



# **JEFFERSON COUNTY BOARD OF EDUCATION**

## **Minutes of Regular Meeting of February 16, 2021**

**Work Session** of the Jefferson County Board of Education held via  
Video Teleconference, on Tuesday, February 16, 2021, at 6 p.m.

### **BOARD MEMBERS PRESENT:**

Chairwoman Diane Porter

Mr. James Craig

Mr. Joseph Marshall

Dr. Corrie Shull

Vice-Chair Chris Kolb

Mrs. Linda Duncan

Ms. Sarah McIntosh

### **STAFF MEMBERS PRESENT:**

Superintendent Martin A. Pollio, Ed.D.

Jimmy Adams, Chief Human Resources

Alicia Averette, Assistant Superintendent for Academic Supports

Dr. Kermit Belcher, Chief Information Officer

Kevin Brown, General Counsel

Kim Chevalier, Chief Exceptional Child Education Officer

Dr. Carmen Coleman, Chief Academic Officer

Dr. Katy Deferrari Assistant Superintendent for School Culture and Climate

Dr. Dena Dossett, Chief of Accountability, Research, and Systems Improvement

James Jones, Specialist, Mechanical Maintenance

Joe Leffert, Assistant Superintendent for Elementary Schools

Robert Moore, Chief of Schools

Renee Murphy, Chief Communications and Community Relations Officer

Chris Perkins, Chief Operations Officer

Donald Robinson, Executive Administrator of Property Management & Maintenance Support Systems

Eva Stone, Health Coordinator

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.

## WORK SESSION

### I. Call to Order

Chair Porter called the February 16, 2021, Work Session to order at 6 p.m. and made the following announcement:

“Pursuant to the adopted policy of this Board, Robert’s Rules of Order govern the way we conduct this meeting. This means that board members are expected to abide by the Parliamentary procedures and customs as outlined and defined by Robert’s Rules. The public also expects the board to be an example to our students. This board should be an example for how policy-making bodies act in a democratic society. Vigorous but respectful debate is expected. Our students are watching. As members, we shall all act in good faith so that when we disagree, we will not be disagreeable. Because of this, I will do my best to maintain and enforce the following Parliamentary standards:

1. Remarks from members should be confined to the issue in question.
2. Members should refrain from attacking the motives of other members and from the use of inappropriate or vulgar language.
3. Remarks should always be addressed to the Chair and not to other members.
4. Questions directed from a member to another member are to be directed to the Chair. At that point, the Chair will then ask the member if he/she will yield to a question.
5. We should strive to use the formal names and titles of members whenever possible.”

### II. Recommendation for Approval of Meeting Agenda

**Order #2021-32 - Motion Passed:** A motion to amend the agenda to move the Consent Calendar to before the Work Session passed with a motion by Dr. Christopher Kolb and a second by Mrs. Linda Duncan.

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

**Order #2021-33 - Motion Passed:** A motion to approve the agenda for February 16, 2021, as amended passed with a motion by Dr. Christopher Kolb and a second by Ms. Sarah McIntosh.

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

### III. Recommendation for Approval of Minutes of Previous Meeting

**Order #2021-34 - Motion Passed:** Superintendent Martin Pollio recommends the Board of Education approve the minutes of the February 2, 2021, regular meeting and February 9, 2021, special meeting. The recommendation passed with a motion by Mr. Joseph Marshall and a second by Mr. James Craig.

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

### Consent Calendar

- A. Report of Certified Leaves
- B. Report of Personnel Actions
- C. Recommendation for Approval of Bids and Revised BG-1 Forms
  - 1. Recommendation for Approval of Bid and Revised BG-1 Form for Phase I HVAC Renovation at Ahrens Educational Resource Center/J. Graham Brown School
  - 2. Recommendation for Approval of Bid and Revised BG-1 Form for Partial Roof Replacement at Iroquois High School
  - 3. Recommendation for Approval of Bid and Revised BG-1 Form for Boiler Room Roof Replacement at Jeffersontown High School
  - 4. Recommendation for Approval of Bid and Revised BG-1 Form for Switchgear Replacement at Jeffersontown High School
  - 5. Recommendation for Approval of Bid and Revised BG-1 Form for Partial Roof Replacement at Lincoln Elementary Performing Arts School
  - 6. Recommendation for Approval of Bid and Revised BG-1 Form for Phase I HVAC Renovation at Mill Creek Elementary School
  - 7. Recommendation for Approval of Bid and Revised BG-1 Form for Chiller and Water Heater Replacement at Westport Middle School
- D. Recommendation for Approval of Renewal for 2021-2022 Asbestos and Lead Maintenance Contract at Various Schools
- E. Recommendation for Approval of Construction Change Orders
- F. Recommendation for Approval of Competitive Negotiation, Bid Tabulations, Contract Renewals, and Amendments.
- G. Recommendation for Approval of Professional Services Contracts of \$20,000 or More
- H. Acceptance of Summary of Professional Services Contracts
- I. 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

**J. Acceptance of Donations, Grants, and Funding**

1. Acceptance of Donations and Small Grants
2. Acceptance of Funding from the Kentucky Department of Education for the Office of Transition Readiness
3. Acceptance of Funding from Louisville Metro Housing Authority
4. Acceptance of Grant from New America and the Partnership to Advance Youth Apprenticeships

**K. Recommendation for Approval of Agreement**

1. Recommendation for Approval of Memorandum of Understanding with Dare to Care
2. Recommendation for Approval of JCPS Data Sharing Agreement with NoRedInk
3. Recommendation for Approval of Memorandum of Understanding with the University of Kentucky Cooperative Extension Service
4. Recommendation for Approval of JCPS Data Sharing Agreement with GoGuardian
5. Recommendation for Approval of Memorandum of Understanding with Bates Community Development Corporation

**L. Recommendation for Approval of Shortened School Day for One Exceptional Child Education Student**

**Order #2021-35 - Motion Passed:** Superintendent Martin Pollio recommends the Board of Education approve the consent calendar for February 16, 2021. The recommendation passed with a motion by Mr. Joseph Marshall and a second by Mrs. Linda Duncan.

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

**Work Session: Update on District Response to the COVID-19 Pandemic**

Chair Porter made the following statement:

"I would like to emphasize that the Board is engaged in fact-finding and that a vote will be called for at a future meeting - any vote right now would be premature. We are dealing with what may be the most complex issue of our time in public service. We all bring different ideas and thoughts to this table, let's proceed in a manner that recognizes those differences, celebrates common ground, and always seeks to find solutions that benefit our students."

Dr. Pollio and his team presented a potential return-to-school plan. He stated that a great group of professionals was there who had been working around-the-clock to ensure that they are ready to go when the Board gives the green light to return to school. There is no doubt, the larger the district, the harder it is to pull together in-person school. Nevertheless, by following the return-to-school guidance from the Kentucky Department of Education, he is confident that they will be able to do it. He announced that on Thursday night, they will have a Town Hall Forum and he will continue to discuss with the Chair and Vice-Chair when a vote might be taken on in-person learning. Each Board member had an opportunity to ask questions.

Dr. Sarah Moyer, Louisville Metro's chief health strategist, was available for about 30 minutes to answer questions. She stated that the CDC released new guidelines on Friday that may look different at first, but when you comb through them they are very similar to the State Healthy at School Guidelines and fit in with everything that JCPS has been planning, including all the mitigation strategies that will be in place.

Dr. Kolb stated that he was not aware that Dr. Moyer would be attending the meeting - he would have prepared different questions had he known. He suggested they table this discussion until they have had time to dig into the updated CDC guidelines. He later made the following statement to support his request: "It's been a full year and this is the first time we have had clear detailed and objective criteria to apply to our decision-making process. So the good news is, we no longer have to rely on our personal opinion or our subjective judgment, we have very clear guidelines. And that's one of the reasons, as I mentioned earlier, that I'm very interested in the possibility of devoting an entire JCPS Board meeting to just discussing and getting on the same page with the CDC guidelines because they do provide us a clear pathway to returning to some in-person instruction - they lay out a very specific set of criteria."

Chair Porter stated that there is potential for another conversation but she would like to talk with Dr. Pollio and Mr. Brown to determine what that meeting would look like.

Dr. Shull asked questions regarding: scheduling demands with Infinite Campus; accommodations for fluctuations in the number of students in individual school buildings and re-rostering students; how ECE supports and ARC meetings are going to be affected with students shifting from in-person to virtual; how parents will attest that their student doesn't have a fever; accommodations for social distancing; meals for students in virtual learning; bus driver staffing; vaccinations for substitute teachers; additional tasks for certified teachers; accommodation requests from staff; and standardized testing.

Ms. McIntosh asked questions regarding: bus driver shortages and potentially staggering start times; enrollment in alternative programs; Career and Technical Education programs; summer counseling services for seniors; student transfers and balancing virtual and in-person numbers; communication of back-to-school plans; and ways that the Board can better support the work of the District to help make sure students get back into the buildings.

Mr. Marshall asked questions regarding: potential return dates; schedule changes for students choosing to remain in virtual learning; student representation on the Board; staffing and contact tracing for schools who are going to use additional spaces for meals; plans for additional staff; the process for ordering PPE; capping in-person numbers based on individual building capacity; and the JCTA MOU regarding safe working conditions for teachers.

Mrs. Duncan asked questions regarding: the impact of the community infection rate on safely opening schools; assigned seats on buses; custodians; the impact of restrictions on student mental health; quarantine requirements for vaccinated staff; the ESL population in the virtual academy; Chromebooks for quarantined students; and dual-credit in virtual learning.

Mr. Craig asked questions regarding: the process of assigning students for hybrid days; the process to deal with the increased number of accommodation requests and the availability of substitutes; enforcing the mask mandates and social distancing mandates in a racially equitable way; the establishment of committees under the JCTA MOU; standardized testing; and the District's efforts to build confidence in the return-to-school plan.

Dr. Kolb discussed how poorly the United States has managed the pandemic and reviewed some relevant statistics as he encouraged everyone to pour through the updated CDC guidelines. He questioned how the District would incorporate the CDC guidelines/mandates into staff accommodation policies. He clarified that employees who receive accommodations to work virtually would not be required to do that from school. He then discussed the need to prioritize equity and suggested they follow Washington D.C.'s lead by not only capping the number of students but also prioritizing students who are most in need of an in-person educational environment. He advised the Board that they are going against official CDC guidance by not prioritizing in-person instruction over extracurricular activities including sports.

Chair Porter asked questions regarding: FRYSCs; data on students returning for in-person learning by elementary, middle, and high school; data for each school on bus routes and bus capacity; quality of virtual instruction and in-person instruction; ventilation and the JCTA MOU; EL teacher schedules; technology/hot spots; back-to-school walk-throughs; staffing of bus drivers, custodians, nutrition service workers and substitute teachers; FMLA/medical leave; and building sanitation.

## **VI. Adjournment**

The meeting adjourned at 9:20 p.m.

**Order #2021-36 - Motion Passed:** A motion to adjourn the February 16, 2021, meeting at 9:20 passed with a motion by Mr. Joseph Marshall and a second by Mr. James Craig.

Mr. James Craig	Yes
Mrs. Linda Duncan	Yes
Dr. Christopher Kolb	Yes
Mr. Joseph Marshall	Yes
Ms. Sarah McIntosh	Yes
Ms. Diane Porter	Yes
Dr. Corrie Shull	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**