

**RECORD OF BOARD PROCEEDINGS
(MINUTES)
Regular Board Meeting
November 24, 2014**

The Fayette County Board of Education met at 701 East Main Street, Lexington, KY at 6:00 p.m. on the 24th day of November 2014, with the following members present: (1) John Price, (2) Melissa Bacon, (3) Amanda Ferguson, (4) Doug Barnett and (5) Daryl Love

Staff Members Present for Regular Meeting

Tom Shelton, Superintendent
Shelley Chatfield, Chief Administration Officer/Staff Attorney
Vince Mattox, Chief Officer of School, Community, & Gov. Support
Mary Wright, Chief Operating Officer
Lu Young, Chief Academic Officer

A. Call to Order

John Price, Chair, called the Regular Board Meeting to order at 6:04 p.m.

Roll Call

John Price, Melissa Bacon, Amanda Ferguson, Doug Barnett and Daryl Love

B. Welcome to Guests

John Price, Chair, welcomed the guests and attendees to the meeting.

C. Moment of Silence

D. Pledge of Allegiance

Daryl Love led the Pledge of Allegiance.

E. Mission Statement

Daryl Love read the Board Mission Statement.

F. Approval of Agenda

A motion was made by Amanda Ferguson and seconded by Daryl Love, to approve the agenda with any changes voiced including the lifting of items from the consent section for discussion. The motion carried with a vote of 5 to 0.

G. Introductions, Student Performance and Recognitions

1. Introductions

John Price, Chair, introduced the teacher and student representatives for the November 24, 2014 meeting.

a. **Student Representative:** McKenna Clark, Southside Technical Center

b. **Teacher Representative:** Meredith Reed, Glendover Elementary School

2. Student Performance

a. Fiddle Group, Edythe J. Hayes Middle School

This afterschool group meets one day a week and is composed of 6th, 7th and 8th grade orchestra members. They perform regularly at Hayes' orchestra concerts, elementary schools and retirement homes.

3. Recognitions

a. Beaumont Middle School Cross Country Team: Winner, Middle School State Meet

The boys cross country team won the 2014 Meet of Champions. This is Beaumont's first state Championship. The Colts also won the Fayette County Title this fall.

b. Henry Clay High School Girls' Golf Team: Runner-Up, KHSAA State Tournament

The Henry Clay girls' golf team was runner-up. Sophomore Leslie Ginter led the Blue Devils with a four-over-par 148. Coach, Kevin Mims, was named the state's Golf Coach of the Year by the Kentucky Golf Coaches Association.

c. Lafayette High School Marching Band: Runner-Up, 2014 Kentucky Music Educators Association State Competition.

Lafayette finished second in the Class 5A state competition under director Chuck Smith. Lafayette High School's Marching Band has won eighteen state titles.

H. Reports, Communications, Resolutions

1. Progress Reports

a. Superintendent's Reports

1. Equity Council Report

Tom Shelton stated that there will be an agenda item regarding the equity council recommendations which will be shared at a later date.

2. Construction Progress Report

Mary Wright gave a PowerPoint presentation regarding the construction and renovation projects in progress in the district. A hard copy of the presentation is included with the permanent minutes.

3. 2014 Unbridled Learning Results

Jimmy Brehm shared a PowerPoint presentation regarding the testing results. A hard copy of the presentation is included with the permanent minutes.

Daryl Love asked Jimmy Brehm to give an explanation of what a program review is.

Jimmy Brehm explained that a program review is a self-assessment that schools conduct of their programs and submit to the district. The district reviews the assessment and submits to the state.

Jimmy Brehm described what defines a focus school. If a school has Sub-population performing three standard deviations below the state levels, it is classified as a focus school. He also explained for schools that have additional needs, we have service teams comprised of district level employees that work with these schools to work on a 30, 60 or 90 day plans. A discussion occurred amongst the board and superintendent on how we could get parents and volunteers more involved in our low performing schools.

4. **Wellness Report**

Michelle Coker shared a PowerPoint presentation of the Wellness Report Card for Nutrition and Physical Activity for Fall 2014. A hard copy of the presentation is included with the permanent minutes.

Myron Thompson shared that all of our elementary schools have 20-30 minutes of physical activity every day.

2. **Remarks by Citizens:**

- a. **Dr. C.B. Akins, Sr.:** Spoke regarding equality concerns for all constituent
- b. **Shambra Mulder:** Spoke regarding Equity concerns.

I. Approval of Routine Matters

1. *Approval of the October 6, 2014 Planning Meeting*
2. *Approval of the October 13, 2014 Special Meeting*
3. *Approval of the October 27, 2014 Regular Meeting*

A motion was made by Melissa Bacon and seconded by Doug Barnett, to approve the minutes. The motion carried with a vote of 5 to 0.

J. Approval of Consent Items

A motion was made by Melissa Bacon and seconded by Doug Barnett, to approve the items on the consent section. The motion carried with a vote of 5 to 0.

1. **Approval of Bids/Proposals and Bid Contract Extensions**
2. **Actions for Post Approval and Claims**
3. **Special and Other Leaves of Absence**
4. **Requests from Principals for Extended Trips**
5. **Professional Leave by District Personnel**
6. **Requests from Principals for School-wide Fundraising Projects**
7. **Request for a Shortened School Day**
8. **FY15 KET Offer**
9. **Instructional Materials/Textbook Plans**
10. **Declaration of Surplus**

Mary Wright stated that this contains items that can no longer be used in our food service department

11. **Approval of Proposed Change Order (No. Twenty-one) to the Contract for the Renovation at Breckinridge Elementary School BG 10-262**

Improve original plans and specs: Delete replacement of four posts that were part of original playground equipment that was dismantled and reinstalled.

12. **Approval of Proposed Change Order (No. Fifteen) to the Contract for the Renovation at Deep Springs Elementary School BG 12-182**

To resolve unforeseen conflict: Provide labor, materials and equipment to remediate unsuitable soils and repair a section of asphalt at the new parking lot.

13. Approval of Proposed Change Order (No. Thirteen) and correction to Previous Agenda Item (Re: Change Order No. Two) to the Contract for the Renovation at Tates Creek Elementary School BG 11-251

To improve original plans and specs: Provide labor, materials and equipment to furnish and install two (2) additional marker boards, Two (2) card readers on exterior doors and replace door 518 damaged by school staff.

14. Approval of Proposed Change Order (No. Twelve) to the Contract for the Renovation at Jessie Clark Middle School BG 13-023

To improve original plans and specs: Provide labor, materials and equipment to provide additional data and power to (9) Teacher Workrooms (Team Rooms) and power to Teacher Workroom refrigerator.

To correct deficient plans and specs: To provide power at Locker Room drinking fountains and extend wall dividing SRO office and Girls Locker Room to roof deck.

15. Approval of Reduction in Retainage on the Construction Contract for the Renovation at Jessie Clark Middle School BG 13-023

The remainder of contract amount (including retainage) due to the contractor is \$5,058,510.98. The contractor is requesting a reduction of the contract retainage to 5% of the contract.

16. Approval of Third-Party Special Inspection Agreement for the Renovation of Squires Elementary School BG 14-121

Request to enter into an agreement with L.E. Gregg Associates in the amount of \$53,854.00 to perform the Inspection of Squires Elementary School.

17. Approval of the Design Consultant and the BG-1 Project Application for the Replacement of the HVAC at Maxwell Elementary School

The HVAC system at Maxwell was last replaced in 200-2001 and the system is malfunctioning and needs replaced again.

18. Approval of Revised BG-1 Project Application for the Construction of the New High School on Winchester Road (1970 Winchester Road) BG 14-159

The project design must begin immediately in order to be ready for occupancy in August 2017.

19. Approval of a Waiver Request of 702 KAR 4: 180 Related to the Total Building Area of the New High School on Winchester Road (1970 Winchester Road) BG 14-159

The waiver request to allow the new high school to exceed the Model Space Program would remove the obstacle out of the path of the new high school's progress.

Members of the board asked if this process had taken place before.

Tom Shelton stated that this is standard operating procedure and that the district has followed the proper protocols.

20. Approval of a Proposed Change Order (No. Nineteen) to the Contract for the Renovation at James Lane Allen Elementary School BG 11-263

To correct deficient plans and specs: Provide labor, materials and equipment to install voice and data drop in Custodian Room 217.

21. Approval of Contract for Therapy Lex, LLC

K. Approval of Action Items**1. Approval of Contract for Kyna Koch**

Mary Wright stated that Kyna Koch will help us implement recommendations provided to the district by the State Auditor's report.

A discussion between the board occurred regarding new modules that would be put in place, especially with the state financial system Munis and the cost of additional training and staff

A motion was made by Melissa Bacon and seconded by Daryl Love to approve the contract with Kyna Koch. The motion carried with a vote of 5 to 0.

2. Approval of a Quit Claim Deed to Lexington-Fayette Urban County Government for 714 ½ DeRoode Street
Mary Wright

A motion was made by Daryl Love, and seconded by Melissa Bacon, to approve a Quit Claim conveyance from the Board of Education of Fayette County, Kentucky to the Lexington-Fayette Urban County Government of all of the Board's right, title and interest in and to the property known and designated as 714 ½ DeRoode Street, Lexington, Kentucky, for the sum of \$1,300.00 (One Thousand, Three Hundred Dollars) based upon the Board's twenty-five percent (25%) equitable interest in the property and its estimated value of \$5,200.00 (Five Thousand, Two Hundred Dollars). The motion carried with a vote of 5 to 0.

3. Timeline for Equity Council Recommendations

Tom Shelton gave an overview of the Equity Council Recommendations and stated that a grant has been received to train additional staff in mental health issues. He went over the timeline to address these recommendations and a hard copy will be included in the permanent minutes.

A discussion occurred regarding the grant received.

A motion was made by Doug Barnett and seconded by Melissa Bacon to approve the timeline for the Equity Council recommendations. The motion carried with a vote of 5 to 0.

4. Establishment of New Job Description: Project AWARE Grant Program Manager

A motion was made by Melissa Bacon and seconded by Daryl Love to approve the new job description for the Project AWARE Grant Program Manager. The motion carried with a vote of 5 to 0.

5. Report on 2014 Financial Records Audit for Fayette County Public Schools

The board was given an unmodified opinion or a "clean opinion". He stated that his auditors did not find any evidence of chronic mismanagement. He also stated that the state auditor did not contact him regarding his company's audit.

A motion was made by Melissa Bacon and seconded by Daryl Love to approve the independent audit report for the Fayette County Public Schools for the fiscal year ending June 30, 2014 as presented. The motion carried with a vote of 5 to 0.

6. Monthly Financial Report – Rodney Jackson, Director of Financial Services

- Year to date period ending October 31, 2014 - Net revenue over expenses of \$117,757,908.16
- Total year to date expenses approximately 20%
- Budgeted expenses and all line item variances explained in comparison with previous years
- Financial position remains sound in relation to assets versus liabilities

A motion was made by Melissa Bacon and seconded by Daryl Love to accept the Monthly Treasurer's Report of Revenue/Expense reports as presented to the Board. The motion carried with a vote of 5 to 0.

M. Informational Items

1. Personnel Changes – No discussion

N. Oral Communications

1. Public Comments

- a. **Lisa Hager:** Spoke in favor of the SWAP program
- b. **John Rupp and Corey Shepard:** Spoke in favor of the SWAP program
- c. **Lauren Higdon:** Spoke in favor of the SWAP program
- d. **Mark Swanson:** Spoke in favor of the SWAP program
- e. **Jenny Najor:** Spoke in favor of the SWAP program
- f. **Jackie Walters:** Spoke in favor of the SWAP program
- g. **Denise Bower:** Believes that children should have a chance to do what they want to do during recess and not necessarily be meant to exercise during that time.
- h. **Brian Rogers:** Spoke in regard to the SWAP program and started the better bites program with Parks and Recreation.
- i. **Anita Courtney:** Spoke in favor of the SWAP program and stated that it's an equity issue
- j. **William Saunders:** Spoke regarding the Superintendent Search and nominated Roy Woods to serve on the committee. John Price answered that per state statute, the board cannot add people to the Superintendent Search committee outside of the allotted group. He did state that there were several focus groups that gave input last year, including the Equity Council.
- k. **Marilyn Dishman:** Spoke regarding BSHS and the need for cultural sensitivity training
- l. **Richard Dieffenbach:** Spoke in favor of the SWAP program
- m. **Jennifer Alcala:** Spoke in favor of the SWAP program
- n. **Gale Borne:** Spoke in favor of the SWAP program
- o. **Michelle Castro:** Spoke in favor of the SWAP program
- p. **Dr. Michael Winkler:** Spoke regarding the resignation of Dr. Shelton and recommended Daryl Love to serve on the Superintendent search committee.

2. Board Requests – None

3. Other Business

- a. **Board Discussion of Board Work -None**
- b. **Staff-None**

O. Motion Making Agenda Part of the Official Board Minutes

A motion was made by Doug Barnett and seconded by Melissa Bacon to make the agenda dated November 24, 2014 which action has been taken at this meeting, a part of the minutes as if copied in the minutes verbatim. The motion carried with a vote of 5 to 0.

Closed Session

A motion was made by Melissa Bacon and seconded by Doug Barnett to go into closed session at 8:26 p.m. to discuss personnel pursuant to KRS 61.810 (1)(f). The motion carried with a vote of 5 to 0.

Open Session

A motion was made by Melissa Bacon and seconded by Amanda Ferguson to reconvene in open session at 9:33 pm. The motion carried with a vote of 5 to 0.

Adjournment

A motion was made by Daryl Love and seconded by Amanda Ferguson to adjourn the meeting at 9:35 p.m. The motion carried with a vote of 5 to 0.

John Price, Chair

Tom Shelton, Superintendent and Secretary to the Board