



New Board Member Orientation

December 18, 2018



December 17, 2018

NOTICE

To All Members of the Board of Education of Jefferson County, Kentucky:

The Chair of the Board of Education is calling a special meeting of the Board of Education to be held on Tuesday, **December 18, 2018**, at VanHoose Education Center, Superintendent's Conference Room, 3332 Newburg Road, Louisville, Kentucky.

The purpose of this meeting is as follows:

9 a.m. New Board Member Orientation, Session I

I. Welcome, Introductions, Sharing

II. Working as a Team of Eight

- Relationship Between Board & Superintendent
- Communications – Internal/External
- Norms & Expectations
- Processes & Procedures
- Board Meetings


III. District Leadership/Organization of District

IV. Roles and Responsibilities of Board Members

Any and all matters incidental to and supplementary of the foregoing may also be taken up, considered and acted upon at the meeting.



Diane Porter, Chair
Board of Education of Jefferson County, Kentucky



Martin A. Pollio, Ed.D., Secretary
Board of Education of Jefferson County, Kentucky

Jefferson County Board of Education
New Board Member Orientation
Agenda

Superintendent's Conference Room

Session #1: Tuesday, 12/18/2018 9:00 am to 12:00 noon

Session #2: Thursday, 12/20/2018 2:00 pm to 5:00 pm

SESSION #1: Tuesday, 12/18/2018 9:00 am to 12:00 noon **3 HOURS**

Welcome, Introductions, Sharing **Diane Porter** **45 minutes**

Working as a Team of Eight **Marty Pollio & Diane Porter** **45 minutes**

- Relationship Between Board & Superintendent
- Communications – Internal/External
- Norms & Expectations
- Processes & Procedures
- Board Meetings

Break **15 minutes**

District Leadership/Organization of District **Marty Pollio & Chiefs** **45 minutes**

Binder Materials

- High Level Organizational Chart for each Division

Roles and Responsibilities of Board Members **Kevin Brown** **30 minutes**

Binder Materials

- Presentation from Kevin Brown, General Counsel

Jefferson County Board of Education

New Board Member Orientation Binder

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Tab 2 District Leadership/Organization of District

Binder Materials

- High Level Organizational Chart for each Division

Tab 3 Roles and Responsibilities of Board Members

Binder Materials

- Powerpoint Presentation from Kevin Brown, General Counsel

Tab 4 Continuous Improvement

- Comprehensive District Improvement Plan

Binder Materials

- 2018-19 CDIP Overview (12-2018)
- 2018-19 CDIP (12-2018)

- KDE Audit and Final Corrective Action Plan (CAP)

Binder Materials

- JCPS Final CAP Board Presentation (12-2018)
- JCPS Final Corrective Action Plan (12-2018)

Tab 5 JCPS Budget

- Overview of Budget Development Process
- Budget Timeline
- Revenue Sources
- Current Budget
- Monthly Financial Reports
- Budget/Program Review Cycle
- A Look Ahead – Priorities and Cuts

Binder Materials

- Presentation from Cordelia Hardin, Chief Financial Officer

Tab 6 Vision 2020 in Action & Three Pillars

- Vision 2020/Vision 2020 in Action

Binder Materials

- Vision 2020 (12-2015)
- Vision 2020 in Action (06-2018; reformatted 12-2018)
- Vision 2020 in Action Key Metrics (10-2018)

- 3 Pillars:
 - Backpack of Success Skills
Binder Materials
 - Board Presentation (05-2018)
 - The New Normal Document (10-2018)
 - Racial Equity
Binder Materials
 - Racial Equity Policy
 - Racial Equity Work Session Presentation (11-2018)
 - Culture & Climate
Binder Materials
 - Student Support & Behavior Intervention Handbook
 - MTSS Handbook
 - MTSS Toolkit Presentation

Tab 7 Strategic Action Priorities

- *Six Essential Systems for a Strong Learning Climate*
Materials
 - Six Essential Systems one-pager (09-2018)
- *Map Assessments & Accelerated Learning to Close Achievement Gaps*
Materials
 - JCPS MAP
 - See also the New Normal Document (10-2018)
- *Academies of Louisville*
Materials
 - Recent Presentation (11-2018)
 - Academies of Louisville document (10-2018)
- *Alternative School Redesign*
Materials
 - Board Presentation (11-2018)
- *Student Assignment and Magnet School Redesign*
Materials
 - Board Presentation (11-2018)
 - Choices Handbooks (10-2018)
- *School Safety*
Materials
 - Board Presentation (11-2018)

District Leadership/ Organization of the District

Jefferson County Public Schools

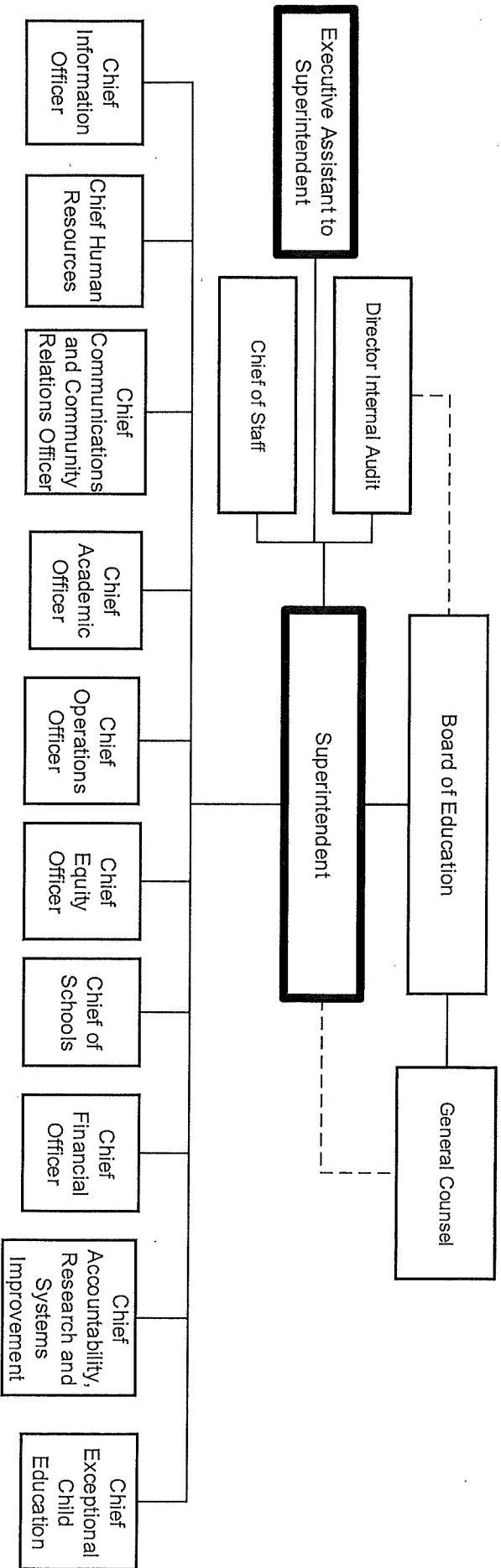
Cabinet

Marty Pollio	Superintendent
Amy Dennes	Chief of Staff
Kevin Brown	General Counsel
Devon Horton	Chief of Schools
Carmen Coleman	Chief Academic Officer
Renee Murphy	Chief Communications & Community Relations Officer
Jimmy Adams	Chief of Human Resources
Mike Raisor	Chief Operations Officer
John Marshall	Chief Equity Officer
Cordelia Hardin	Chief Financial Officer
Kermit Belcher	Chief Information Officer
Dena Dossett	Chief of Accountability, Research & Systems Improvement
To Be Named	Chief of Exceptional Child Education



ORGANIZATIONAL CHARTS

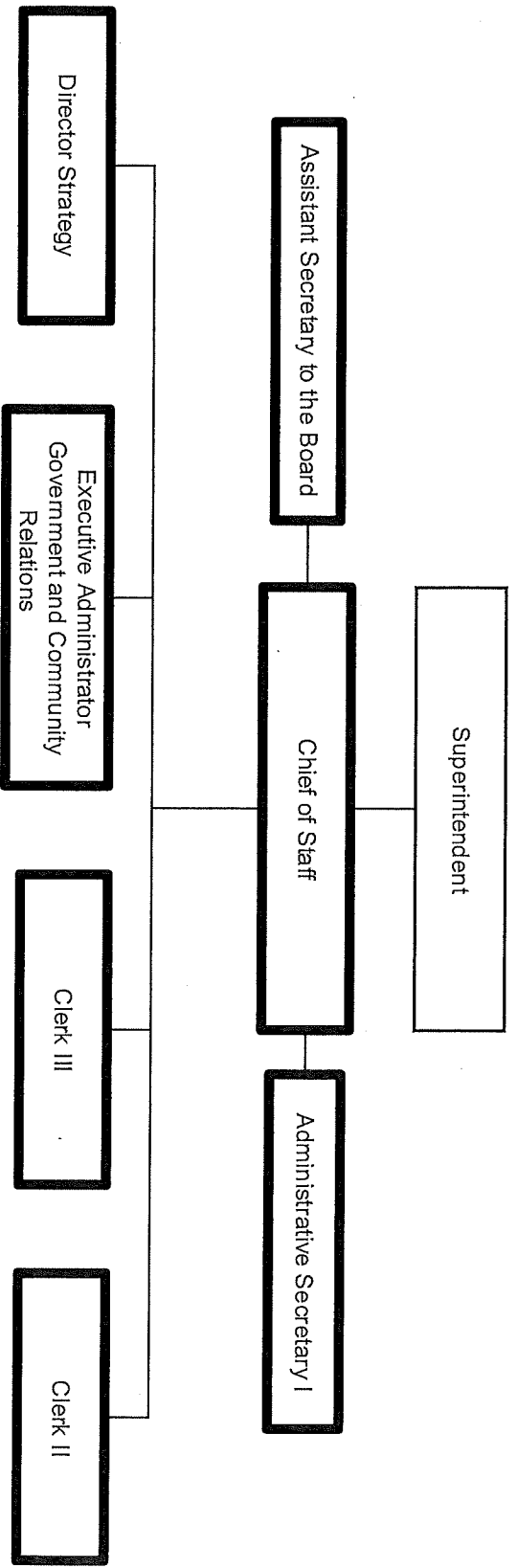
November 27, 2018



Summary:

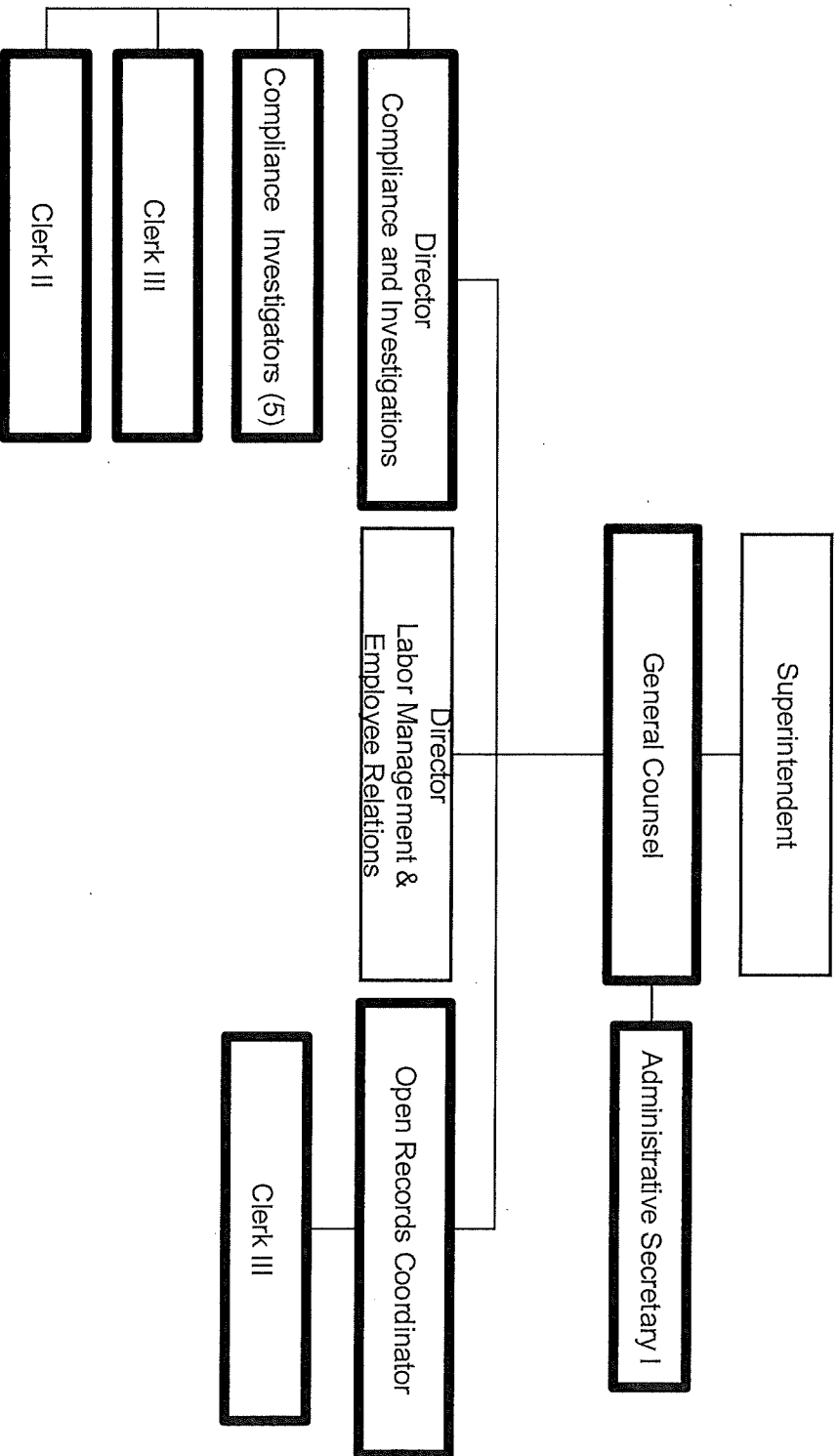
General Fund Positions: 2

Categorical Fund Positions: 0



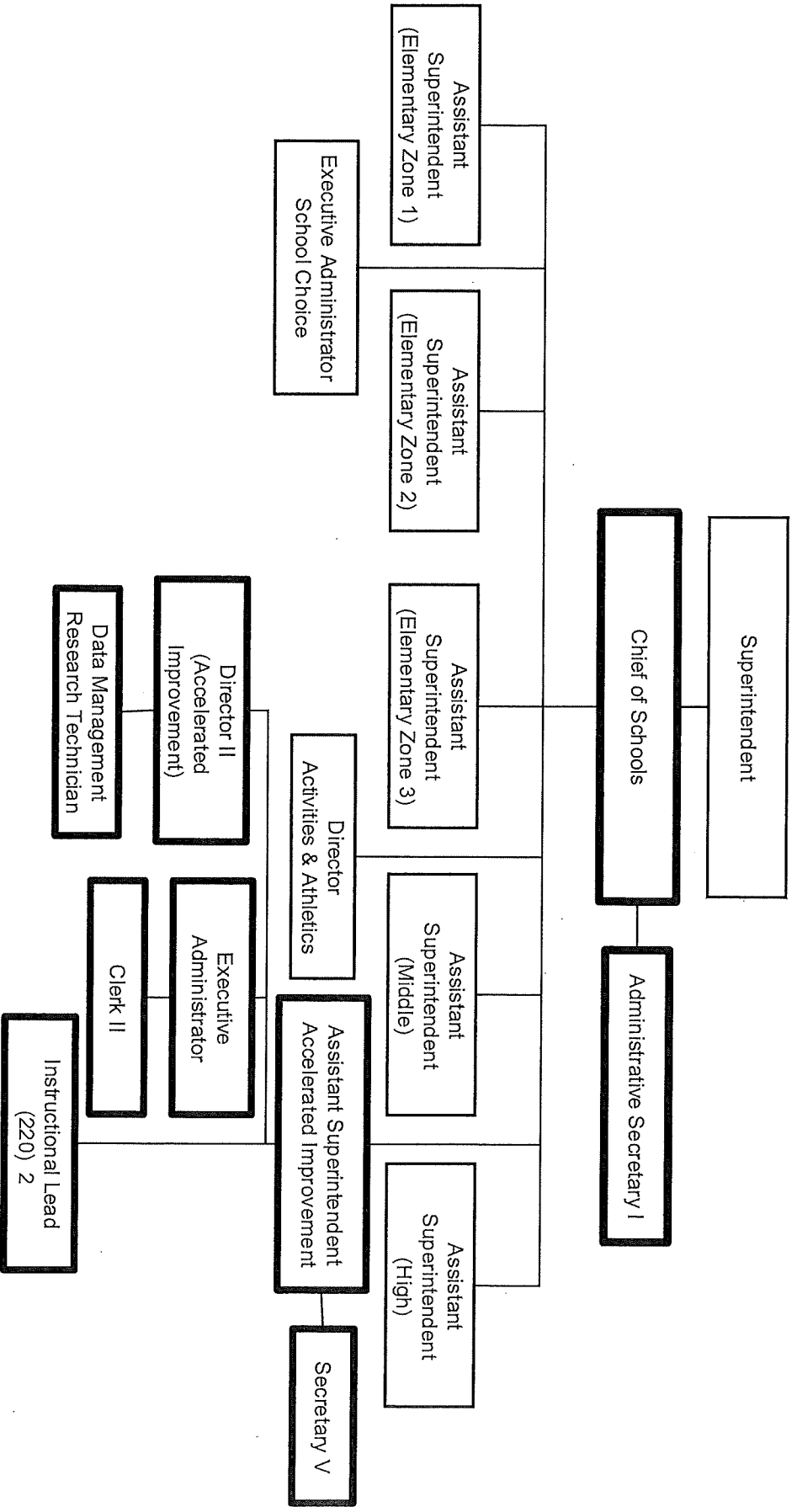
Summary:

General Fund Positions: 7
Categorical Fund Positions: 0



Summary:

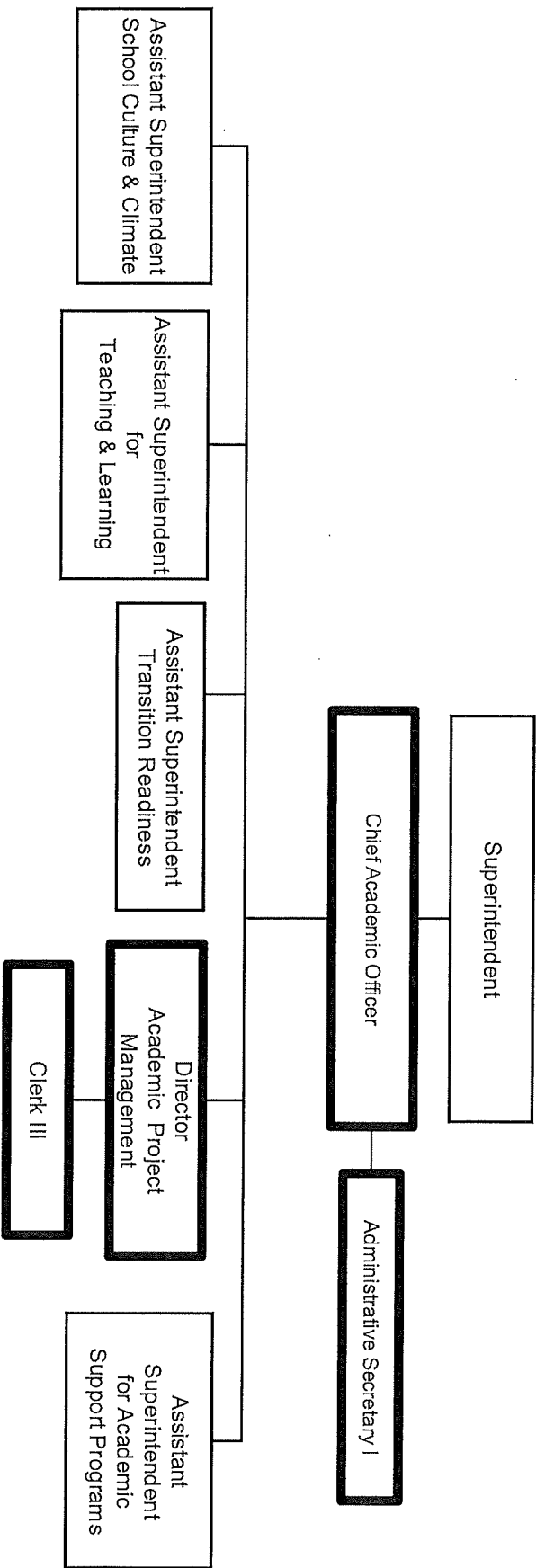
General Fund Positions: 12
Categorical Fund Positions: 0



Summary:

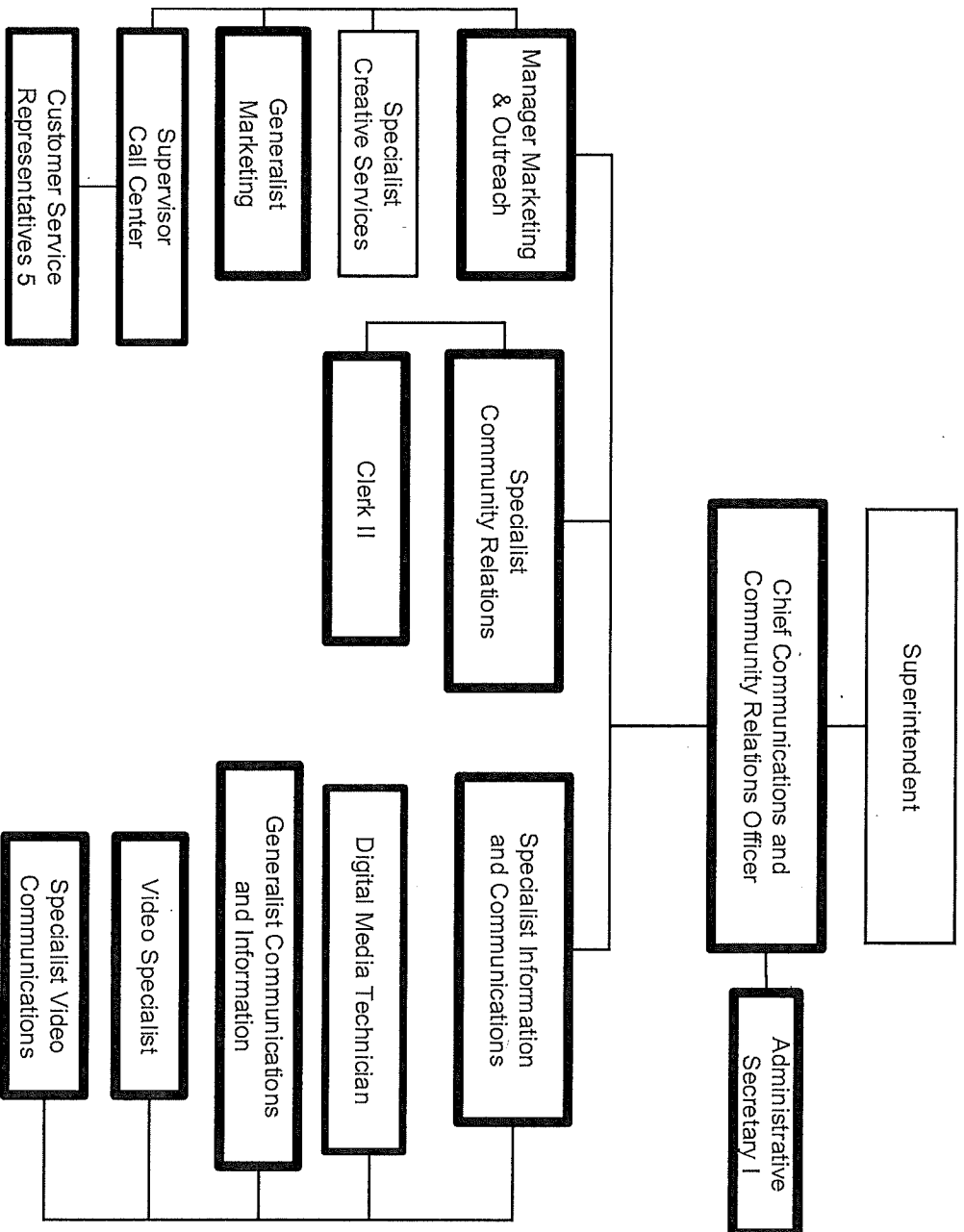
General Fund Positions: 10
 Categorical Fund Positions: 0

Cost Center AO1
Academic Services Division
2018 – 2019



Summary:

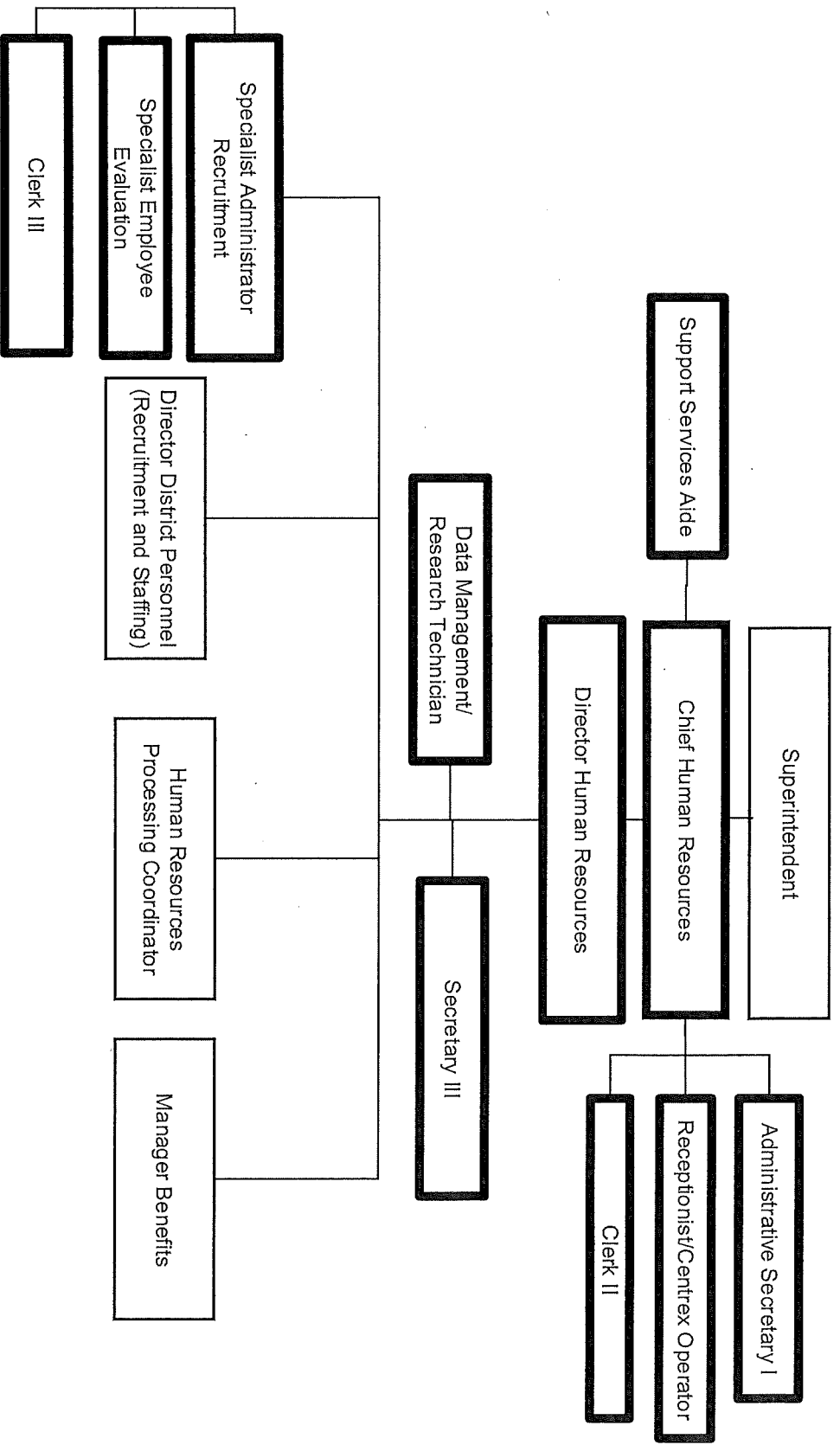
General Fund Positions : 4
Categorical Fund Positions: 0



Summary:

General Fund Positions: 17

Categorical Fund Positions: 0



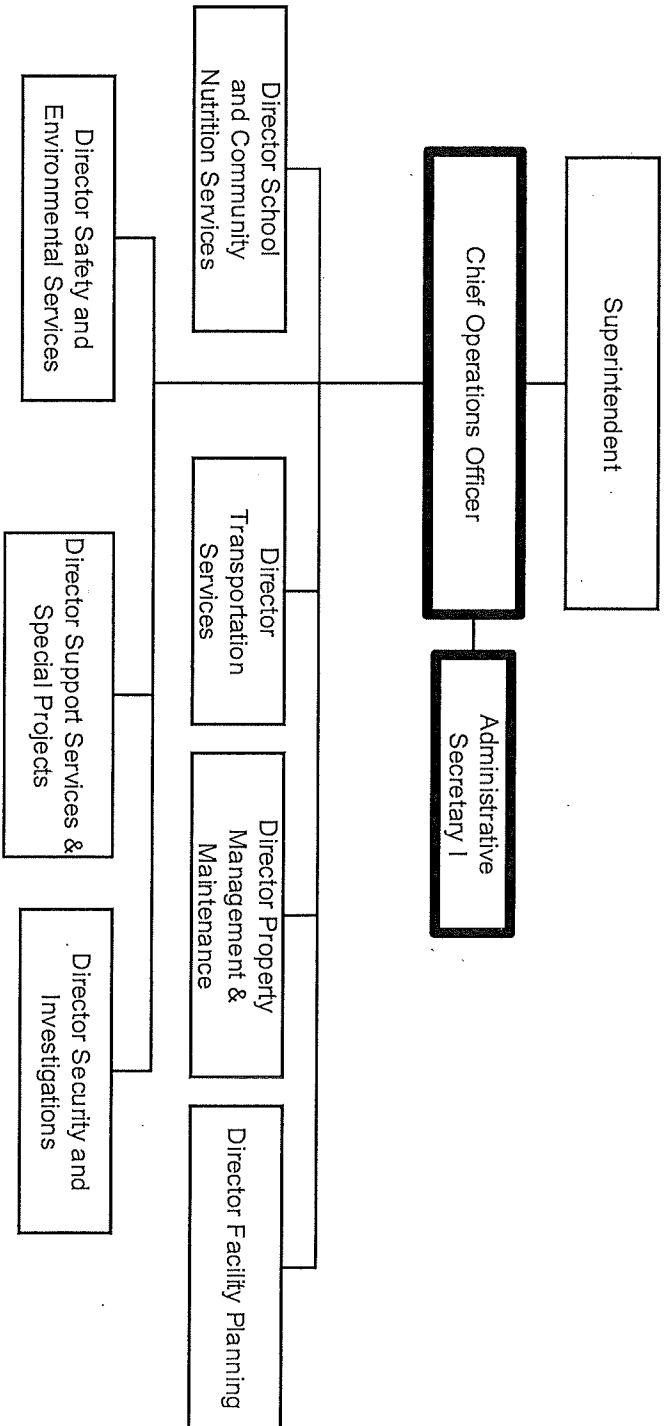
Summary:

General Fund Positions: 10

G-1

Submitting 5/08/18
 Effective 7/1/18

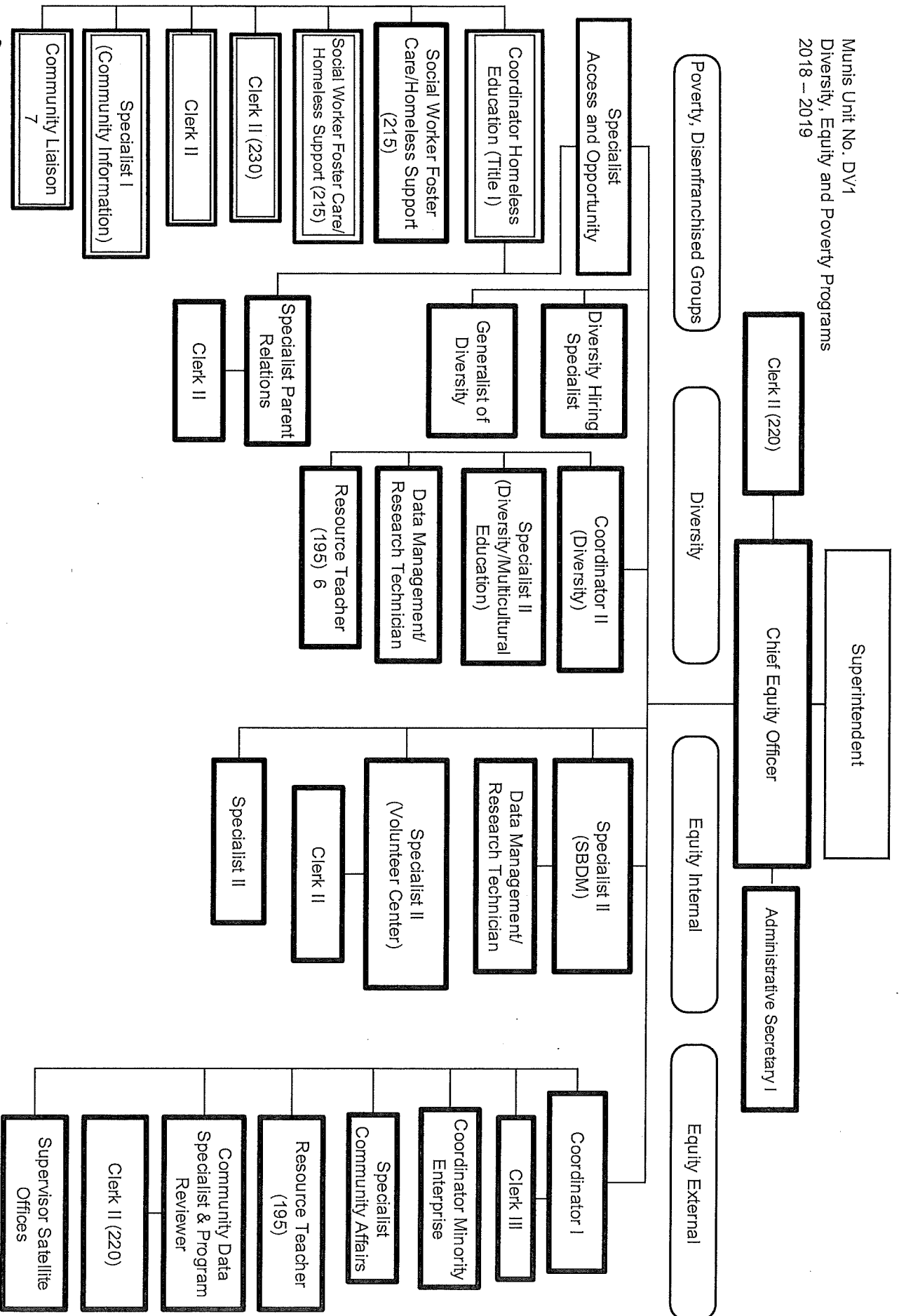
Cost Center OP1
Operations Services Division
2018 – 2019



Summary:

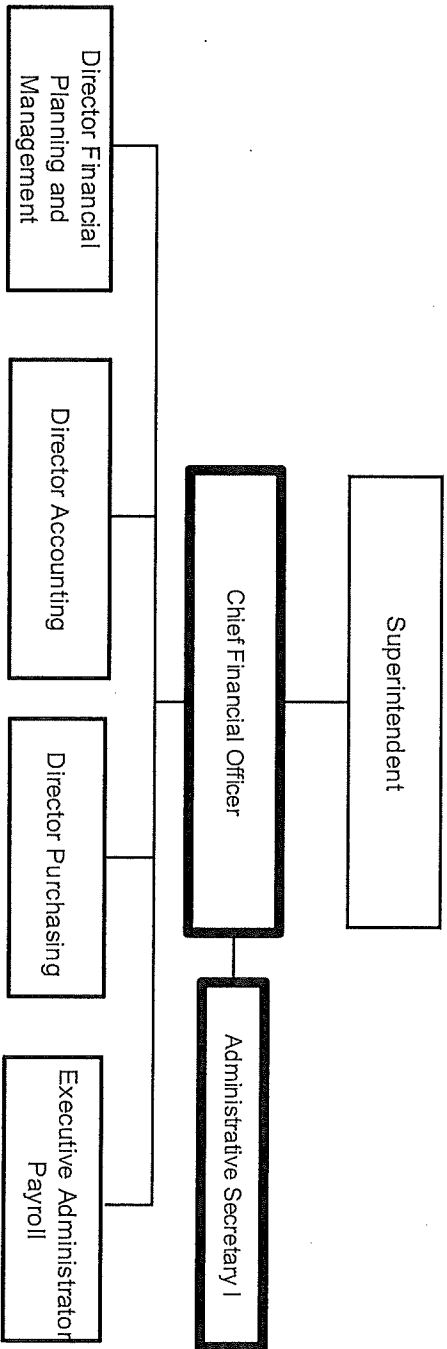
General Fund Positions: 2
Categorical Fund Positions: 0

Munis Unit No. DV/1
 Diversity, Equity and Poverty Programs
 2018 – 2019



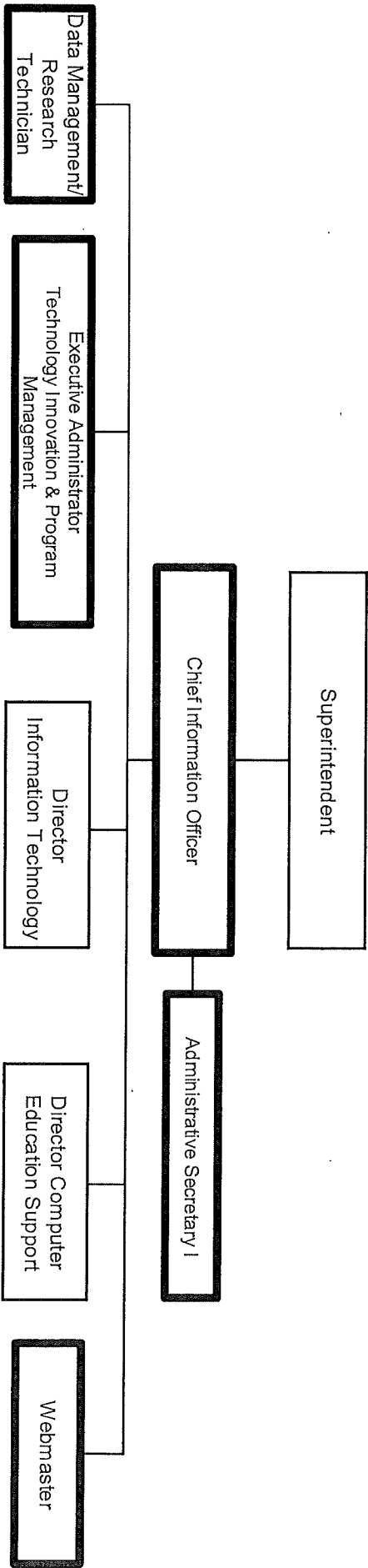
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General Fund Positions: 28
 Categorical Fund Positions: 12



Summary:

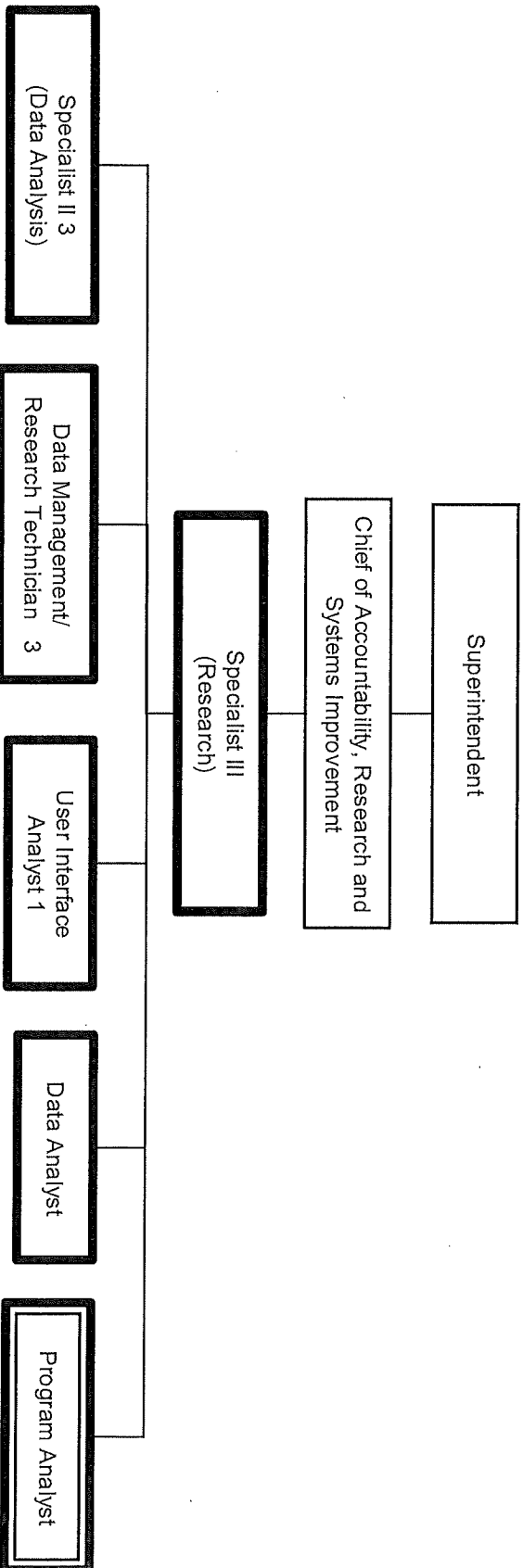
General Fund Positions: 2
Categorical Fund Positions: 0



Summary:

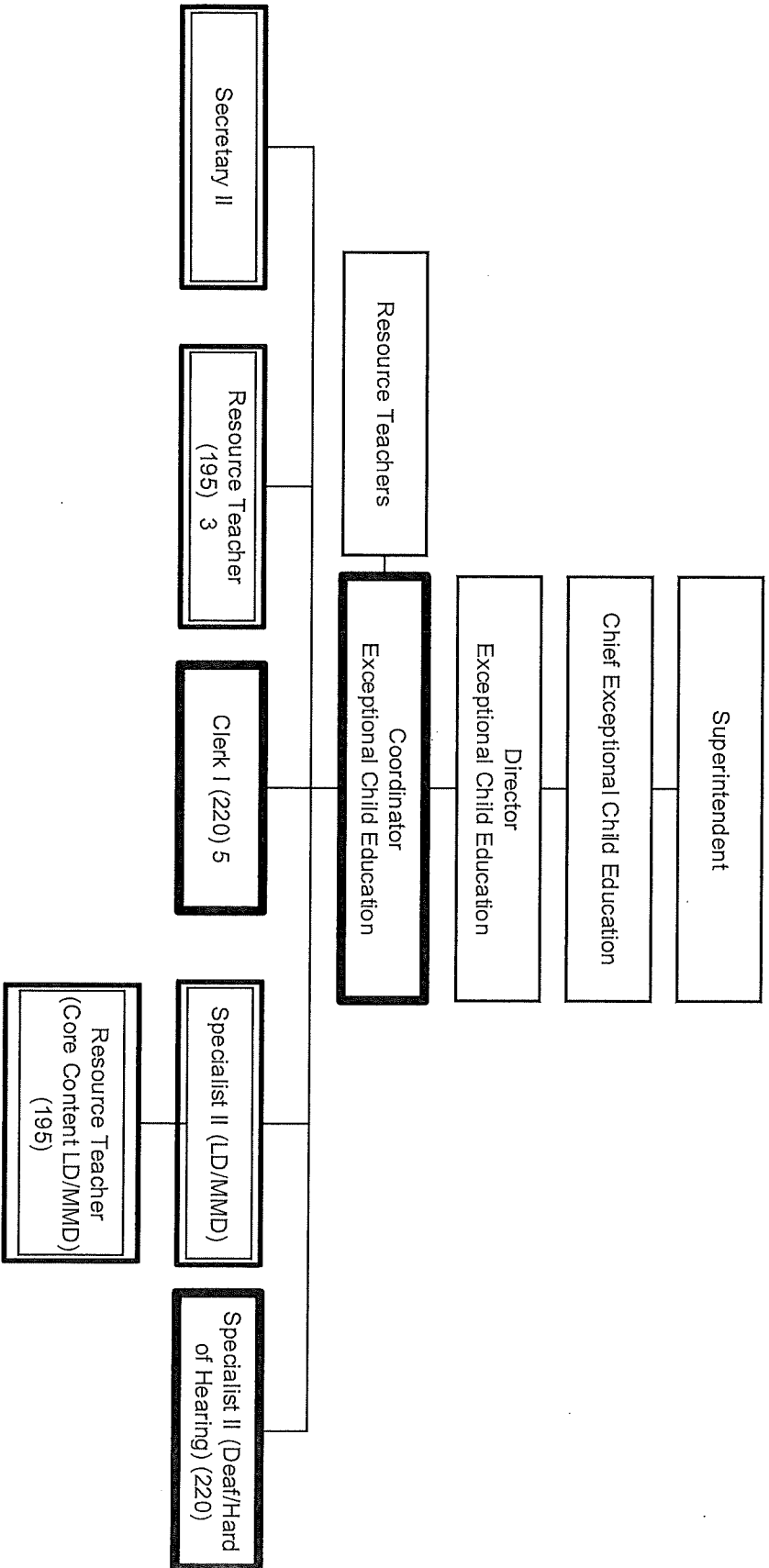
General Fund Positions: 5
Categorical Fund Positions: 0

Munis Unit No. EV/1 (2 of 2)
Accountability, Research and Systems
Improvement
2018 – 2019



Summary:

General Fund Positions: 9
Categorical Fund Positions: 1



Summary:

General Fund Positions: 7
 Categorical Fund Positions: 6

Board Member Roles & Responsibilities

Jefferson County Board of Education
Jefferson County, Kentucky

School Board Governance



December 18, 2018

1: The Players

- **The Authority for and Structure of Public Education in Kentucky**
- The Kentucky Constitution requires an “efficient” system of common schools throughout the state.
- The Kentucky General Assembly has created a state-wide system of elementary and secondary schools.
- In this state-wide system, local boards of education represent the community and provide local oversight.

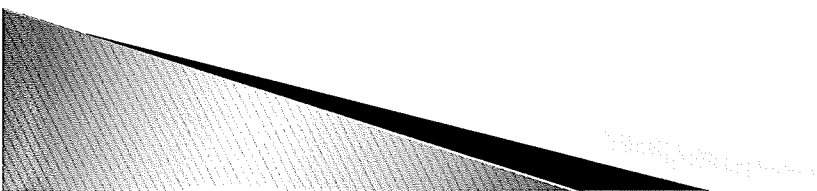
Legal Environment of Local Boards

Local boards of education:

Must comply with federal and state constitutions, statutes and regulations.

Are therefore subject to limitations and restrictions that do not apply to private industry.

Have considerable discretion to make choices and decisions in the best interest of their districts.



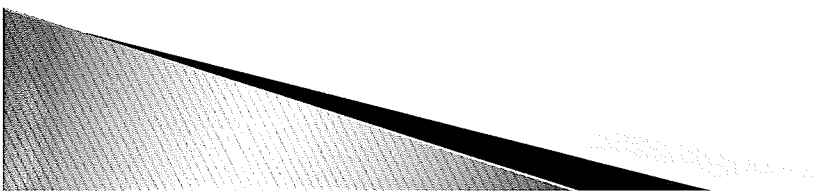
The State Educational Hierarchy

The Kentucky Constitution

The Kentucky Constitution limits how school tax funds may be used.

Examples of unconstitutional spending: school crossing guards; donating an unneeded school building for less than fair market value.

The Kentucky Constitution prohibits local boards from acting in an “arbitrary” manner – all actions must be for educational purposes and must not be unconstitutional or discriminatory.



The State Educational Hierarchy (continued)

General Assembly

- Office of Education Accountability (OEA)

Governor

State Board of Education (KBE)

- Commissioner of Education
- Department of Education

Local Boards of Education (KDE)

School – Based Decision Making (SBDM)

Councils

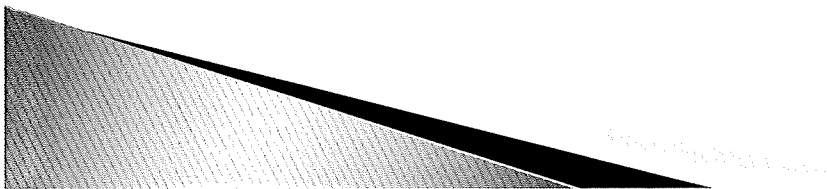


2: The Local Board of Education

• Duties of a Local Board of Education

• The general powers and the duties of a local board of education are outlined in KRS 160.160 and 160.290.

• Additional duties of a local board of education are detailed in other statutes.



Duties of a Local Board of Education (continued)

1. Establish schools, acquire sites and erect buildings.
2. Adopt courses of study.
3. Provide necessary services to pupils.
4. Manage all funds and property.
5. Make appropriate rules, regulations, and bylaws.

Duties of a Local Board of Education (continued)

6. Appoint a superintendent of schools. (KRS 160.350)
7. Adopt a budget. (KRS 160.470)
8. Take necessary action to levy the taxes required by the budget. (KRS 160.460–160.500)
9. Assess individual student progress. (KRS 158.6453)

Duties of a Local Board of Education (continued)

10. Adopt a plan for immediate and long-term strategies to address school safety and discipline. (KRS 158.440 – 158.449)

11. Formulate a code of acceptable student behavior and discipline that applies to each school in the district. (KRS 160.295)

Board Member Qualifications

Partial list of qualifications (KRS 160.180):

- ▶ Has been a citizen of Kentucky for at least three years and is a voter of the district he/she is elected to represent.
- ▶ Does not hold a state office requiring the constitutional oath and is not a member of the General Assembly.
- ▶ Does not hold any civil or political office, deputyship, or agency under his/her city or county government.
- ▶ Is not directly or indirectly involved in the sale to the school district of anything, including services, paid for with school funds.
- ▶ Does not have relative employed by the school district.

Board Member Elections

Seven board members (other Kentucky districts have five members)

Elected for four-year terms

Nonpartisan ballot

Terms are staggered

Elected from divisions within Jefferson County

School board candidates cannot solicit or accept any political assessment, subscription, contribution, or service of any employee of the school district. (KRS 161.164)

Board Member In-Service Training

Once elected, board members must meet annual in-service training requirements, based on years in office:

0-3 years 12 hours of annual training, including 3 hours finance, 1 hour ethics, 1 hour superintendent evaluation annually.

4-7 years 12 hours of annual training, including 2 hours finance, 1 hour ethics, 1 hour superintendent evaluation annually.

8-plus years 8 hours of annual training, including 1 hour finance, 1 hour ethics, 1 hour superintendent evaluation biennially.

Training required regarding charter school authorization

Board Member Meeting Attendance

Failure of a Board member to attend three consecutive regular meetings:

Subject to removal from his/her office

Unless the failure is excused by the Board

The excuse must be reflected in the minutes

The Board as a Corporate Body

- KRS 160.160: “Each Board of Education shall be a body politic and corporate with perpetual succession.”
- No member has authority to take action individually, or outside of legally called Board meetings.

Only actions recorded in the minutes of a legally called Board meeting reflect the official actions of the Board.

Personal Liability

- ▶ Board members are generally held to be immune from personal liability for actions taken by the Board, providing they act in good faith, and without illegal motive, fraud, collusion or gross negligence.
- ▶ State law allows school boards to purchase insurance to protect their members when they act in their official capacity.

Board Officers

The Board appoints officers:

Chair, Vice Chair, Superintendent, Secretary,
Treasurer, Board Attorney.

Board Officers (continued)

Board Chair

- Presides over Board meetings
- Facilitates discussion at Board meetings
- Can make motions and votes
- Signs most official board documents
- Serves a term of no more than two years
- The JCBE elects a Chair and Vice-Chair at its first meeting in January (one-year term)

Vice-Chair

- Presides in the absence of the Chair.

Board Officers (continued)

Board Secretary

KRS 160.440 provides that the Secretary is:

Appointed by the Board for a term of 1 - 4 years

Cannot be a member of the Board

Attends all meetings (with one exception)

Records all official proceedings

Keeps the Board's minutes according to law

Calls a special meeting when requested by the Chair or by three Board members

The Superintendent serves as the Secretary of the JCBE

Board Officers (continued)

Treasurer

- KRS 160.560 provides that the Treasurer:
- Is elected by the Board
- Pays all bills of the Board
- Receives all money due the school district
- Deposits funds in a Board–designated depository
- Is responsible for all funds of the school district
- Keeps accurate record of receipts/disbursements
- Prepares periodic reports/financial statements

Board attorney (KRS 160.170)

Board Member Expenses

- Board members receive no salary for Board service.
- Per diem of \$75 for each Board meeting attended, not to exceed \$3,000 per calendar year.

Expenses reimbursed for attending each Board meeting – not to exceed \$3,000 per calendar year for in-district meetings.

Per diem for attending required in-service training up to the hours required by statute.

Board Member Expenses (continued)

Outside the district:

- Reimbursed for actual and necessary expenses incurred while performing school district duties, if authorized by the Board.
- Expenses incurred outside the school district are not calculated in the \$3,000 calendar-year limitation for in-district expenses.

Conflicts of Interest and Consequences

- ▶ A financial conflict of interest exists when a board member receives, directly or indirectly, any financial benefit from the district other than permitted per diems and expenses. Examples:

Member who rented a building to the board for Superintendent's office.

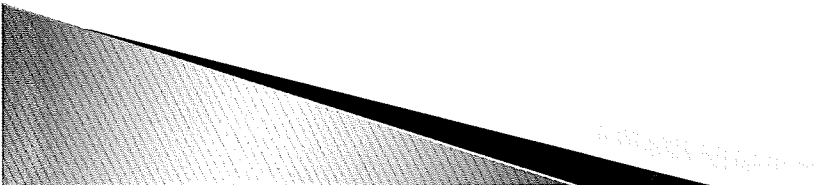
Candidate elected to the board who had an interest in the sale of school bus services.

Conflicts of Interest and Consequences (continued)

Member who was the president of a company that sold merchandise to the school district.

Member who was a sales representative of a company that sold paint to the district and received a commission on the sales.

Member who owned a firm selling insurance or supplies to the district.



Incompatible Offices

The Kentucky Constitution provides that no person shall, at the same time, be a state officer and an officer or employee of any county, city, town, or other municipality. School board members are state officers.

Other offices that are not permitted:

Member of a county board of health

City council member

County election or tax commissioner

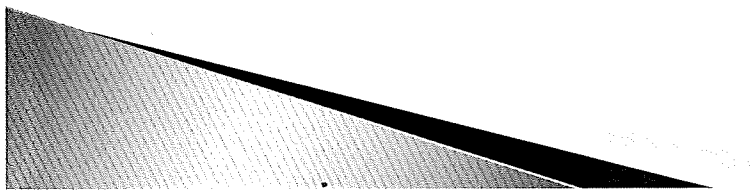
Magistrate or Deputy sheriff

Incompatible Offices (continued)

- A school board member can be a state employee (inspector in the state DMV, state parole officer, and state maintenance supervisor)

- But a school board member cannot hold another office that requires taking the state constitutional oath.

A school board member can be a candidate for another political office, but if elected must resign from the school board.



Board Member Removal

The Attorney General may file an action in circuit court to remove a school board member from office due to incompatible offices or failure to meet qualifications of office.

The Commissioner of Education may recommend removal of a school board member to the state Board of Education when the Commissioner has reason to believe the board member is guilty of immorality, misconduct in office, incompetence, willful neglect of duty, or nonfeasance.

The State Board must hold a hearing and its decision can be appealed to the courts.

4: Board Meetings

↳ Board meeting requirements

A board of education must meet at least once a month in a regular board meeting at a place and time set by the board. (KRS 160.270)

- ↳ Whenever a quorum of the JCBE (four Board members) gathers to discuss Board business, that is a meeting subject to the Kentucky Open Meetings Act, KRS 61.800 to 61.848.

Board Meeting Requirements (continued)

The Kentucky Open Meetings Act provides that meetings require timely notice and must be open to the public.

“Serial meetings” are prohibited by the Act.

Failure to observe the requirements of the Act can result in Board actions being set aside by a court and fines levied against individual Board members.

Types of Board Meetings

Regular Meetings

- › The JCBE adopts a calendar of regular meetings
- › For JCBE, regular meetings are either business meetings or work sessions
- › The agenda for a regular meeting may be amended at the meeting

Special Meetings

- › Meetings not listed on the adopted calendar
- › The agenda must be delivered along with the notice
- › Discussion and action are limited to the agenda, which cannot be amended during the meeting
- › For JCBE, special meetings include public forums and other meetings required that are not included in the calendar of regular meetings

Types of Board Meetings (continued)

- Notices of Special Board meetings:
- Each member must receive written notice of the meeting including agenda, date, time and place.
- Notice must be delivered as soon as possible in person, by fax or mail to each member, and all registered media organizations.
- Delivery may be by e-mail if so requested.
- Notice must be received at least 24 hours prior to the meeting.
- Notice must be posted in a conspicuous place at the meeting site in the JCPS central administration building.

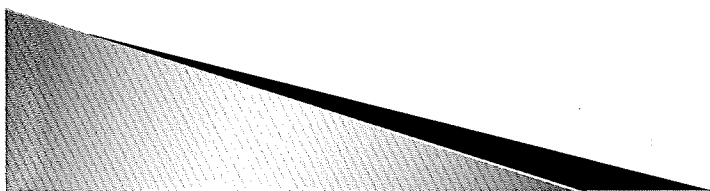
Types of Board Meetings (continued)

- ▶ Emergency meetings
 - ▶ May be called by the Chair or by the Secretary if requested by three members.
 - ▶ Reasonable effort to notify members, media organizations and public of the meeting.
 - ▶ Brief description at the meeting of circumstances that prevented compliance with normal notice.
 - ▶ Discussion and action limited to the emergency.
 - ▶ Called only when there is a threat to individuals' health or safety or there is a threat to the district.

Types of Board Meetings (continued)

Closed (“executive”) sessions (KRS 61.810)

- ▶ Meetings of the Board are open to the public with limited exceptions.
- ▶ Example: the Board may go into closed session for discussion of proposed or pending litigation.
- ▶ Another example: the personnel exception.
- ▶ Statutory procedures must be followed when going into or coming out of closed sessions.



Video Teleconferencing of Meetings

- ▶ Members may not participate in closed sessions via audio hook up or video teleconference.
- ▶ Members may participate in open sessions via video teleconference, but only if all requirements of KRS 61.826 are met.
- ▶ The public must be granted access to all video teleconference locations.

The Board Meeting Site (Attorney General Opinions)

- ▶ The meeting site should be as comfortable and pleasant as possible, both for the board and its visitors. Ample seating should be available. When possible, the board and the superintendent should be seated facing the audience.
- ▶ If a board meeting attracts an audience larger than the meeting room can accommodate, the board must make a good-faith effort to handle the overflow crowd.

Receiving the Public's Comments

- ▶ Kentucky law does not require a school board to allow public comments at meetings. However, the JCBE has established guidelines for hearing comments from the public.
- ▶ Jefferson County Policy *01.421 Public Participation in Open Meetings*

Parliamentary Procedure

- The JCBE has adopted *Robert's Rules of Order* to govern parliamentary procedure at Board meetings. See JCBE Policy 01.4.

Voting

- ▶ A majority of the Board (four members) constitutes a quorum for the transaction of business, but a concurring vote by a majority of the Board is still needed to take action, even if all seven members are not present.
- ▶ That means four votes are required to adopt most motions. (*Robert's Rules* may require five votes to adopt certain procedural motions).

Board Members and Personnel

- The Superintendent is responsible for personnel actions.
- Board members may not influence the hiring or appointment of employees, except the Superintendent, Board Attorney, Secretary and Treasurer. (KRS 160.170 and KRS 160.180)
- This prohibition does not apply to independent contractors.
- A violation may subject a Board member to removal.
- Board members sit in demotion hearings for certified employees.

Board Members and Personnel (continued)

- Board members create most school district positions and fix their compensation, but cannot become involved in who is employed.
- However, many Board decisions impact the personnel process, for example, policies, benefits, collective bargaining agreements, budget.
- Public employment grants District personnel certain rights that employees in private business may not hold.

Board Members and Personnel (continued)

- ▶ For example, if a certified employee is tenured, he/she will hold certain rights by statute, including a right of due process which may require a hearing before action affecting employment is taken.
- ▶ The Board cannot direct the Superintendent to remove a principal, but the Board can hold the Superintendent accountable for the failure of the school to progress.

Board Members and Personnel (continued)

- Some school district positions are required by law:
- Superintendent, principal or head teacher of a school, school media librarian, district finance officer and district director of pupil personnel.
- Otherwise, the Board creates school district positions and fixes the compensation for all positions.

5: Board Policies

- ▶ Policy making is one of the Board's three major areas of responsibility, the others being hiring the Superintendent and adopting the school district budget.
- ▶ A policy is a statement of the Board's intent to guide present and future actions and decisions.

A Policy Should:

- ▶ Balance focus with broad applicability.
- ▶ Recognize limitations, such as legal constraints and available resources.
- ▶ Direct action by answering the questions of what is to be done, why and how much.
- ▶ Assign responsibility – who is responsible and to whom, in what manner and when?
- ▶ Provide information for stakeholders.
- ▶ Address accountability – monitoring, reporting and evaluating student achievement and reviewing and revising reports when necessary.
- ▶ Reflect the community's vision for its schools.

Legal Requirements

- Policies are required in the following areas:
 - Pupil transportation
 - Limitations or restrictions on use of school facilities
 - Conduct of meetings
 - Personnel matters
 - Selection of textbooks and instructional materials
 - Expenditures and accounting for school funds
 - School based decision-making
 - School safety and student discipline
- Board policies carry the force of law as long as they touch on issues within the Board's authority and do not conflict with state or federal laws.

Policy and Procedure: the Distinction

- ▶ A policy is a statement that describes an objective to be met.
- ▶ Policy statements are often supplemented by administrative procedures. Administrative procedures specify particular courses of action within the framework of policy.
- ▶ The Board reviews administrative procedures, but does not formally adopt or approve them. See JCBE Policy 01.51.

The Board and Policy Development

- ▶ State law requires the Superintendent to prepare, under the Board's direction, all rules, regulations, bylaws, and statements of policy for approval and adoption by the board.
- ▶ The JCBE has established a Policy Development Committee made up of three board members. The Committee reviews policy recommendations and, along with the Superintendent, makes recommendations to the full Board.

Board Policy and SBDM Council Policy

- ▶ *Board of Education of Boone County vs. Bushee*, 889 S.W. 2d 809 (Ky. 1994).
- ▶ A local board of education cannot require board approval of council policy in those site-based areas over which the council has responsibility by law.

- ▶ But a local board of education has authority to allocate funding, manage district property, appoint the superintendent, and fix compensation of district employees.