

To: Mr. Susin; Mr. Gibbs:

Thank you for considering my recommendations and suggestions. Responses to Amended Contract

1. Your proposed term of employment language of the June 30 date (as I read it) offers nothing different than the current EA language for either the Board or me. **REJECTED.** See explanation at end of this EA analysis and proposed solutions.

2. Use of district Vehicle.

As Proposed by Mr. Susin: The Interim Superintendent shall receive \$500 per month for use of his personal vehicle in lieu of use of the district's vehicle effective with the start of the current EA. **ACCEPTED RES 2-11-23.**

Counter proposal is the following: "Until February 18, 2023." As well as "The board president authorizes the use of the district vehicle out of Brevard County effective March 1 to end of EA contract (in lieu of \$500 per month)

3. **Salary ISSUE:**

Solution. Elevate the EA salary to whatever the advertised permanent salary will be. Or,

To partially address salary discrepancy issue without changing the base salary in EA:

- a. Compensate Dr. Schiller the same increase 4.2% received by Dr. Mullins
- b. Compensate the Interim Superintendent (IS) the same supplement (total of \$2678) for holding a doctorate to be consistent with Dr. Mullins' contract in 2022 and consistent with all cabinet members. Note: All administrative salaries include this figure where applicable and handled through HR and payroll and not through Board action with a modification of the EA.
- c. Compensate the Interim Superintendent (IS) the supplement for holding Superintendent certification, (total \$2000), to be consistent with Dr. Mullins' package.

Note: FYI, I hold certification as a superintendent in 5 states.

Note: As I also hold CFO/School Business Administrator certification as well as certification in

Collective Bargaining/Labor through Arbitration from Rutgers University, add a supplement (\$2500) for each area for a total of \$5000 as I am directly leading both the collective bargaining and budget process for BPS.

Reference of current practice: Dr. Soliven receives a yearly \$5000 supplement for administration of the grant program ESSERS.

- d. Compensate the Interim Superintendent (IS) the supplement (\$8000) for performance pays to be consistent with Dr. Mullins.

All above the full amount and not pro-rated.

Note: There is no need to modify of EA: All administrative salaries and supplements are processed internally and not through Board action with a modification of the reappointment letters

4. **BENEFITS CLAUSE:** As stated: (The Interim Superintendent shall be entitled to all other benefits that Dr. Mullins received as Superintendent. This shall include additional life insurance provisions, sick leave, vacation leave, and use of a District vehicle.....)

- a. "The Interim Superintendent shall be entitled to sick leave, vacation leave,"

RESPONSE: This specific language "... *Accrual of sick leave and vacation days shall be at the same rate as Dr. Mullins received in 2022*" is not in the EA. **This new language is rejected.**

- b. "The Interim Superintendent shall receive the same Board contribution that Dr. Mullins was receiving for the same plan

- c. This new language and is **rejected.**

If you want to inject new language almost 2 ½ months into the EA, then have the courtesy of informing me and not having me pay my personal attorney to point it out.

By the same token, since I keep copious and contemporaneous notes of all pertinent conversations, whatever happened to the \$300,000 proffer made my Board Chairman and repeated twice during the first two weeks of the EA?

PROPOSED: The existing EA language has the "not limited to" phrase, not need to modify EA. Simply implement the following:

- a. Increase the number of accrued vacation and sick days to 2x the vacation day and sick day allocation. increase health

- benefits/insurance to Gold Plan (in lieu of changing the salary)
- b. Three (3) times the amount of total monthly contribution for employee plus 1 for Medical Gold Plan
 - c. Three (3) times the amount of total monthly contribution for employee plus 1 for Medical Humana Dental High PPO
 - d. Three (3) times the amount of total monthly contribution for employee plus 1 for Medical Humana Vision
 - e. Three (3) times the amount of total monthly contribution for employee Basic Standard Life Insurance
 - f. Three (3) times the amount of total monthly contribution for employee Standard Accidental Death and Dismemberment
 - g. Three (3) times the amount of total monthly contribution for employee Short Term Disability
 - h. Three (3) times the amount of total monthly contribution for employee Long Term Disability
 - i. Three (3) times the amount of total monthly contribution for employee Accident Plan
 - j. Three (3) times the amount of total monthly contribution for employee Hospital Indemnity Plan
 - k. Three(3) times the \$50 per month Board contribution(basic life at \$8.63 per pay period ;additional employee life at \$50.60 per pay period; and long term disability at \$40 per pay period.
 - l. Increase by 3 times the current Board's FRS contributions(being paid to the Interim Superintendent at \$5,876.90 per month or \$2,938.45 per pay period retroactive to December 16, 2022)

Special Projects to be completed should the Board so determines:

- **COMPLETE, no later than May 1, an EFFECTIVENESS AND EFFICIENCY STUDY OF FOLLOWING DIVISIONS. Deliverables of a streamlined organization more effective and efficient operations, improved procedures, staffing efficiencies and effectiveness in the divisions and departments:**

1. Division of ESE/Student Support Services
2. Division of Secondary Leading and Learning
3. Division of Elementary Leading and Learning

Learning

4. Division of Operations

Notes: I would be pleased to provide BPS with a copy of the type of work I have completed doing similar studies. The above figure is less than the average of \$55k I receive as a consultant for each area. Proposed: \$4,000 per Division Total \$16,000.

- **Draft a BPS Strategic Plan for decades of 2023-2033; 2033-2043**

- Outline submitted March 15, 2023
- Draft Submitted May 15, 2023
- Revisions as needed, by May 31, 2023

Proposed: \$12,000 (\$2,000 upon submission of outline; \$7000 upon submission of draft; \$2000 upon acceptance of final report with revisions completed)

See above pricing for comparisons. A consultant for the district realignment for election purposes costs \$5-ton 100k.

- **ASSIST with and Augment the SUPERINTENDENT SEARCH:**

- Proposed: Recruit, nationwide, non-Florida based candidates who may not be known to search consultants; provide information re: potential candidates to search

consultants (\$500) (during non-BPS work hours)

- Proposed: Deep dive, verification of 3-5 semi-finalists' resumes, job performance, and background profile etc. (during non-BPS work hours \$200 per semi-finalist i.e., 5 semifinalists =\$ 1000
- Proposed: Prior to being named as semi-finalists, brief candidates re: the status of BPS. \$100 per hour for each semi-finalist. i.e., 3 semi-finalists (during (non-BPS work hours) \$600
- proposed: Serve as resource to search consultants and candidates as point of contact for questions for candidate info/questions re: BPS. (During non-BPS work hours) \$1000
- proposed: Prepare extensive briefing book for named finalists and serve as point of contact for questions by semi-finalists. (During non-BPS work hours) \$750
- Proposed: Coordinate and supervise details of all arrangements/planning for semi-finalists' interviews. (Meet and brief semi-finalists at offsite locations prior to interviews, during non-BPS work hours) per semi-finalist 5 x 500 @ \$2500
- Proposed: Handle details of all arrangements/logistics for finalists' interviews, including meeting finalists upon arrival; dining with

- each. Arrange tour of district (during non-BPS work hours \$750
- Proposed: Assist search consultants and Board with developing on point, specific questions for Board members use with interviews (during non-BPS work hours. \$500
- Proposed: Coordinate and supervise details of all arrangements/planning for semi-finalists' interviews. (Meet and brief finalists at offsite locations prior to interviews, during non-BPS work hours. \$1000 plus expenses (meals)
- Proposed: Fully prepare BPS cabinet staff for named Superintendent's seamless entrance and assumption of responsibilities \$200

Proposed Total @ \$8200

My ongoing compensation for completing a comprehensive Superintendent search is \$35,000 which includes the above as well as meetings, surveys, community forums and expenses. In the alternative: I will complete the entire search for \$8200 and save the Board \$50,000.

- **SERVE AS EXECUTIVE COACH FOR NEW SUPERINTENDENT**
 - Proposed: Serve as a continuing resource and executive coach for permanent superintendent for a set period and rate. \$500 TBD including travel and

- expenses per month first 3 months, \$1500
- \$300 per month thereafter up to three months \$900
- Proposed Total @ \$2400

NOTES: My typical compensation for this service is included in my serving as the search consultant or has been \$175 per hour plus expenses for serving as Executive Coach for those searches I have not been employed as the search consultant.(i.e. Montgomery, AL; Birmingham, AL; East Baton Rouge, LA; St. Paul, MN; Minneapolis MN; Los Angeles Unified School District CA; San Jose School District CA; Ontario-Montclair School District, CA; Territories of USVI and Puerto Rico.

All other issues held in abeyance until Board sets minimum salary for permanent superintendent on February 21.

NOTE:

As you will recall, I had recommended June 30,2023 as the end date back in December 2022. That date was for a Board insurance policy for protection against another disruption in BPS as the district had experienced In December. The June 30 date is akin to the 2 weeks provided to the IS to ensure a seamless transition period. I simply want to place on record that the June 30 date is quite rationale especially as I the permanent to be successful while not facing immediate, crucial matters and decision points critical to BPS growth and success and a seamless transition.

The reality is trying to do a hurried search now is irrational for so many reasons:

As you know, the selection of a permanent superintendent is the single most important responsibility for all Boards. The BPS Board is barely gaining stakeholder support and credibility with its many initiatives and speedy actions: long term planning, policy, and administrative procedures development, the safety and discipline focus, fy 2 transparent program and zero-base development process, etc. The Board should seek to maximize this momentum and tight window of opportunity with an irrational and rushed, artificial need to get a permanent in place at the absolute worst time possible, May 9th.

The Board needs full confidence that its selectee is the best fit and match with the Brevard County's multiple communities, embracing and advancing the same strategic vision as the Board as well as board's to be developed philosophy, values, goals, strategic vision, plan, policies, and priorities. In my considered judgment and experience, the selected candidate must have the requisite experience in a similar size and complex district/organization and not needing OJT as a superintendent to immediately step in and lead a complex, large district like BPS. The conversation with the search consultant was absurd, especially finding a "superstar with little experience(needing OJT)" to lead and administer BPS.

With considerable knowledge and experience in my career, I would have never advise the Board to conduct a hurried search this late winter and early spring with an absurd date of May 9 to make a decision. A late summer and fall advertisement and screening/interviewing process and timeline for an announced August 1 or late Fall start date is far more advantageous to both the BPS Board and new Superintendent on many levels:

1. availability of quality candidates
2. less competition for candidates,
3. complete budget building opportunity for the upcoming fiscal year,
4. education program design and implementation for upcoming school year,
5. the timing of the collective bargaining process after the available funds and necessary costs are set along with the priorities of the Board established, as well as the philosophy, mission, vision, values of the Board are established
6. staff appraisal and evaluation cycles (evaluation and re appointment dates
7. recruitment of new staff.
8. Necessary reorganization and staffing of central office level
9. Change of culture and bureaucracy in BPS
10. Problem solving of so many issues in BPS which are barriers to any growth
11. Development of a true, strategic plan
12. Personnel searches need to be conducted to replace the interim positions and/or other cabinet positions; finding high quality candidates in June - July before the 23-24 school year is impossible. The economy alone coupled with BPS' non-competitive salaries as well as a lack of internal succession planning and have stalled an inhouse, job-ready pipeline.

Further, think of your selectee. The current search and start dates are unrealistic. This is

especially important because of the time constraints and pressures on the selectee with his/her completion of the school year (most graduations, school district school years in the Midwest and Northeast do not end until June 30. Relocating to BPS. Opening the new school year in mid-August. completing collective bargaining and budget development cycle shortly after taking operational authority days after the appointment on May 9! and so on and on.

BPS' existing issues, as you know and often have been expressed by many of the BPS Board members, staff, RSM, external stakeholders are manifold, multi-layered, and interrelated. Many of our internal issues needing resolution cannot be solved overnight with quick fixes, adequate time for the Board to act, and for the time for the administration to implement.

The immaturity of the Board despite being in office for 3 months is astounding. They don't know or do not want to learn what they don't know. A quick political solution for complex problems is no way to look at a complex, 1.5-billion-dollar organization.

What board member has any experience leading such an organization?

The lack of preparation for Board meetings, the lack of accepting their statutory role and even adhering to its own, signed guidelines much less its own legal policies, torn relationships, the horrendous videos of Board meetings and so on will not attract qualified candidates at this time.

Timing for all changes is critical and a rational process is as important as the decision. Particularly when the public opinion and staff opinion and more is so low due to Board behavior with no end of such board behavior in sight.

A new superintendent must immediately build staff and external relationships as well as internal relationships. He/she cannot tackle critical decision making, especially those affecting employees. Expecting a new superintendent to make tough decisions within weeks is not realistic if she/he expects to survive; especially with a 5-member board. An internal employee as a permanent superintendent will not tackle those matters due to a variety of reasons. In my judgment, there is no internal employee who is ready or capable of assuming the superintendency.

I had explained in the interview as well as repeated frequently, the Interim (assuming not serving as a caretaker) is a unique role because that individual is focused on mission, short term objectives and not using the interim position to cement a long term job. A transitional interim is unlike that of a permanent superintendent who establishes roots in the community.

The BPS Board has set an unrealistic timeline to advertise, investigate, interview and select a permanent superintendent, negotiate a contract with its selectee, much less expect someone to relocate and become fully operational in such a short time. Especially true with the external complications of an abnormal number of nationwide searches this time of year with a dearth of candidates available and narrowing each day. A thorough search process cannot be completed satisfactorily after an hour or so of an interview. Boards make the critical mistake of spending many weeks and months in preparation for a selection but rushing to closure due to self-imposed pressures allowing but a few hours to interview and select someone just to get the process completed.

The proposed timelines by the search firm for the BPS search and the interview and selection process are too compressed. The search consultant was not even present at the Board meeting on February 21. Why? the individual did not know the difference between a doctor of Juris Prudence and someone holding a master's degree much less anything about the realities of a true, search process. The established dates were set by the consulting firm to satisfy the client and the firm's needs, but not in BPS best interests.

The search for the interim was haphazard. Using BPS as an object lesson, had the Board in December selected as its interim the other external candidate after a brief interview and without having done any background check much less a mid-level dive into the candidate's true background, it would have caused trouble for BPS and the Board.

I had called the individual to gauge his readiness, availability, and competency to perhaps fill one of the vacant Cabinet positions in HR and ESE. He had informed me that he could not have started in BPS until the end of January if he had been selected as Interim Supt contrary to what he said at the interview), nor had he the experience in HR, ESE, board-superintendent relations, budget, or collective bargaining. That heavy experience is critical, especially in BPS. I had also contacted that candidate's superior. I learned that there were specific reasons why that candidate held the job he held at the time of the interview. The reasons/information given to the Board at the public interview call to mind Congressman George Santos of New York. Anyone can tell a good story, re-shape history and facts on a resume, outright lie, and make a favorable impression in an hour. The Board gushed over the individual. Few can back up what they say. But many can sell the shiny object. He was the least ready candidate I have ever seen in my career.

A rushed process the past couple of weeks to hold community forums (all in about a week with a very weak and limited, uninformed small group of people), revise a job description which is unrelated to the real work needing to be done, advertise when there is not a philosophy, values, mission, vision of the Board in place much less an understanding of the needs of the district, screen candidates carefully, interview and select someone, negotiate a contract, have the selectee assume operational role immediately and make decisions the selectee knows nothing about is ridiculous, with due respect. Such a haphazard opens the door for making a decision simply for the sake of deciding and moving on, especially in late Spring/early summer.

Your process and conversations of the Board on February 21 publicly rendered me a lame duck as your Interim Superintendent.

An August or Fall appointee taking operational control would be a rational safeguard for the Board:

1. It is more realistic for the chosen, permanent superintendent; The July 1 date might offer enough transition time for the designee to complete contract negotiations, give adequate notice to current employer (assuming the employer would forgive the contract terms of contract cancellation notice, wrap up her/his schoolyear, relocate to Brevard, and not need to assume operational responsibilities for all of the tactical matters in BPS on May 9 or June 1.
2. Allow the IS to
 - a. close out the fy and sy 22-23.

- b. Complete evaluations of Cabinet members.
- c. Complete the reappointment -non reappointment process
- d. Complete the summer programs.
- e. Ready the schools for SY23-24 August opening.
- f. Complete the collective bargaining.
- g. Complete the budget process for both fy 24 and 25.
- h. Provide continuity with Interim Appointees for BPS until end of SY, as they are set to leave the day I leave. And so many identified problems.

To illustrate some points, I have received inquiry calls from prospective candidates throughout the nation. None told me that they could consider bolting their districts with a month or so left in the school year nor could they violate their contracts unless suffering professional and legal reprisals. Most Superintendents are legally bound to a 45 (even I as Interim)- 90-day or longer notice. In addition, for a family to relocate so quickly is most difficult, especially if one needs to sell a home or a child needs to complete a school year. They told me that for those reasons and the Board's behaviors, they cannot/will not apply. Did your search consultants tell you that? No. Why not? They want their fees and move out. Look at the school boards' associations email chains in their absurd invoice that I had sent you. For the record, I recommend that the Board terminate their search services now. They are hurting this school district and employees.

For the selectee to become operational, truly learn BPS, establish BPS internal and community relationships, fill all cabinet vacancies created by the departure of the Interim appointees and vacancies created by resignations/retirements or non-reappointments as well as to lead and administer the district re: above tactical matters, it is not feasible or practical in the best interests of BPS to hold firm to that May 9 date. The timing and handling of the Mullins dismissal hurt the BPS and this Board far more deeply than Board members want to admit. Handling this search in the way it is going now at this point further erodes the Board and its credibility and is doing untold damage. Stop the bleeding now. Take a deep breath. Complete the written philosophy, vision, mission, values, strategic plan long before you try to advertise the position. Simply look at the advertisements of rational school districts now. All of this is in place well before the search begins. BPS board has not done any of this. How can BPS Board consider what it wants in a permanent superintendent if it hasn't define what it wants to do re: its own philosophy, values, mission, vision, strategic plan etc.??

A decision about the permanent superintendent should not be accelerated rushed because of arbitrarily set timelines. Your search firm is responding to what the Board stated as a forced timeline rushing to complete the consulting project, please its client, and move on to its other multiple searches in the works. The survey sent to stakeholders is an embarrassment.

Again, why weren't the actual consultants available and onsite February 21 at the Board meeting with its clients? The executive director of the organization was present. Why? It is her organization which does not want to ever be in BPS again. Go figure. The Board is paying \$50k for what??

BPS Staff are hard pressed to take on the responsibilities having been foisted on them by the

search consultants and are unable to address their primary responsibilities of their job descriptions and what their CEO needs to have them do and do well due to the absurd, competing demands of the search firm. I have not been given a role to play with the search process, which is fine, yet I am spending considerable time with interruptions during the day, evenings, and during the recent Board meetings with calls, texts, emails from search consultants placing demands on me as well as potential candidates. Who are they calling? Me, the sitting superintendent. Who can give them the insight about the job at BPS. Does the Board want me not to take any calls? Who are they Candidates going to call? The search consultants? Who do not even come to the Board meetings?

Having worked extensively in the consulting world, outside consultants are about getting the contract completed, get the money, and move on to another project asap. They fail to consider that people in organizations have their plates loaded with daily responsibilities for which they are evaluated upon and just cannot be at the beck and call of the consultants. Are the search consultants going to evaluate the employees? I think not. That said, the members of the staff reporting to the superintendent are not employees reporting to the search firm.