



JEFFERSON COUNTY BOARD OF EDUCATION

Minutes of Special Meeting on September 15, 2020

Special Meeting of the Jefferson County Board of Education held via Video Teleconference, on Tuesday, September 15, 2020.

BOARD MEMBERS PRESENT:

Chairwoman Diane Porter

Mr. Chris Brady

Mrs. Linda Duncan

Dr. Corrie Shull

Vice-Chair Chris Kolb

Mr. James Craig

Mr. Joseph Marshall

STAFF MEMBERS PRESENT:

Superintendent Martin A. Pollio, Ed.D.

Jimmy Adams, Chief Human Resources

Dr. Kermit Belcher, Chief Information Officer

Kim Chevalier, Chief Exceptional Child Education

Dr. Carmen Coleman, Chief Academic Officer

Renee Murphy, Chief Communications and Community Relations

Chris Perkins, Chief Operations Officer

Suzanne Wright, Director, Curriculum Management

In light of the Governor having declared a state of emergency within the Commonwealth on March 6, 2020, as a result of the COVID-19 outbreak and in compliance with guidance issued by the Executive Branch on March 12 and 16, 2020, regarding the conduct of meetings of state boards and commissions during the emergency period, this meeting was conducted by video-teleconference and available for live public viewing online.

The guidance from the Executive Branch provided that all Kentucky Boards and Commissions take proper health precautions to mitigate the spread of COVID-19 and accordingly, with respect to the public attendance at meetings of said bodies, states "members of the public will only be able to view video-teleconferenced meetings remotely."

Members of the public had the opportunity to voice opinions or express concerns by submitting remarks via email or mail.

6:00 p.m. Executive Session

The purpose of this meeting was for Board members to have discussions relating to pending litigation as permitted by KRS 61.810(1)(c) of the Kentucky Open Meetings Act.

I. Call to Order

Chair Porter called the September 15, 2020, Special Meeting of the Board of Education to order at 6:02 p.m. The Board immediately went into closed session.

II. Enter into Executive Session Pursuant to KRS 61.810(1)(c)

Order #2020-133 - Motion Passed: A motion that the Board of Education conduct a closed session for the purpose of discussions relating to pending litigation as permitted by KRS 61.810(1)(c) of the Kentucky Open Meetings Act passed with a motion by Mr. James Craig and a second by Mr. Joseph Marshall.

Dr. Christopher Kolb	Yes
Ms. Diane Porter	Yes
Mr. Chris Brady	Yes
Mr. James Craig	Yes
Mrs. Linda Duncan	Yes
Dr. Corrie Shull	Yes
Mr. Joseph Marshall	Yes

III. Adjourn from Executive Session

The Board adjourned from closed session and returned to open session at 6:31 p.m. Chair Porter announced that no action was taken in closed session.

Order #2020-134 - Motion Passed: A motion that the Board of Education adjourn from Executive Session and return to Open Session passed with a motion by Mr. James Craig and a second by Mr. Joseph Marshall.

Dr. Christopher Kolb	Yes
Ms. Diane Porter	Yes
Mr. Chris Brady	Yes
Mr. James Craig	Yes
Mrs. Linda Duncan	Yes
Dr. Corrie Shull	Yes
Mr. Joseph Marshall	Yes

IV. Adjournment

The Special Meeting adjourned by consensus at 6:33 p.m.

6:30 p.m. Special Meeting: Work Session

This meeting took the place of the Regular Work Session Meeting originally scheduled for 7 p.m.

I. Call to Order

Chair Porter called the Work Session to order at 6:34 p.m. She briefly discussed ongoing plans to include more community voice at Board meetings. She emphasized the fact that the Board is following all rules and read the following statement:

Members of the public have the opportunity to voice opinions or express concerns by submitting remarks via email. Remarks should be limited to 500 words or less and sent to the Assistant Secretary to the Board for dissemination purposes prior to the meeting. Public remarks will be shared with each Board member and recorded in the Official Minutes.

She reported that since March, there have been 40 emails sent to the Assistant Secretary, which were shared with Board members. There have been many more emails sent directly to the Board from the community.

Chair Porter shared the following process that will be in place going forward:

Community members can submit feedback about in-person instruction or virtual instruction moving forward by completing a Google form. This will appear as a link, you will simply click on the blue box that says *Voice Opinions* on the homepage; it is very user-friendly. This will serve as a follow-up to the Town Hall where many questions were previously answered. This will be the next step in including community voice in the decision-making process.

II. Recommendation for Approval of Meeting Agenda

Order #2020-135 - Motion Passed: Superintendent Martin Pollio recommends the Board of Education approve the agenda for September 15, 2020. The recommendation passed with a motion by Mr. James Craig and a second by Dr. Corrie Shull.

Mr. Chris Brady	Yes
Mr. James Craig	Yes
Mrs. Linda Duncan	Yes
Dr. Christopher Kolb	Yes
Mr. Joseph Marshall	Yes
Ms. Diane Porter	Yes
Dr. Corrie Shull	Yes

III. Recommendation for Approval of Minutes of Previous Meeting

Order #2020-136 - Motion Passed: Superintendent Martin Pollio recommends the Board of Education approve the minutes of the September 1, 2020, and September 8, 2020, meetings. The recommendation passed with a motion by Mr. Joseph Marshall and a second by Mrs. Linda Duncan.

Mr. Chris Brady	Yes
Mr. James Craig	Abstain
Mrs. Linda Duncan	Yes
Dr. Christopher Kolb	Yes
Mr. Joseph Marshall	Yes
Ms. Diane Porter	Yes
Dr. Corrie Shull	Yes

IV. Work Sessions

A. Report on Non-Traditional Instruction (NTI) and Preparations for Next Phase of Learning

Dr. Pollio introduced local and state health officials who presented the report.

Dr. Sarah Moyer, director of the Louisville Metro Department of Public Health and Wellness; and Dr. Connie White, Deputy Commissioner for Clinical Affairs; discussed a new COVID-19 metric showing local data to help school districts determine whether to have in-person learning or NTI. Each Board member had an opportunity to comment and ask questions.

Dr. Kolb questioned the reliability of the data and wanted to understand key takeaways on the dashboard indicators. He wanted to understand how health officials use the data to prioritize what opens up in the community. He expressed concern about the unknown long-term health consequences for children who contract the virus.

Mr. Marshall expressed concern with the lack of resources for many JCPS families as he pointed out the high level of poverty in JCPS. He questioned where JCPS should be on the COVID-19 Metrics in order to consider in-person learning and the safest way to bring students back to school.

Dr. Shull requested data showing the number of high-risk JCPS teachers and questioned if there are enough teachers available to consider in-person learning. He expressed concern and questioned procedures to bring students with special needs back to school safely.

Mr. Craig expressed concern with being able to transport students safely on buses where social distancing is very difficult. He asked health officials if they thought JCPS has any unique circumstances that make in-person learning more difficult than at private schools and smaller districts. He pointed out that JCPS will create more contacts than any other organization in Louisville and questioned how that would affect transmission rates.

Mrs. Duncan expressed concern with being able to enforce facemasks, social distancing, and handwashing. She questioned the positivity rate and requested trend data of positive cases on children 18 and under.

Mr. Brady questioned health officials about the possibility for increased cases along with the flu in the near future, he wondered if there is any concern that people will avoid getting vaccinated. He then asked for clarification regarding the Nationwide Emergency Department Database (NEDS). Mr. Brady wanted to know when the Board will make a decision regarding going back to in-person learning and expressed concern with balancing transportation and being able to follow CDC guidelines.

Chair Porter stated that the Board is very focused on the safety of all.

Dr. Pollio and his team provided an update on Community Learning Hubs, NTI, and preparations for in-person learning.

Chair Porter questioned ECE assessments and asked how parents can voice concerns. She asked for clarification regarding substitutes/teachers working in Learning Hubs and supports available to them. She wanted to ensure masks are supplied to schools and that the cost will not come from school funds. She requested data regarding the number of custodians assigned to each school.

Mr. Brady asked for clarification regarding tracking hours for Individual Education Programs (IEP), communication with parents, and making up for missed hours during NTI. He then questioned the stability with the math program in the Savvas Realize online learning system. Mr. Brady expressed concern with safety and liability issues in using outside Learning Hubs instead of using JCPS facilities. He is grateful for the support from community partners but doesn't understand why JCPS isn't providing the locations for the Learning Hubs.

Dr. Shull asked when the Learning Hubs will be ready to launch and if they will continue to operate once JCPS returns to in-person learning.

Mrs. Duncan questioned the amount of time that students will be at the Learning Hubs and if parents are expected to stay with the child.

Mr. Craig questioned how they measure success with NTI and wondered if it is possible to standardize synchronous and asynchronous learning across the District. He requested clarification on ECE services, personal protective equipment, and safety preparation for in-person learning.

Dr. Kolb agreed, they need to see downward trending data for multiple weeks before considering a return to in-person learning. He wondered if it would be beneficial to give teachers time between ending NTI and beginning in-person learning in order to prepare. He asked for clarification on MAP testing and transportation challenges. He endorsed the use of "flex days" stating that those catch-up days are very helpful to families. He questioned support for teachers who are struggling with the Savvas Realize online learning system. He concluded by stating that he feels that ECE students and our youngest learners should have priority when considering in-person learning.

Chair Porter requested the summer survey data regarding staff and students who are willing and able to go back to in-person learning. She stated that the Board needs much more information before being able to decide on returning to school. She asked Board members if anyone felt like they have enough information to make a decision by September 29; no one said yes. She stated that this decision is too important for staff, students, and families and they need a detailed systematic plan before taking a vote.

B. Update on Tax Rate for Fiscal Year 2020-21

Dr. Pollio introduced this item and Cordelia Hardin, chief financial officer, provided a brief update. Each Board member had an opportunity to comment and ask questions.

Mrs. Duncan questioned what will happen if it is determined that the vote should not have been included on the ballot. Mrs. Hardin confirmed that the vote would not count if that were the outcome.

Mr. Craig briefly pointed out facility-needs and said, "Vote yes for JCPS".

Dr. Kolb agreed with Mr. Craig's comment.

Chair Porter advised they need to make sure the community is clear on the plan for the funds and understands what the impact will be.

C. Fiscal Year 2020-21 Working Budget Presentation

Dr. Pollio introduced this item and Cordelia Hardin, chief financial officer, presented the Working Budget. Each Board member had an opportunity to comment and ask questions.

Mr. Craig expressed gratitude for the commitment to cut expenses from Central Office.

Mr. Brady pointed out, "You may notice that the Fund Balance is going down, that's what we refer to as a rainy day fund and right now it's pouring so that's why it's going down".

V. Consent Calendar

A. Report of Certified Leaves

B. Report of Personnel Actions

C. Recommendation for Approval of Organizational Charts

D. Recommendation for Approval of Field Trip Request

E. Recommendation for Approval of Bid and Revised BG-1 Form for Pedestrian Bridge at Dixie Elementary School

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

1. Recommendation for Approval of Contract Completion and BG-4 Form for Partial Roof Replacement at Fern Creek High School

2. Recommendation for Approval of Contract Completion and BG-4 Form for Partial Roof Replacement at Hazelwood Elementary School

3. Recommendation for Approval of Contract Completion and BG-4 Form for Partial Roof Replacement at Pleasure Ridge Park High School

4. Recommendation for Approval of Contract Completion and BG-4 Form for Partial Roof Replacement at Stuart Academy

5. Recommendation for Approval of Contract Completion and BG-4 Form for Partial Roof Replacement at Valley High School

6. Recommendation for Approval of Contract Completion and BG-4 Form for Complete Roof Replacement at Wilt Elementary School

7. Recommendation for Approval of Contract Completion and BG-4 Form for Digital Controls Software Upgrade Phase II at Various Locations

G. Recommendation for Approval of Project Closeouts and BG-5 Forms

1. Recommendation for Approval of Project Closeout and BG-5 Form for Chiller/Boiler Replacement at Alex R. Kennedy Elementary School

2. Recommendation for Approval of Project Closeout and BG-5 Form for Fire Sprinkler Upgrade at Dawson Garage

3. Recommendation for Approval of Project Closeout and BG-5 Form for Window Replacement at Greathouse-Shryock

- H.** Recommendation for Approval of Construction Change Orders
- I.** Recommendation for Approval of Bid Tabulation and Amendment
- J.** Recommendation for Approval of Professional Services Contracts of \$20,000 or More
- K.** Acceptance of Summary of Professional Services Contracts
- L.** Acceptance of Monthly Financial Report for Period Ended July 31, 2020
- M.** Acceptance of Orders of the Treasurer
 - 1.** Acceptance of Orders of the Treasurer-Invoices
 - 2.** Acceptance of Orders of the Treasurer-Purchase Orders
 - 3.** Acceptance of Orders of the Treasurer-Vouchers
- N.** Recommendation for Approval of Agreements
 - 1.** Recommendation for Approval of Statement of Work Agreement with Dell EMC for Professional Learning Services for Educators
 - 2.** Recommendation for Approval of Memorandum of Agreement with Evolve502
 - 3.** Recommendation for Approval of Site Use Agreement with Humana, Inc
 - 4.** Recommendation for Approval of Data Sharing Agreements
 - a.** Recommendation for Approval of Data Sharing Agreement with CEV Multimedia
 - b.** Recommendation for Approval of Data Sharing Agreement with Everfi
 - c.** Recommendation for Approval of Data Sharing Agreement with Junior Achievement of Kentuckiana, Inc.
 - d.** Recommendation for Approval of Data Sharing Agreement with Scholastic
 - 5.** Recommendation for Approval of Memorandum of Agreement with the Jefferson County Teachers Association
- O.** Acceptance of Donations, Grants, and Funding
 - 1.** Acceptance of Donations and Small Grants
 - 2.** Acceptance of Funding from the Education Professional Standards Board
 - 3.** Acceptance of Funding from Louisville Metro Government for Sponsorship of Neighborhood Place
 - 4.** Acceptance of Funding from the Louisville Metro Government Office of Resilience and Community Services for an External Agency Fund (EAF) grant
 - 5.** Recommendation for Acceptance of Funding from the Kentucky Department of Education for School Security Projects
- P.** Recommendation for Approval to Request a Waiver from the Kentucky Department of Education to Extend the Current District Facility Plan Past the Due Date of June 2021
- Q.** Recommendation for Approval of Revised 2020-21 Extra Service Salary Schedules

Mr. Brady requested a separate vote on the following items.

- V.N.2. Recommendation for Approval of Memorandum of Agreement with Evolve502
- V.N.3. Recommendation for Approval of Site Use Agreement with Humana, Inc.

Order #2020-137 - Motion Passed: A motion to approve the Consent Calendar minus items V.N.2. *Recommendation for Approval of Memorandum of Agreement with Evolve502* and V.N.3. *Recommendation for Approval of Site Use Agreement with Humana, Inc.* passed with a motion by Mr. Joseph Marshall and a second by Dr. Corrie Shull.

Mr. Chris Brady	Yes
Mr. James Craig	Yes
Mrs. Linda Duncan	Yes
Dr. Christopher Kolb	Yes
Mr. Joseph Marshall	Yes
Ms. Diane Porter	Yes
Dr. Corrie Shull	Yes

▪ **V.N.2. Recommendation for Approval of Memorandum of Agreement with Evolve502**

Mr. Brady stated that he is basing his vote on the conversation from earlier regarding Learning Hubs; he feels like this is an unnecessary risk and expense.

Order #2020-138 - Motion Passed: A motion to approve Consent item V.N.2. *Recommendation for Approval of Memorandum of Agreement with Evolve502* passed with a motion by Mr. James Craig and a second by Mr. Joseph Marshall.

Mr. Chris Brady	No
Mr. James Craig	Yes
Mrs. Linda Duncan	Yes
Dr. Christopher Kolb	Yes
Mr. Joseph Marshall	Yes
Ms. Diane Porter	Yes
Dr. Corrie Shull	Yes

▪ **V.N.3. Recommendation for Approval of Site Use Agreement with Humana, Inc.**

Mr. Brady stated that he is basing his vote on the conversation from earlier regarding Learning Hubs; he feels like this is an unnecessary risk and expense.

Order #2020-139 - Motion Passed: A motion to approve consent item V.N.3. *Recommendation for Approval of Site Use Agreement with Humana, Inc.* passed with a motion by Mr. James Craig and a second by Dr. Corrie Shull.

Mr. Chris Brady	No
Mr. James Craig	Yes
Mrs. Linda Duncan	Yes
Dr. Christopher Kolb	Yes
Mr. Joseph Marshall	Yes
Ms. Diane Porter	Yes
Dr. Corrie Shull	Yes

VI. Adjournment

The meeting adjourned at 9:34 p.m.

Order #2020-140 - Motion Passed: A motion to adjourn the September 15, 2020, meeting at 9:34 p.m. passed with a motion by Mr. Joseph Marshall and a second by Mrs. Linda Duncan.

Mr. Chris Brady	Yes
Mr. James Craig	Yes
Mrs. Linda Duncan	Yes
Dr. Christopher Kolb	Yes
Mr. Joseph Marshall	Yes
Ms. Diane Porter	Yes
Dr. Corrie Shull	Yes

Diane Porter
Chairwoman

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**