn't working, that

1 is not correct. Two days before school
2 started, yes, we had over 50 schools that
3 air conditioning was not working, but our
4 maintenance department worked all weekend to
5 ensure that on day one, we were down to two.

6 Our maintenance department is also
7 nothing short of a miracle that they
8 continue to work hard to ensure that we
9 maintain these facilities, that we keep
10 these facilities running. Because if we did
11 not keep them running, students could not
12 attend those facilities, could not attend
13 those schools.

14 So we do not have any schools that are
15 in such condition that children can't
16 attend, but we have facilities that are
17 ineffective because of old parts, old
18 systems. And we have facilities that are
19 underutilized. And we have a plan to
20 address that, to address those facilities
21 that are underutilized, as well as very old.

22 Recruiting and retaining high quality
23 employees. This chart is very important.
24 If you don't keep anything else or you keep
25 one or two charts, this is one that I want

1 you to keep. If you look down at the
2 bottom, you see A, B, C, D, F, those are the
3 school grade ratings. Look at the average
4 teaching experience compared to school
5 grade. As you can see, more experienced
6 teachers are in our higher performing
7 schools. So it does matter. Experience
8 does matter.

9 What our 22, the 21 -- and you'll hear
10 21, 22. Lake Forest is on the list, but
11 Lake Forest is closed. So 21 active
12 schools, I assure you their average teacher
13 experience is much lower than what you see
14 on this chart. This chart is based on the
15 entire school district.

16 Many times they are having to hire brand
17 new teachers, novice teachers. And when
18 those teachers gain experience, guess what
19 they do, they transfer. They transfer to
20 other schools that may not have the
21 challenges that these 21 schools have.

22 That is why we actually, through the
23 State of Florida, if teachers have high
24 performance on their scores with their
25 students, we offer them \$15,000 to go teach

1 in one of those 21 schools. Do you want to
2 know how many teachers took advantage of
3 that? They're on this hand.

4 So when you think about I'm going to
5 offer you \$15,000 to go teach in one of
6 these and you still won't take it, it's
7 because they understand the challenges and
8 the issues that those students face, that
9 those schools face. And they think to
10 themselves, no, I will stay at my current
11 school.

12 It is not that they don't feel
13 supported, because these 21 schools have a
14 great level of support. It is just they
15 understand and know the challenges. So why
16 would I go to a classroom and have the
17 possibility of a bullet piercing the window?
18 My life is worth more than \$15,000.

19 So that is the end of my presentation.
20 I don't know whether you want to take
21 questions on my presentation or do you want
22 to have Dr. Hershey come forward and do her
23 presentation or I'm at --

24 CHAIRPERSON BROCK: I think what would
25 be best, is to have Dr. Hershey come up and

1 do her presentation, because I did mention
2 we have a hard stop at noon. So I want to
3 let everybody know that may mean public
4 comment is cut short to none today. But we
5 will see how we progress.

6 DR. GREEN: Thank you.

7 MS. HERSHEY: Do I need to state my name
8 first?

9 CHAIRPERSON BROCK: Yes, name and
10 address, please.

11 MS. HERSHEY: Lori Hershey, 3371
12 Heathcliff Lane, Jacksonville, Florida
13 32257. I would like to say I appreciate the
14 shout-outs. I like the sound of
15 Dr. Hershey, but I'm currently working on my
16 doctorate. But I appreciate the
17 encouragement because my current class is
18 about to kill me. So thank you for putting
19 that out there to encourage me to press on.

20 So earlier, I think it was in August, I
21 had the opportunity to meet with Mr. Brock.
22 And he asked that we bring some specific
23 ideas that we might have to present to you.

24 So I wanted to start with -- I haven't
25 done this -- maybe if I just hit enter, will

1 it change. Is there a secret to -- oh,
2 okay. Just do this one.

3 Okay. I wanted to start with a brief
4 history. I know that Ms. Lisska is probably
5 familiar with a lot of Jacksonville history,
6 but I don't know if all of you realize that
7 there was a report done in the '60s called
8 the Peabody Report. You can't buy a copy of
9 it on Amazon. You have to actually go to
10 the library, to the historic section and
11 pull that out.

12 But many of us know the saying that, if
13 we fail to know history, we're deemed to
14 repeat it. And I think that for our
15 conversation today, there were some things
16 we need to point out. As has already been
17 mentioned, the fact that Duval County did at
18 one time have an elected superintendent.
19 And, yes, accreditation was lost then. Part
20 of also the loss of that accreditation had
21 to do with the fact that Duval County was
22 not properly funding their schools, and that
23 also pointed out that schools were in dire
24 need of repair in the urban core.

25 I would just like to highlight one of

1 the strong recommendations from the Peabody
2 Report was that the structure be changed to
3 permit appointment of the Superintendent by
4 the Board. So I would suggest that digging
5 failed solutions from our past should
6 certainly not be a part of our future.

7 When we look at the School Board, the
8 School Board is set up and given authority
9 through the State Constitution. School
10 Board Members represent two City Council
11 districts. School Board Members also are --
12 we -- as part of the State Constitution,
13 we're governed by the Constitution and part
14 of the -- we're a part of the Florida
15 Education System, which is governed by the
16 Florida Board of Education. We also run
17 with no party affiliation.

18 I think it's really important to note,
19 as well, that the State Constitution gives
20 authority to the School Board. We get back
21 into that issue of shall. But it does say
22 that the School Board may place a referendum
23 on the ballot if it would like to have an
24 appointed -- I mean, an elected
25 superintendent. This Board has no desire to

1 do that. It's important to note that the
2 School Board is a unique legislative body.

3 We are a school district of choice, as
4 Dr. Green has mentioned. We have magnet
5 schools. We have academies. We have open
6 enrollment.

7 And when people call you about their
8 child, they really don't care if you -- if
9 they call you, if you are the representative
10 at the Beach or if you're the representative
11 in Mandarin, they want to talk to you about
12 your child. And because we have open
13 enrollment, I can get a call from a parent
14 who might have a child enrolled in a
15 different district than I represent, but
16 they live in my district.

17 Just this week I got a call from a
18 parent from a school at the Beach. And I
19 was able to then inform the Superintendent
20 and contact the representative for that
21 school at the Beach. Likewise, turned out
22 that just recently, the representative from
23 the Beach got a call from one of my
24 constituents.

25 So I just share the idea of -- or the

1 impression that the School Board Members do
2 not take their role to represent the entire
3 district is really a misconception. We
4 recognize the fact that, while we're elected
5 to represent the area that we're elected
6 from, we have a responsibility to all
7 schools in the district and we work
8 together.

9 I would just like to point out also when
10 you look at or you talk about an elected
11 superintendent, you have to remember that 30
12 of the 50 states in the United States of
13 America have an appointed superintendent.

14 If you look here at this map, you will
15 see, yes, there are a lot of districts that
16 do have in the state of Florida an elected
17 superintendent. But what I would like to
18 point out to you is the fact that most of
19 those districts are rural counties in the
20 state of Florida. Again, all of the big
21 seven counties in the state of Florida
22 have -- urban districts, all the large urban
23 districts have an appointed superintendent.

24 I'd also like to point out just because
25 I heard previous speakers, we -- I represent

1 the same area, it kind of overlays
2 Representative Fischer's. I can tell you,
3 as a representative from that area, none of
4 my constituents have mentioned or expressed
5 a desired interest in anything other than an
6 appointed superintendent.

7 I think it's important for us to
8 remember and understand the difference of an
9 urban district versus a rural district.
10 Because I think a lot of us, when we talk
11 urban districts, we don't always know what
12 that really means. So I think it's
13 important for us to look at Duval County as
14 a large urban district. We're 20th in the
15 nation as far as size goes for urban
16 districts.

17 And here is an important point that we
18 need to recognize, 70 percent of Duval
19 County Public School students qualify for
20 free and reduced lunch. If we look to the
21 counties to our south and to our west, we
22 see that in St. Johns County only 22 percent
23 of students qualify for free and reduced
24 lunch. Clay County has 49 percent.

25 Let's talk about an urban district and

1 what that means as our profile as a
2 community. 89.4 percent of Duval County
3 residents have a high school diploma. And
4 28.7 percent have a college degree or
5 higher. If we look at St. Johns County,
6 94.4 percent of residents have a high school
7 diploma and 43 percent with a college degree
8 or higher.

9 I would also like to point out that,
10 during our most recent superintendent
11 search, we were able to pull applicants from
12 across the nation -- oops, I don't know what
13 I just did -- we were able to pull
14 applicants from across the nation. I just
15 want to share with you where some of our
16 applicants came from: Delaware, Wisconsin,
17 Illinois, Oklahoma, Ohio, Texas, and
18 California. So we did a thorough national
19 search.

20 I would also like to point out that we
21 did engage the community. And one of the
22 things we did was we had focus groups
23 interview all of the different candidates
24 that we had come. And I would just like to
25 share with you a few comments from members

1 in the community, because we did engage the
2 community and they were a part of the
3 process of electing our current -- selecting
4 our current Superintendent. "Dr. Green is
5 not only qualified, she's prepared." "She
6 is a planner, and financially smart."
7 Another one commented, from someone
8 concerning, Dr. Green, "She is willing to
9 make tough decisions and stand by them."

10 And I can't help but -- you know, I have
11 to point out this one, "Hopefully she can
12 get Duval County to pick up a half-cent
13 sales tax for our schools." Those were
14 comments made by citizens during this
15 selection process. And as Board Members
16 weighed in on who we would recommend and
17 wanted to appoint to be our next
18 superintendent, we all referred to the
19 comments. We weighed on them very heavily.

20 I want to go on, because Mr. Brock had
21 said bring to us some specific language.
22 And so I want to go through here because it
23 is one thing to make recommendations and we
24 just -- here are our recommendations to some
25 changes in the Charter. The suggested

1 changes and language to the Charter for
2 Section 13.06 is simply to align the Charter
3 language with the language that is currently
4 in state statute.

5 The recommendation for Section 13.09 is
6 due to the specific -- the specialization of
7 educational law. So you can see here that
8 it has been identified in the current
9 language that the Duval County School Board
10 is exempt from using some departments of the
11 City. This is asking that the Office of
12 General Counsel also be a part of the City
13 services that the Duval County School Board
14 would not be required to use.

15 Section 7.01, Paragraph 2, the reason
16 for the suggested language here, again, it
17 has to do with the Office of General Counsel
18 is the disagreement -- if there is
19 disagreement, currently the current Charter
20 does not allow a clear path to settle
21 disputes between branches of elected
22 government.

23 Section 7.03, these recommendations,
24 again, deal with the Office of General
25 Counsel. I would just like to point out on

1 the first sentence, for proposed language,
2 we're suggesting striking the word "may,"
3 adding the word "shall seek input from the
4 constitutional officers and independent
5 agencies." This is in regard to the
6 selection of the person to serve in the
7 Office of General Counsel.

8 Recommendation for Section 13.02, we are
9 asking that this language not be changed,
10 that it would be kept that the School Board
11 remain an elected body as defined and set
12 forth in State Constitution.

13 Section 13.07, we are also asking that
14 the language remain regarding the ability of
15 the School Board to appoint the
16 Superintendent. And that is the end of my
17 presentation.

18 CHAIRPERSON BROCK: Well, soon-to-be
19 Dr. Hershey, thank you very much for that.
20 Thank you for the specific recommendations,
21 because I think, as I had mentioned in our
22 conversations, please bring solutions;
23 otherwise, you may not be particularly happy
24 with the solutions that we provide
25 independently.

1 MS. HERSHEY: Well, you're welcome. And
2 we were just trying to give you a starting
3 place, instead of saying, hey, why don't you
4 change something with the Office of General
5 Counsel, we thought it would be better to
6 look specifically at the language of how it
7 would impact the School Board.

8 THE COURT: All right. Thank you. And
9 I do have some speakers here.

10 Ms. Lisska, were you on or was that from
11 earlier?

12 COMMISSIONER LISSKA: I apologize.

13 MS. HERSHEY: Are these questions or --

14 CHAIRPERSON BROCK: These will be
15 questions for -- I would ask that the
16 Members of the Commission either -- whether
17 it's to the group of them or if you have it
18 for a specific person, but first up is
19 Mr. Howland.

20 COMMISSIONER HOWLAND: Chair Hershey,
21 Dr. Green, thank you very much for coming to
22 speak to us. And more importantly,
23 congratulations on the district grade of 677
24 points --

25 DR. GREEN: 673.

1 COMMISSIONER HOWLAND: 673, okay.

2 You're right, 673, that's actually
3 thrilling.

4 And, Dr. Green, we've met before so I
5 know you're very cool and calculated. So
6 you probably did not jump up and down in
7 public, but I'll bet you did in private when
8 you beat Manatee by two points. That's
9 fantastic.

10 But, in any event, we talked a little
11 earlier when Mr. Fischer was up about we as
12 leaders in the City should consider any idea
13 that improves public education and really
14 take it into consideration whether it's
15 comfortable or not. And, more importantly,
16 do empirical analysis on it.

17 And I'm looking through these
18 recommendations, I focus on the first one
19 because it was new, I didn't expect to see
20 that one in there. But what about these
21 primary four recommendations do you think
22 will have an empirical effect on improving
23 public education? The first one being the
24 change of School Board Member salaries.

25 MS. HERSHEY: School Board Member

1 salaries are set by the State. It's not set
2 by the City of Jacksonville. It's set by
3 the State. I mean, all school boards'
4 salary is done through the State. So I'm
5 not really sure how to answer that question.
6 It sounds like it kind of goes back to does
7 the Charter trump the State Constitution,
8 which I think is a question that Mr. Gentry
9 asked earlier.

10 COMMISSIONER HOWLAND: Okay.
11 Understood. The two others are generally
12 the OGC changes, the recommendation on the
13 election of the superintendent and then
14 finally the composition by a school district
15 and the school board. So are those areas
16 that you think are going to be empirical
17 benefits to Duval County public education if
18 we were to make those kind of changes or
19 maintain that language in the Charter?

20 MS. HERSHEY: So I think the Office of
21 General Counsel has gotten a lot of
22 attention in the past 90 days. And
23 certainly, as a School Board, it has been
24 difficult, I believe, to -- you know, I
25 think sometimes it's difficult for -- in

1 some instances, for the same lawyer to
2 represent parties that are in dispute.

3 And I'm not a lawyer, but it's my
4 understanding that often cases -- for
5 example, in a divorce case, you don't
6 typically always have the same attorney.
7 And I think that in our case, that we have
8 been through the summer that many of you
9 have probably watched, we've experienced
10 that, you know, sometimes your -- you
11 question the Counsel when you have one
12 person representing two different bodies.
13 So I don't know if that answered your
14 question.

15 I can tell you that serving as Chair is
16 a lot of work. It is a full-time job or
17 greater. Some people do it for two years,
18 but we have had few people in the last few
19 years do it for more than one or two years;
20 it's a big job.

21 I would agree that it's beneficial to
22 anybody to be able to choose its leadership.
23 I would also argue that the idea of having
24 an eighth person be on the School Board as
25 an at-large person is really a moot point

1 today. Because we have open enrollment,
2 every board member has students in their
3 district and parents who are engaged in
4 their district who -- with students who
5 attend schools outside of their district.
6 So that in itself by that -- by the
7 structure of being a school district of
8 choice and more importantly a state of
9 choice, makes us all serve from -- with an
10 at-large mentality.

11 COMMISSIONER HOWLAND: Okay. Thank you.

12 CHAIRPERSON BROCK: Okay. Next I have
13 Mr. McCoy.

14 COMMISSIONER McCOY: Hello. Thank you
15 both for being here. I just wanted to touch
16 on the term choice. I was explaining to
17 Mr. Howland earlier I'm not really a fan of
18 the term choice because of what it indicates
19 and stuff. So I would like for you guys to
20 be able to explain what does choice mean
21 from the district when you guys say we're
22 100 percent choice.

23 MS. HERSHEY: Well, the state of Florida
24 is a state of choice. So, literally, if you
25 had a student and you wanted that student to

1 go to school, a school in Miami, and there
2 was a seat available, as long as you could
3 get that child there every day in the state
4 of Florida, if they receive that spot in
5 Miami, they could go.

6 So the idea, I think, really stems out
7 of one party's view on education where there
8 are no boundaries or -- you're not
9 restricted by your ZIP code to have access
10 to schools.

11 CHAIRPERSON BROCK: Okay. Next up,
12 Mr. Schellenberg.

13 COMMISSIONER SCHELLENBERG: Thank you,
14 Chair.

15 And to the Chair, Ms. Hershey, I tend to
16 agree with you, I have -- and this is what I
17 was trying to get to, and I did apologize to
18 Mr. Fischer about interrupting. He was
19 knocking on doors. I haven't found anybody
20 that wants an elected superintendent. And
21 my point was on the polls, but was always
22 he's representing an area that might
23 substantially have a different opinion than
24 all of Duval County. And that's what I was
25 getting at, that he needs to know what

1 everybody has to say, not a few. And I
2 haven't met the few that he has agreed with.

3 Just for another comment, Ms. Green left
4 Manatee County. And at one time, when I was
5 representing the Florida Association of
6 Counties and she was being interviewed, I
7 talked to the elected officials down there,
8 and all of them gave Ms. Green an
9 unbelievable A grade and wished that she
10 would not leave Manatee County.

11 So, Ms. Green, I said this to you
12 personally a long time ago, and I agree with
13 you.

14 The question I have, through the Chair
15 to Ms. Hershey, you do represent two
16 District Council Districts. But in each
17 district the 14 District Representatives
18 really get a lot of calls and sometimes get
19 calls for School Board Members. And my only
20 question would be is they also have insight
21 about what's going on at the schools, as
22 well as you do. Wouldn't it have been
23 better if maybe we should engage them and
24 what they hear from their constituents about
25 what they hear, as well as what you hear

1 going forward.

2 MS. HERSHEY: I think it's good. I
3 think that a big part of public service is
4 relationships. And, Mr. Schellenberg, you
5 and I, when you were a City Council
6 Representative for District 6, had many
7 conversations. Some of them contentious,
8 but we met. And I can tell you that,
9 whenever I had an issue in the district
10 where maybe there was an overlay of shared
11 responsibilities, you always responded when
12 I called and there was always a response.

13 I know sometimes there are community
14 meetings that the School Board has meetings
15 sometimes on the night that the City Council
16 does. But, again, I have always tried to
17 reach out to City Council Members that I
18 represent and at-large members as well to
19 invite them. I have two community meetings
20 coming up, and it just happens to be a
21 conflict.

22 But I share that to say that, yes, I
23 think that the Board is more and more
24 committed to working on those relationships.
25 And I think, yes, getting together, having

1 coffee, having lunch, meeting together and
2 sharing is very important.

3 COMMISSIONER SCHELLENBERG: Great. And
4 the other thing is help me explain nonprofit
5 charters and profit charters. Because I
6 think you represent the largest charter
7 schools in the district in your area; is
8 that correct?

9 MS. HERSHEY: That's correct. There are
10 ten traditional schools and nine charter
11 schools in my district.

12 COMMISSIONER SCHELLENBERG: Are they
13 for-profit or nonprofit?

14 MS. HERSHEY: There are -- so Duval
15 Charter is one of the for-profit charters, I
16 believe. I would like to be clear that the
17 State of Florida does allow for-profit
18 charters. And so they're here because the
19 state allows them to be here. And that
20 means they're able to be run by
21 for-profit -- managed by for-profit
22 companies. You know, again, I just go back
23 to the State allows that. I mean, they --

24 COMMISSIONER SCHELLENBERG: Well, I --
25 excuse me for interrupting. I was more

1 concerned about do you see a difference in
2 the success of nonprofits versus for-profit
3 charter schools.

4 MS. HERSHEY: Well, all schools in my
5 district are As and Bs. So the charter
6 schools in my district reflect those same
7 grades.

8 COMMISSIONER SCHELLENBERG: I know. But
9 overall Duval County, do you know?

10 MS. HERSHEY: I do not believe that we
11 have a -- is there a big difference in
12 school grades, Dr. Green, between nonprofit
13 and --

14 COMMISSIONER SCHELLENBERG: I didn't
15 know there was a difference until recently
16 so that's why I'm asking.

17 DR. GREEN: There is not a difference in
18 for-profit or not-for-profit. If you look
19 at the charter schools and where they're
20 located, they tend to reflect also the
21 grades of the traditional public schools.
22 So, as Ms. Hershey said, in her district,
23 her traditional schools are As and Bs, and
24 her charter schools are As and Bs. In Board
25 Member Jones' district, he has a few charter

1 schools and they reflect -- it pretty much
2 reflects very similar.

3 That list of 21 low performing schools,
4 charter schools are not a part of that list.
5 So you will never see charter schools that
6 have grades of D and F show up on the list
7 because the requirement doesn't apply to
8 them. But we have charter schools that have
9 grades of D. We only have one F in the
10 district.

11 COMMISSIONER SCHELLENBERG: Great.
12 Thank you very much.

13 DR. GREEN: You're welcome.

14 CHAIRPERSON BROCK: Next I have
15 Ms. Baker.

16 COMMISSIONER BAKER: Thank you both for
17 being here today. And your presentation was
18 a lot of information. I just have a few
19 questions. I'm just going to kind of go
20 through them. I wanted to know what is the
21 districtwide reading proficiency; what's the
22 districtwide math proficiency. When you
23 said we have a lot of B rated schools, does
24 that mean that they have a high reading
25 proficiency in that school? Does that mean

1 it might be a lower reading proficiency?
2 Parents want to know if their child can
3 read.

4 Also, Ms. Hershey, you mentioned that
5 the superintendent used to be elected in
6 Duval County. I don't know if I caught when
7 that was. And I'm just wondering, you know,
8 we have so many counties where you did say
9 they are appointed. And they're the large
10 counties, Hillsborough County you mentioned
11 is appointed. I think they're the number
12 one failing school -- or failing county in
13 Florida.

14 So are we doing the right thing right
15 now with continuing, you know, what's
16 been -- what we've been doing. Are we -- do
17 we need change, essentially?

18 DR. GREEN: I will answer. The lowest
19 performing school district in the state of
20 Florida is Jefferson. And it is an
21 elected -- if you saw the chart where I
22 showed where Duval ranks amongst all school
23 districts, you will notice the top third,
24 middle third and bottom third. And you'll
25 see Jefferson County is the lowest

1 performing school district, which is an
2 entire charter school district.

3 As far as total proficiency, grades 3
4 through 10 -- remember 10th grade only
5 counts first time test takers -- so 51
6 percent ELA proficiency, that's the entire
7 district. That does not mean that B rated
8 schools only has 50 percent. B rated
9 schools, many of them have 70 to 80 percent
10 proficiency, or in our A rated schools, 70,
11 80 percent proficiency.

12 For math it is at 58 percent. And,
13 again, many of our B and A schools are much
14 higher than that. But we have to account
15 for every single student in the school
16 district when we look at district
17 proficiency. But each school has their own
18 proficiency. And if you want more
19 information, I'll give you a website where
20 you can see every single school and their
21 own proficiency.

22 COMMISSIONER BAKER: Okay. Thank you.
23 And one more question. One of your
24 recommendations was to have your own General
25 Counsel and to be able to sue other

1 entities. My concern with that is the legal
2 cost of suing another entity in Duval
3 County, the time it takes. Is that a good
4 use of the taxpayer money that should be
5 going to our children?

6 MS. HERSHEY: My recommendation was not
7 to allow specifically suing of agencies, it
8 was to settle disputes. And when you have
9 one individual representing two elected
10 bodies who are at odds, there is not a clear
11 path currently defined in the Charter. So I
12 suggested language that that party be able
13 to seek outside counsel by giving, if you
14 look at the recommended language that was
15 given to you, before you today, in these
16 books, it is that we don't -- you can give
17 notice to seek counsel. For example, a
18 second opinion on opinion that was given.

19 It's very different when you have
20 elected bodies versus an agency like the
21 Kids Hope Alliance. I can't think of
22 another one right now. But there are other
23 organizations within the City where you have
24 the Kids Hope Alliance and JEA and some
25 others. Those are not elected bodies. This

1 is specifically dealing with elected bodies.

2 And, for the record, I will say that
3 Duval County Public Schools has incurred no
4 legal fees to date. And any fees that would
5 be incurred, currently, for us, will not be
6 using taxpayer dollars.

7 COMMISSIONER BAKER: Okay. Just one
8 more follow-up, just my concern is that
9 trying to settle disputes could ultimately
10 lead to litigation, so that's my number one
11 concern.

12 CHAIRPERSON BROCK: I do have a couple
13 questions. And seeing the number on the
14 queue, I want to go through it quickly.

15 Dr. Green, you mentioned about your
16 strategic plan that's done every five years.
17 My question is, is there any input from
18 other persons or departments within the
19 consolidated government, particularly City
20 Council and the Mayor's Office.

21 DR. GREEN: The strategic plan is the
22 School Board's. My job is to implement that
23 strategic plan. So the Board works with the
24 community at-large to develop that strategic
25 plan. So I wasn't here when this particular

1 one was developed. It ends at the end of
2 this school year. So the Board would need
3 to start that process again working with the
4 community to develop that strategic plan.

5 THE COURT: Okay. And I appreciate
6 that. One of the things that we've been
7 looking at is trying to integrate all the
8 independent agencies working together and
9 coming up with a strategic plan so that
10 everyone, essentially, is pulling on the
11 oars in the same direction at the same time
12 so that we're moving the ship in the right
13 direction at the right speed. Sorry, but I
14 do maritime law so I fall back on those
15 analogies.

16 Next question, I saw the reference to
17 setting the salaries in accordance with the
18 state statute. Is the current salary for
19 the School Board Members in agreement with
20 the state statute levels?

21 MS. HERSHEY: Yes, it is. But what --
22 in the Charter, since we're reviewing
23 specifically the Charter, the Charter does
24 not reflect the current language in state
25 statute. So the recommendation is to align

1 the current language of the Charter with the
2 current language of state statute.

3 CHAIRPERSON BROCK: All right. And the
4 next one is probably the elephant in the
5 room, but I wanted to ask has the School
6 Board made a decision as to whether or not
7 it is going to wait for the Attorney
8 General's opinion on the review of the
9 General Counsel's binding opinion before it
10 takes any other action on that regard with
11 regards to the referendum?

12 MS. HERSHEY: At this time I do not know
13 the answer to that question. It was my
14 understanding that that opinion was
15 expedited on August 13th. And it's my
16 understanding to date there has been no
17 response.

18 CHAIRPERSON BROCK: Thank you.

19 Next, Chair recognizes Mr. Schellenberg.

20 COMMISSIONER SCHELLENBERG: No, no.
21 Sorry.

22 CHAIRPERSON BROCK: Oh, I'm sorry.
23 Ms. Mills.

24 COMMISSIONER MILLS: Through the Chair,
25 thank you both for coming, Dr. Green and

1 Dr. Hershey. I just have a couple of
2 questions. First of all, congratulations on
3 the improvement of the graduation rate and
4 also the B school in the district with one
5 percent leading up to becoming an A school.
6 Congratulations on that, because that is
7 definitely a big concern in Jacksonville is
8 our education system, so just want to
9 congratulate you on that.

10 Also, I just want to ask a question too,
11 I know that, Dr. Hershey, you answered the
12 question about choice schools that one of my
13 other constituents asked.

14 Dr. Green, I would just like to know how
15 does choice school -- can you explain your
16 definition of it too? I just want to kind
17 of compare. And, also, tell me how it
18 relates through the districts.

19 DR. GREEN: Well, what Ms. Hershey
20 shared with you is the correct definition,
21 that the state of Florida is a choice state.
22 We do have policy that dictates how that
23 choice works. We have what we call a choice
24 expo where we put out to the community, our
25 parents, here are all your options: charter

1 schools, magnet schools, traditional
2 neighborhood schools.

3 And parents get that opportunity to go
4 through, look at what programs are offered
5 at each school; and if they desire, they can
6 then put in an application for choice.

7 Magnet schools, dedicated magnet
8 schools, may have entrance requirements. So
9 if they were applying for Stanton, for
10 example, you have to have a certain GPA, you
11 have to have taken certain courses. There
12 are requirements to some of our schools.
13 And that's why they're called magnets.

14 Parents are given multiple choices.
15 Choice does not mean you get your choice.
16 Sometimes it means there is not an available
17 seat at that school. So that may be your
18 choice, so let's go to your second option.

19 Many of your choices we provide
20 transportation; however, there are some
21 choices you -- parents will have to provide
22 their own transportation. So the definition
23 is, yes, we are 100 percent choice, but it
24 doesn't mean you always are given your first
25 choice. That's why we ask them to at least

1 put down three choices if they apply for
2 choice.

3 A perfect example would be Lake Forest.
4 When we closed Lake Forest, we were required
5 to reassign those students to a specific
6 school, and that school was North Shore.
7 Even though we were required to do that, we
8 went out and met with parents and said, but
9 you have choice options, and here are
10 schools that have available seats. If you
11 don't want to go to North Shore, here are
12 your options to choose other schools.

13 And those parents, many of them, took
14 advantage of that option, and many of them
15 chose to go to North Shore Elementary
16 School.

17 So it really is a very -- it really is a
18 complex, and we have our choice guide inside
19 your notebook. So if you have trouble
20 falling asleep one night, I really encourage
21 you to go through that choice options. And
22 that's why this program Parents Who Lead is
23 very important, because we train them on,
24 hey, if a parent speaks to you and says, I
25 can't get to a choice, make sure you go

1 through that catalog, because it really is
2 an opportunity for them.

3 And the other thing is a lot of parents
4 think just because we have choice, that
5 we're making them make another option than
6 their neighborhood school, and we're not.
7 And many of them, when we tell them you can
8 go to your neighborhood school if that's
9 your desire, they said, oh, I thought I had
10 to make a choice.

11 So it's very complex. And under the
12 leadership of Sharwonda Peek, she really has
13 been getting that word out to our families.
14 With our new app, we've really been getting
15 the information out to our families so that
16 they can make the best choices for their
17 children. Sorry, long answer.

18 COMMISSIONER MILLS: That's okay. Thank
19 you. I also want to ask you about
20 the incentive for teachers that would elect
21 to go to one of those 21 schools. And is
22 there anything in place where you have to
23 stay at that school for a certain number of
24 years once you receive the incentive, the
25 15,000? Is there anything in place like

1 that so maybe they can't jump from different
2 schools?

3 DR. GREEN: Yes. Actually, we -- there
4 is a criteria for how long you agree to stay
5 at that school. And that's just one of our
6 incentive programs. We have other incentive
7 programs. We have for each one of those 21
8 schools, for the teachers who are there, if
9 you stay, you can earn \$7,000. So we don't
10 want to discount the ones that voluntarily
11 made that choice to go teach at those
12 schools. So we have incentives to keep them
13 there, especially those who are showing
14 great student growth, great academic
15 performance.

16 And we have -- this is the state
17 program, the \$15,000. This is offered in
18 every school district that has schools on
19 the persistently low performing list.

20 COMMISSIONER MILLS: I just have one
21 more and I'll be finished.

22 CHAIRPERSON BROCK: Ms. Mills, I noticed
23 that our timer apparently didn't go off.
24 And we've got two other speakers on the
25 queue. And we're just under ten minutes, so

1 if I could ask you to yield.

2 COMMISSIONER MILLS: Okay.

3 CHAIRPERSON BROCK: And recognize Mr.
4 Gentry for the first time.

5 COMMISSIONER GENTRY: Thank you. Just a
6 couple of questions with respect to the
7 half-cent sales tax that's been not put on
8 the ballot -- and I would urge you in your
9 language when you suggested changing the
10 word "may" to "shall," to say "absolutely
11 must" instead of "shall," because otherwise
12 you might have a problem.

13 How much roughly is it costing the
14 district each month that it doesn't go
15 forward with repairing and renovating and
16 replacing these schools in terms of the
17 continuing maintenance and repairs and
18 things that you wouldn't be doing once the
19 schools were fixed?

20 DR. GREEN: About half a million,
21 500,000, between 450,000 to \$500,000 a
22 month.

23 COMMISSIONER GENTRY: Because I know
24 there was some argument that a special
25 election would cost money. Would the cost

1 of the special election be borne by the
2 school district?

3 DR. GREEN: Yes.

4 COMMISSIONER GENTRY: So the school
5 district would pay for the special election
6 and save the net of \$5 million in the course
7 of a year by getting this on the ballot and
8 the people voting for it?

9 DR. GREEN: That is correct.

10 COMMISSIONER GENTRY: Dr. Green, when I
11 was on the School Board, one of the things
12 that concerned me about Teach For America
13 was under the contract we were required to
14 place them in the low performing schools,
15 that the students, most of them did not have
16 an education degree and had no experience.
17 I know we still have some TFA -- and of
18 course, those TFA kids brought a lot of
19 enthusiasm, energy, and many of them in
20 fields that we needed help.

21 But that issue of placing them in the
22 low performing schools where an experienced
23 teacher would be much more valuable, has
24 that been addressed?

25 DR. GREEN: Yes. We have a contract

1 with TFA that in that contract they cannot
2 be placed in any of the persistently low
3 performing schools. As a matter of fact,
4 they can only be placed in secondary
5 schools. So high school, most of it is high
6 school.

7 COMMISSIONER GENTRY: Thank you.

8 CHAIRPERSON BROCK: All right. Next we
9 have Mr. Schellenberg for the second time.

10 COMMISSIONER SCHELLENBERG: Through the
11 Chair to Ms. Green, I just wanted to
12 address -- because the Florida Education
13 Commissioner was pretty harsh back three or
14 four months ago with regard to the school
15 system, would you like just to address his
16 thought on what he said or how you addressed
17 whatever he said, please.

18 DR. GREEN: Well, the Commissioner and I
19 are on very good terms today. So I want to
20 acknowledge that. The issue was that we had
21 a difference of opinion about a particular
22 charter school, IDEA, a charter school named
23 IDEA. And he felt I should turn over the
24 two schools, Lake Forest and Northwestern
25 Middle School, over to IDEA.

1 And I shared with him our community does
2 not want that. And we've had conversations
3 with our community and we feel this is the
4 best option for these two schools. And so
5 that was our disagreement.

6 COMMISSIONER SCHELLENBERG: Thank you.

7 CHAIRPERSON BROCK: All right. Well, we
8 are coming up with only five minutes left.
9 I do want to do one thing, Chairman Hershey,
10 I know that there are several members of
11 your School Board here, if you wouldn't mind
12 introducing them so we all know who all is
13 here.

14 MS. HERSHEY: I know Board Member
15 Andersen from the Beach is here; Vice Chair
16 Jones is here; Board Member Smith-Juarez is
17 here; Board Member Willie is there; and
18 Board Member Grymes. So I think, that's
19 not -- at least five, six of us. So six out
20 of seven who are here. And I appreciate
21 their presence today.

22 CHAIRPERSON BROCK: And on behalf of the
23 Commission, I appreciate that as well.

24 I do apologize to the two Council
25 Members and to the other public speakers,

1 but we are, as I said at the beginning, up
2 against a hard stop at noon. So, please, I
3 encourage you to come back.

4 And, with that, we are adjourned.

5 COMMISSIONER GENTRY: Mr. Chair,
6 dismissing public comment, I mean, if
7 someone has to leave, let them leave, but we
8 should at least listen to public comment. I
9 think we only have like three speakers.

10 CHAIRPERSON BROCK: We are up against a
11 hard stop at noon, so --

12 COMMISSIONER GENTRY: Why is there a
13 hard stop?

14 COUNCIL MEMBER DENNIS: But it's not
15 12 o'clock.

16 CHAIRPERSON BROCK: I made the decision
17 to adjourn the meeting. We are up against a
18 hard stop at noon. Because of our court
19 reporter and having a court reporter here,
20 we are up against a hard stop at noon. So
21 the meeting is adjourned.

22 COMMISSIONER GENTRY: I think the Body
23 has a right to speak to that. I don't think
24 the Chair can do that, particularly with
25 dismissing public comment.

1 COMMISSIONER SCHELLENBERG: We overrule
2 the Chair.

3 COMMISSIONER GENTRY: I think under the
4 rules we're required to take public comment.

5 CHAIRPERSON BROCK: The meeting is
6 adjourned. I'm not debating it.

7 COMMISSIONER GENTRY: You don't mind if
8 we stick around and listen to these
9 gentlemen who have been waiting for three
10 hours, do you?

11 CHAIRPERSON BROCK: The court reporter
12 is going off.

13 COMMISSIONER GENTRY: She can do
14 anything she wants to do.

15 CHAIRPERSON BROCK: And we are off the
16 record. And you're in violation of the
17 Sunshine if you're considering things
18 outside of a noticed meeting.

19 COUNCIL MEMBER CARLUCCI: Mr. Chairman,
20 I think by law public comment has to be at
21 every meeting like this. Okay. I
22 apologize. I guess you know better.

23 CHAIRPERSON BROCK: There is no vote.
24 The meeting is adjourned. I apologize. The
25 meeting is adjourned.

1 COMMISSIONER GENTRY: What do you mean
2 there is no vote? I call for a vote of
3 the Commission.

4 COMMISSIONER SCHELLENBERG: Overrule the
5 Chair. You can call for overruling the
6 Chair.

7 COMMISSIONER GENTRY: I move to overrule
8 the Chair.

9 COMMISSIONER SCHELLENBERG: Second. You
10 can overrule the Chair.

11 COMMISSIONER GENTRY: We did, we
12 overrule the Chair, move to overrule the
13 Chair. And we do not have to have -- this
14 does not have to be recorded.

15 CHAIRPERSON BROCK: The Chair does not
16 recognize you, sir.

17 Ms. Johnston.

18 MS. JOHNSTON: Through the Chair to the
19 Commission, just to clarify, in terms of
20 public comment, the Chair is correct, there
21 is no vote -- there is no public comment
22 required unless a vote is being taken on a
23 recommendation. You are hearing information
24 right now. So you do not have to provide
25 for public comment.

1 However, there is a hard stop. It's
2 been noticed, the meeting, to end at 12:00.
3 However, anyone who wants to remain and
4 listen to any comments from the public, if
5 you so desire, you could.

6 If you do want to appeal the decision of
7 the Chair, you would need a motion and a
8 second, but you can't extend the meeting, as
9 it's been publicly noticed to end at 12:00
10 under Sunshine law. So I just want to make
11 sure everyone understands.

12 COUNCIL MEMBER DENNIS: But it's not
13 12 o'clock.

14 MS. JOHNSTON: If members of the
15 Commission want to stay as not a meeting of
16 the Commission, but they can't interact and
17 they can't take up any action.

18 CHAIRPERSON BROCK: Thank you.

19 The meeting is adjourned.

20 COMMISSIONER GENTRY: I would like to --
21 I will stay, for one, and listen. And I
22 also say the meeting was supposed to start
23 at 9:00, it started at 9:15. And in the
24 past we've had a concluding time of 12:00,
25 and we've gone past it. So for some reason

1 this meeting had to be concluded. And I
2 object to the process.

3 CHAIRPERSON BROCK: Madam Court
4 Reporter, we are off the record.

5 (Meeting adjourned at 11:58 a.m.)

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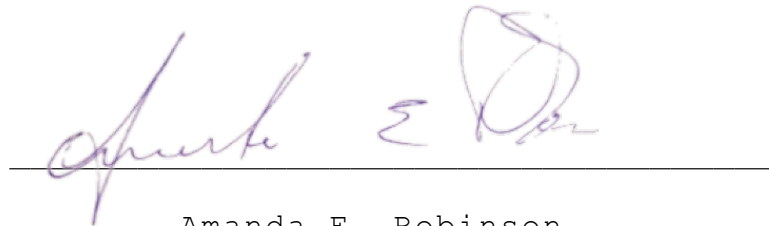
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1 CERTIFICATE OF REPORTER

2 STATE OF FLORIDA
3 COUNTY OF DUVAL4 I, Amanda E. Robinson, Registered
5 Professional Reporter, do hereby certify that I
6 was authorized to and did report the foregoing
7 proceedings; and that the transcript, pages 1
8 through 156, is a true record of my stenographic
9 notes.
10

11 DATED this 20th day of September, 2019.

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15 Amanda E. Robinson,
16 Registered Professional Reporter
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