



## JEFFERSON COUNTY BOARD OF EDUCATION

### Minutes of Regular Meeting of October 16, 2018

**Regular Meeting** of the Jefferson County Board of Education held at VanHoose Education Center, Stewart Auditorium, Louisville, Kentucky, on Tuesday, October 16, 2018, at 7 p.m.

#### **BOARD MEMBERS PRESENT:**

Chairwoman Diane Porter  
Mr. Chris Brady  
Mr. Benjamin Gies  
Dr. Chris Kolb

Vice-Chair Lisa Willner  
Mrs. Linda Duncan  
Mrs. Stephanie Horne

#### **STAFF MEMBERS PRESENT:**

Superintendent Martin A. Pollio, Ed.D.  
Francis J. Mellen, Jr., Wyatt Tarrant & Combs LLP  
Angie Gilpin, Assistant Secretary to the Board

#### **WORK SESSIONS**

At 5 p.m., the Board conducted a work session to discuss District safety, security, and restorative practices. The work session concluded before all Board members were able to comment and ask questions.

#### **REGULAR MEETING**

Chair Porter called the October 16, 2018, regular meeting of the Board of Education to order at 7:04 p.m., this was followed by the traditional moment of silence and the Pledge of Allegiance. Dr. Kolb recited the District Vision Statement.

#### **III. Recognitions and Resolutions**

III.A. Recognition of Seneca High School Students Javon Grundy, Shikita Scott, A Niyah Goldsberry, and Jade Carter for Saving the Life of Their Bus driver

III.B. Recognition of Meyzeek Middle School Students Shraman Kar and Luke Mo and dupont Manual High School Student Shreyas Kar for Being Selected as Top Members of the 2018 Broadcom Masters, the Nation's Premier Stem Competition for Middle School Students

III.C. Recognition of Frederick Law Olmsted Academy South for Being Named a Nationally Certified Magnet School by Magnet Schools of America

**Order #2018-228 - Motion Passed:** Superintendent Martin Pollio recommends the Board of Education receive the recognitions and resolutions for October 16, 2018. The recommendation passed with a motion by Mr. Benjamin Gies and a second by Mr. Chris Brady.

Mr. Chris Brady	Yes
Mrs. Linda Duncan	Yes
Mr. Benjamin Gies	Yes
Mrs. Stephanie Horne	Yes
Dr. Christopher Kolb	Yes
Ms. Diane Porter	Yes
Dr. Lisa Willner	Yes

#### **IV. Recommendation for Approval of Meeting Agenda**

Chair Porter announced that item X.S.2. *Recommendation for Approval of Agreement with Murray State University and Marion C. Moore and Seneca High Schools for Dual Credit Partnership*, will be withdrawn from the agenda and presented at a later date.

**Order #2018-229 - Motion Passed:** A motion to withdraw agenda item X.S.2. and approve the agenda as amended passed with a motion by Mrs. Stephanie Horne and a second by Dr. Lisa Willner.

Mr. Chris Brady	Yes
Mrs. Linda Duncan	Yes
Mr. Benjamin Gies	Yes
Mrs. Stephanie Horne	Yes
Dr. Christopher Kolb	Yes
Ms. Diane Porter	Yes
Dr. Lisa Willner	Yes

#### **V. Recommendation for Approval of Minutes of Previous Meeting**

**Order #2018-230 - Motion Passed:** Superintendent Martin Pollio recommends the Board of Education approve the minutes of the September 25, 2018, regular meeting. The recommendation passed with a motion by Dr. Christopher Kolb and a second by Mrs. Linda Duncan.

Mr. Chris Brady	Yes
Mrs. Linda Duncan	Yes
Mr. Benjamin Gies	Yes
Mrs. Stephanie Horne	Yes
Dr. Christopher Kolb	Yes
Ms. Diane Porter	Yes
Dr. Lisa Willner	Yes

#### **VI. Superintendent's Report**

Dr. Pollio began his report by recognizing and thanking his team for their hard work. He continued by discussing the implementation of the Corrective Action Plan, professional development sessions, MAP assessments, and a Kentucky Board of Education meeting. He then briefly discussed the results for the state's assessment system for the 2017–18 school year. He went on to discuss elementary school suspension data, social-emotional supports, and the Code of Conduct. He concluded by announcing his recommendation for the District's general counsel. He said Kevin Brown, former associate commissioner of the Kentucky Department of Education, is the "most qualified person in the state to help lead our work."

## **VII. Persons Requesting to Address the Board**

There were no speakers.

## **VIII. Action Items**

### **VIII.A. Recommendation for Approval of 2019 Legislative Agenda**

Dr. Pollio introduced this item. Jonathan Lowe, director of strategy, and Abby Piper, executive administrator, government and community relations, presented the 2019 Legislative Agenda. Ms. Piper stated that the document has not been revised since the Board reviewed it at the October 16 meeting. Each Board member had an opportunity to comment and ask questions.

Mr. Brady stated that all the items on the Agenda will benefit schools state-wide. There are a lot of good items that they are advocating for that will affect all schools in Kentucky.

**Order #2018-231 - Motion Passed:** Superintendent Martin Pollio recommends the Board of Education approve the 2019 JCPS Legislative Agenda. The recommendation passed with a motion by Mr. Chris Brady and a second by Mr. Benjamin Gies.

Mr. Chris Brady	Yes
Mrs. Linda Duncan	Yes
Mr. Benjamin Gies	Yes
Mrs. Stephanie Horne	Yes
Dr. Christopher Kolb	Yes
Ms. Diane Porter	Yes
Dr. Lisa Willner	Yes

## **IX. Information Items**

### **IX.A. Acceptance and Review of Proposed 2019–20 and 2020–21 School Calendars**

Dr. Pollio introduced this item and stated that the calendars will be presented for approval at the next meeting on October 30. Dr. Michael Raisor, chief operation officer, presented an over of the two calendars. Each Board member had an opportunity to comment and ask questions.

**Order #2018-232 - Motion Passed:** Superintendent Martin Pollio recommends the Board of Education receive information concerning the proposed 2019-20 and 2020-21 School Calendars. The recommendation passed with a motion by Mr. Chris Brady and a second by Mr. Benjamin Gies.

Mr. Chris Brady	Yes
Mrs. Linda Duncan	Yes
Mr. Benjamin Gies	Yes
Mrs. Stephanie Horne	Yes
Dr. Christopher Kolb	Yes
Ms. Diane Porter	Yes
Dr. Lisa Willner	Yes

### **IX.B. Acceptance of a Report on the 2017–18 State Accountability Results**

Dr. Pollio introduced this item. Dr. Dena Dossett, chief of accountability, research, and systems improvement; Dr. Devon Horton, chief of schools; and Dr. Nate Meyer, assistant superintendent of school turnaround, presented the report on District results regarding the individual components of proficiency, separate academic indicator, growth, transition readiness, and graduation rates. The report also summarized positive trends and areas for growth and identified next steps for accelerated improvement schools. Each Board member had an opportunity to comment and ask questions.

Multiple Board members were optimistic with the District's new Accelerated Improvement Schools Office that provides schools with special support and attention.

Mr. Gies showed acknowledged that reading and social studies scores were some of the highest in history.

Mrs. Horne was pleased to see that Westport Middle School is now a level 1 school. She inquired about the increased oversight and accountability for level 2 and 3 schools to improve.

Mrs. Duncan expressed concern and questioned how the new state graduation requirements will impact the District. Dr. Dossett announced that the public comment period regarding the new requirements goes through November 30.

Mr. Brady was apprehensive with the District declaring KDE as the audit and turnaround team for schools since they don't have a great track record with previous priority schools. He was also concerned with the amount of funding available to help schools get out of CSI status once the number of schools increases in subsequent years. Dr. Pollio stated that he expressed the same concern at the state level.

Chair Porter stated that she is not satisfied but she is confident that the District has the right people in the right place to do the work.

**Order #2018-233 - Motion Passed:** Superintendent Martin Pollio recommends the Board of Education receive a report on the 2017-18 State Accountability Results. The recommendation passed with a motion by Mrs. Stephanie Horne and a second by Dr. Lisa Willner.

Mr. Chris Brady	Yes
Mrs. Linda Duncan	Yes
Mr. Benjamin Gies	Yes
Mrs. Stephanie Horne	Yes
Dr. Christopher Kolb	Yes
Ms. Diane Porter	Yes
Dr. Lisa Willner	Yes

### **X. Consent Calendar**

X.A. Report of Personnel Actions

X.B. Recommendation for Approval of Job Descriptions

X.C. Recommendation for Approval of Organizational Charts

X.D. Recommendation for Approval of Field Trip Request

X.E. Recommendation for Approval of Project, BG-1 Forms, and Assignment of Architects/Engineers

X.E.1. Recommendation for Approval of Project, BG-1 Form, and Assignment of Architects/Engineers for the Site Lighting Replacement at Churchill Park School

X.E.2. Recommendation for Approval of Project, BG-1 Form, and Assignment of Architects/Engineers for the Site Lighting Replacement at Coral Ridge Elementary School

X.E.3. Recommendation for Approval of Project, BG-1 Form, and Assignment of Architects/Engineers for the Track Resurfacing and Striping at Fairdale High School

X.E.4. Recommendation for Approval of Project, BG-1 Form, and Assignment of Architects/Engineers for the Stage Rigging Repair at Johnson Traditional Middle School

X.E.5. Recommendation for Approval of Project, BG-1 Form, and Assignment of Architects/Engineers for the Culinary Arts Renovation at Iroquois High School

X.E.6. Recommendation for Approval of Project, BG-1 Form, and Assignment of Architects/Engineers for a Food Service Phase 38 at Various Schools

X.F. Recommendation for Approval of Bid and Revised BG-1 Form for Boiler Replacement at Southern High School

X.G. Recommendation for Approval of Revised BG-1 Forms

X.G.1. Recommendation for Approval of Revised BG-1 Form for Partial Roof Replacement at Fairdale High School

X.G.2. Recommendation for Approval of Revised BG-1 Form for Window Replacement Phase I at J. Graham Brown School

X.H. Recommendation for Approval of Contract Completions and BG-4 Forms

X.H.1. Recommendation for Approval of Contract Completion and BG-4 Form for Site Lighting Replacement at Wheeler Elementary School

X.H.2. Recommendation for Approval of Contract Completion and BG-4 Form for a Welding Lab at Pleasure Ridge Park High School

X.I. Recommendation for Approval of Project Closeout and BG-5 Form for Stage Rigging Repairs at Atherton High School and Olmsted Academy North

X.J. Recommendation for Approval of Construction Change Orders

X.K. Recommendation for Approval of Bid Tabulations, Contract Renewals, and Amendments

X.L. Recommendation for Approval of Professional Services Contracts of \$5,000 or More

X.M. Acceptance of Orders of the Treasurer-Invoices

X.N. Acceptance of Orders of the Treasurer-Purchase Orders

X.O. Acceptance of Orders of the Treasurer-Vouchers

X.P. Acceptance of Monthly Financial Report for Period Ended September 30, 2018

X.Q. Acceptance of Quarterly Report of Investment Performance

X.R. Acceptance of Donations, Grants, and Funding

X.R.1. Acceptance of Donations and Small Grants

X.R.2. Acceptance of Funding from Catholic Charities for On-Site English as a Second Language Class

X.R.3. Acceptance of Funding from the Jefferson County Public Education Foundation

X.R.4. Acceptance of Funding from the Louisville Metro Government via The Greater Louisville Workforce Development Board, Inc. dba KentuckianaWorks

X.R.5. Acceptance of Funding from Louisville Metro Government for Sponsorship of Neighborhood Place

X.R.6. Acceptance of a Modification in Funding from the Louisville Metro Government via The Greater Louisville Workforce Development Board, Inc. dba KentuckianaWorks for the Kentucky Youth Career Center

X.R.7. Acceptance of Grant from the National Center for Families Learning for Family Literacy Activities  
 X.R.8. Acceptance of Funding From the University of Louisville Research Foundation  
 X.R.9. Acceptance of Grant from the University of Kentucky Collaborative Center for Literacy Development/Reading Recovery Center  
 X.S. Recommendation for Approval of Agreements  
 X.S.1. Recommendation for Approval of Lease Renewal Agreement with the Commonwealth of Kentucky  
~~X.S.2. WITHDRAWN: Recommendation for Approval of Agreement with Murray State University and Marion C. Moore and Seneca High Schools for Dual Credit Partnership~~  
~~X.T. WITHDRAWN: Recommendation for Approval of Course Code 909999 by Schools~~  
~~X.U. Recommendation for the Approval of District Facilities Plan Hearing Report and Amended District Facilities Plan~~  
 X.V. Recommendation for Approval of Shortened School Day for Four Exceptional Child Education Students  
 X.W. Recommendation for Approval of KDE for Audit Team and Turnaround Team in Comprehensive Support and Improvement Schools  
 X.X. Recommendation for the Approval of the Appointment of Members to the Audit and Risk Management Advisory Committee  
 X.Y. General Counsel of the Jefferson County Public Schools

The following items were pulled down for a separate vote.

- X.X. Recommendation for the Approval of the Appointment of Members to the Audit and Risk Management Advisory Committee
- X.Y. General Counsel of the Jefferson County Public Schools

**Order #2018-234 - Motion Passed:** A motion that the Board of Education approve the consent calendar for October 16, 2018, minus items X.X and X.Y. passed with a motion by Mrs. Stephanie Horne and a second by Mr. Chris Brady.

Mr. Chris Brady	Yes
Mrs. Linda Duncan	Yes
Mr. Benjamin Gies	Yes
Mrs. Stephanie Horne	Yes
Dr. Christopher Kolb	Yes
Ms. Diane Porter	Yes
Dr. Lisa Willner	Yes

Mr. Brady was concerned and stated that some people have participated and acted as full committee members during the Audit and Risk Management Advisory Committee meetings even though they had not been approved by the Board yet. He was also concerned with the appointment of Dr. Vicki Phillips since she has made some controversial decisions as a superintendent in the past and was the education director for the Bill & Melinda Gates Foundation which believes in the increased privatization of public schools. He preferred to revise the motion to approve the other recommended committee members separately from Dr. Vicki Phillips.

**Order #2018-235 - Motion Passed:** A motion to approve the appointment of Dr. Sarah Moyer for a term ending June 30, 2020; and Dr. Louis Adams-Rodgers and Mr. Pedro Bryant for terms ending June 30, 2019, on consent item X.X. *Recommendation for the Approval of the Appointment of Members to the Audit and Risk Management Advisory Committee* passed with a motion by Mrs. Stephanie Horne and a second by Mrs. Linda Duncan.

Mr. Chris Brady	Yes
Mrs. Linda Duncan	Yes
Mr. Benjamin Gies	Yes
Mrs. Stephanie Horne	Yes
Dr. Christopher Kolb	Yes
Ms. Diane Porter	Yes
Dr. Lisa Willner	Yes

Dr. Willner clarified that this committee has no authority to act – they only have the authority to make recommendations to the Board. Dr. Pollio confirmed Dr. Willner’s statement.

Mr. Gies pointed out the benefit of diversity in opinion within a committee. Mr. Brady agreed with this point but stated that he did not want to repeat a mistake and that Dr. Phillips had very similar experience as a person that the Board had dealt with in the past and they were not fond of it.

**Order #2018-236 - Motion Passed:** A motion to approve the appointment of Dr. Vicki Phillips for a term ending June 30, 2020, on consent item X.X. *Recommendation for the Approval of the Appointment of Members to the Audit and Risk Management Advisory Committee* passed with a motion by Mrs. Stephanie Horne and a second by Mrs. Linda Duncan.

Mr. Chris Brady	No
Mrs. Linda Duncan	Yes
Mr. Benjamin Gies	Yes
Mrs. Stephanie Horne	Yes
Dr. Christopher Kolb	Yes
Ms. Diane Porter	Yes
Dr. Lisa Willner	Yes

Mr. Brady was concerned and wanted clarification with who the general counsel will report to and that the Board is able to hire the superintendent, the board secretary, board treasurer, and legal counsel. He stated that he sought clarification from KSBA and they have the same interpretation of the law, stating that the Board does have the ability to hire a legal counsel. He wants to be clear on who they report to. They are legal counsel to the Board – not the superintendent or the District.

Mr. Mellen stated that the agenda item reflects the language of the statutes and he has communicated with John Fogle, staff attorney at KSBA, who stated that he does not give individual advice to school districts on particular issues, only general advice.

Mr. Mellen explained that Mr. Fogle said that when the statutes say a board member can influence the hiring of the board attorney, it means that they can appoint the board attorney and he thinks that is what the Legislature intended – although, he agrees that this is not exactly what the statute says. The statute says that the board can *influence* the hiring.

Mr. Mellen stated that the definition of the word influence is to affect or give consultation or give advice on, but it doesn't mean the power of appointment and that is where Mr. Mellen says he differs with Mr. Fogle.

Mr. Mellen went on to say that the issue of reporting is set forth in the organizational chart and job description and that the general counsel reports to the Board members but functionally, as an employee of the school district, also reports to the superintendent.

**Order #2018-237 - Motion Passed:** A motion that the Board of Education accept the appointment of Kevin C. Brown to the position of General Counsel of the Jefferson County Public Schools passed with a motion by Mrs. Stephanie Horne and a second by Dr. Lisa Willner.

Mr. Chris Brady	Yes
Mrs. Linda Duncan	Yes
Mr. Benjamin Gies	Yes
Mrs. Stephanie Horne	Yes
Dr. Christopher Kolb	Yes
Ms. Diane Porter	Yes
Dr. Lisa Willner	Yes

#### **XI. Board Planning Calendar**

Mrs. Horne stated that the calendar looks like they are working month-to-month since there isn't anything other than financial items listed for upcoming meetings. She is worried that the staff will not be prepared if items are not on the calendar. Dr. Pollio stated that staff will be prepared and more items will be added once the 2019 meeting dates have been set.

**Order #2018-238 - Motion Passed:** Superintendent Martin Pollio recommends the Board of Education receive for information a planning calendar outlining discussion agenda items. The recommendation passed with a motion by Mrs. Stephanie Horne and a second by Mr. Benjamin Gies.

Mr. Chris Brady	Yes
Mrs. Linda Duncan	Yes
Mr. Benjamin Gies	Yes
Mrs. Stephanie Horne	Yes
Dr. Christopher Kolb	Yes
Ms. Diane Porter	Yes
Dr. Lisa Willner	Yes

#### **XII. Committee Reports**

Mrs. Horne announced that the Finance Committee Meeting notes are posted online and that the next meeting will be a joint meeting with the Audit and Risk Management Advisory Committee to review the Comprehensive Financial audit.



### **XIII. Board Reports**

Mrs. Duncan congratulated Fairdale High School for exiting priority status.

Mr. Gies congratulated Valley High School Principal Robert Stephenson on his upcoming retirement.

Mr. Brady announced that there are multiple events regarding education on Thursday. He will attend a *Save Our Schools Rally* featuring speakers Diane Ravitch, Jitu Brown, and Sue Legg at Central High School MCA. He also mentioned that there will be a Hip-Hop Summit at the Academy @ Shawnee at the same time.

Chair Porter briefly discussed the following events: the African-American Initiative Summit; a class meeting of Rise Together Scholars at JCTC; the 2018 WLKY Bell Awards with recognition of Ben Langley and duPont Manual High School sophomore Andrew Dunn; a Parent Conference at Central High School MCA designed for parents and advocates of JCPs students; the iPad Rollout at W.E.B. DuBois Academy; the Women 4 Women Annual Luncheon; the official book release for *No Single Sparrow Makes a Summer*, written by nine Iroquois High students who document the cultural and geographic communities of South Louisville; and the Speaker Series Community Conversation at the Louisville Urban League featuring speaker Dr. Shantel Crosby of UofL.

**XIV. Persons Requesting to Address the Board (If Needed)**

**XV. Executive Session (If Needed)**

**XVI. Action Item (If Needed)**

### **XVII. Adjournment**

The meeting adjourned at 8:47 p.m.

**Order #2018-239 - Motion Passed:** A motion to adjourn the October 16, 2018, meeting of the Jefferson County Board of Education at 8:47 p.m. passed with a motion by Mr. Chris Brady and a second by Mrs. Stephanie Horne.

Mr. Chris Brady	Yes
Mrs. Linda Duncan	Yes
Mr. Benjamin Gies	Yes
Mrs. Stephanie Horne	Yes
Dr. Christopher Kolb	Yes
Ms. Diane Porter	Yes
Dr. Lisa Willner	Yes

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Diane Porter  
Chairwoman

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Dr. Martin A. Pollio  
Superintendent/Secretary

**THESE ACTIONS, ALONG WITH THE AGENDA ITEMS, MAKE UP THE OFFICIAL MINUTES, WHICH  
ARE ON FILE IN THE OFFICE OF THE SECRETARY**