

Memorandum of Agreement
Between
Jefferson County Board of Education
And
Fund for the Arts

This Memorandum of Agreement (hereinafter Agreement) entered into by and between Fund for the Arts (hereinafter Fund), a Kentucky nonprofit corporation with its principal place of business at 623 West Main Street, Louisville, KY 40202, and the Jefferson County Board of Education, a Kentucky public school district operating under the name of the Jefferson County Public Schools (hereinafter JCPS), with its principal place of business at 3332 Newburg Road, Louisville, KY 40218, is for the purpose as hereinafter set forth.

I. Purpose of the Agreement

This Agreement sets out the terms by which Fund and JCPS will work together to implement the 5x5 Arts Initiative, which will provide five live arts experiences to elementary school students before they complete the fifth grade. The 5x5 program is part of the broader Fund for the Arts "Every Child" Arts Education Initiative.

Attachment A, attached and incorporated herein by reference, lists the 85 JCPS elementary schools currently participating in the 5x5 grant program.

II. Roles and Responsibilities

JCPS:

- Agrees to match payments made by Fund for the Arts for JCPS elementary schools to participate in the 5x5 program, up to the amount of and not to exceed \$100,000.
- Implement program evaluation to assess effectiveness of 5x5 program.

Fund:

- Agrees to arrange for the services of its Cultural Partners and select other arts organizations for student arts educational in-school/field trip programming for participating JCPS elementary schools as part of its 5x5 grant program.

- Agrees to work with each participating JCPS elementary school, based on the school's arts educational programming plan (refer to Attachment B, attached and incorporated herein by reference, a form provided by the Fund and completed by schools participating in the 5x5 program), to determine scheduling of the in-school/field trip arts educational programming for the duration of the services provided.
- Agrees to cover all costs of the 5x5 program for participating JCPS elementary schools in excess of \$100,000.

III. Entire Agreement; Duration; Amendment; Termination

This agreement is the entire agreement of the parties and supersedes any and all agreements, representations and negotiations, either oral or written, between the parties before the date of this Agreement. This Agreement will be in effect from July 28, 2021 – June 30, 2022 and may be updated at any time through a written agreement signed by both parties. Either party can terminate this Agreement with 30 days written notice. In the event of the termination of the Agreement, each party will remain obligated to make the payment as set forth herein for its share of the costs for all 5x5 program events awarded to participating JCPS schools before the date of termination.

IV. Payment

The total cost for the in-school/field trip arts educational programming services in the 5x5 program averages \$2500 per school. As provided in Article II, JCPS will match the payments made by Fund for JCPS elementary schools to participate in the 5x5 programs, up to the amount of and not to exceed \$100,000, and Fund will cover all such costs in excess of \$100,000.

Payment from JCPS for the 5x5 program as outlined in this Agreement shall not be considered a donation. Fund should not include any payment from JCPS under this Agreement in any promotional materials, corporate contributions or donations, or include with information connected to the JCPS Gives or Fund for the Arts annual campaigns.

Payment by JCPS to Fund for the JCPS share of such costs will be based on the submission of an invoice in May 2022, in the amount up to but not to exceed \$100,000. Invoice should be submitted to:

Suzanne Wright
Director of Academic Program Management
Jefferson County Public Schools
VanHoose Education Center 3332 Newburg Road Louisville, KY 40218

V. Reporting

When submitting invoices, Fund shall provide a list to JCPS of all schools awarded 5x5 funding for Round 1 and Round 2. By June 30, 2022, Fund will provide a final report of all schools receiving funding for the 2021-22 school year listing the amount of funding actually used by each school. Final report should be submitted to:

Suzanne Wright
Director of Academic Program Management
Jefferson County Public Schools
VanHoose Education Center 3332 Newburg Road Louisville, KY 40218

VI. Miscellaneous

If any part of this Agreement shall be held void, against public policy or illegal, the balance of this agreement shall continue to be valid and binding. No delay or omission by either party in exercising any right under this Agreement shall operate as a waiver of that or any other right or prevent a similar subsequent act from constituting a violation of this Agreement. This Agreement shall be governed and constructed in accordance with the laws of the Commonwealth of Kentucky.

V. Signatures of Parties' Principals

If the terms of this Memorandum of Agreement are acceptable, please sign and date the Agreement and return to JCPS.

Fund for the Arts:



Andre Guess, President and CEO

July 12, 2021

Date

Jefferson County Public Schools:

Martin Pollio, Ed.D. Superintendent

Date

Attachment A

Fund for the Arts 5x5 Program – List of Participating Schools

- | | |
|----------------------------------|-------------------------------------|
| 1. Alex R. Kennedy | 30. Frayser |
| 2. Atkinson | 31. Gilmore Lane |
| 3. Auburndale | 32. Goldsmith |
| 4. Audubon Traditional | 33. Greathouse Shryrock Traditional |
| 5. Bates | 34. Greenwood |
| 6. Blake | 35. Gutermuth |
| 7. Bloom | 36. Hartstern |
| 8. Blue Lick | 37. Hawthorne |
| 9. Bowen | 38. Hazelwood |
| 10. Brandies | 39. Hite |
| 11. Breckinridge-Franklin | 40. Indian Trail |
| 12. Byck | 41. Jacob |
| 13. Camp Taylor | 42. Jeffersontown |
| 14. Cane Run | 43. Johnsontown Road |
| 15. Carter Traditional | 44. Kennedy Montessori |
| 16. Chancey | 45. Kenwood |
| 17. Cochran | 46. Kerrick |
| 18. Cochrane | 47. King |
| 19. Coleridge –Taylor Montessori | 48. Klondike Lane |
| 20. Coral Ridge | 49. Laukhuf |
| 21. Crums Lane | 50. Layne |
| 22. Dixie | 51. Lincoln |
| 23. Dunn | 52. Lowe |
| 24. Eisenhower | 53. Luhr |
| 25. Engelhard | 54. Maupin |
| 26. Fairdale | 55. McFerran Preparatory |
| 27. Farmer | 56. Medora |
| 28. Field | 57. Middletown |
| 29. Foster Traditional | 58. Mill Creek |

- 59. Norton
- 60. Norton Commons
- 61. Okolona
- 62. Portland
- 63. Price
- 64. Rangeland
- 65. Roosevelt-Perry
- 66. Rutherford
- 67. Sanders
- 68. Schaffner Traditional
- 69. Semple
- 70. Shacklette
- 71. Shelby Traditional
- 72. Slaughter

- 73. Smyrna
- 74. Stopher
- 75. St. Matthews
- 76. Trunnell
- 77. Tully
- 78. Watson Lane
- 79. Watterson
- 80. Wellington
- 81. Wheatley
- 82. Wheeler
- 83. Wilder
- 84. Wilkerson Traditional
- 85. Young

Attachment B

2021–22 Fund for the Arts 5x5 Program Information for Requesting Funding

The goal of the Fund for the Arts 5x5 Program is to provide elementary school students with a continuum of arts experiences, at least five (5) arts and culture experiences by the completion of grade five (5). The 5x5 program engages students in performances, workshops, and residencies offered by the Fund for the Arts arts in education partner organizations. All programs offered are connected to Kentucky Core Content and are designed to enhance what students are already learning in the classroom.

5x5 Program Request Process and Materials for the 2021-2022 School Year:

1. Funding Request Form. For each program that you will request funding, you will complete a Program Request Form. This form has been redesigned to make it more user friendly. You can access this form on the Fund for the Arts website, www.fundforthearts.org under Programs – EVERY Child Arts In Education Initiative.
2. School Profile. You will submit one School Profile for your school. This form replaced the 5x5 Narrative and Arts Discipline Matrix. You can access this form on the Fund for the Arts website, www.fundforthearts.org under Programs-EVERY Child Arts In Education Initiative.
3. EVERY Child Arts In Education Initiative Education Brochure. The format of this brochure was redesigned to be more user-friendly and encourage exploration of new programs. You will notice that an At-A-Glance summary of all programs offered is provided beginning on page 2 of the brochure. A PDF of the brochure is available on the Fund for the Arts website, www.fundforthearts.org under Programs-EVERY Child Arts In Education Initiative.
4. Program Schedules. During the 2021-2022 school year, schools awarded funds through 5x5 will be required to finalize scheduling of their awarded programs with the arts groups within 40 days of notification of the award. The program schedules will be submitted via a form on the Fund for the Arts website – the link to the form will be provided in the award announcement email to liaisons and principals.

Steps for Developing and Submitting Funding Request:

1. Review the EVERY Child Arts In Education Initiative Education Brochure.
2. Discuss with your principal, ILT/SBDM, and teachers what their arts in education programming needs are for the 2021-2022 school year.
3. Contact the arts groups to discuss specifics about their arts in education programs. Arts group contact information is included on page 1 of the education brochure.
4. Complete the Funding Request Form for each program your school will request in the 2021-2022 school year.
5. Complete the school profile. Your school will submit this form only once.

Schools have two opportunities to submit funding requests for the 2021-2022 school year.

Schools may request funding at each deadline. Please note that funding priority is given to requests submitted in Round 1.

Request funding decisions will be sent via email to the person who submitted the application with a copy to the school principal.

ACORDTM**CERTIFICATE OF LIABILITY INSURANCE**

DATE (MM/DD/YYYY)

6/18/2021

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer any rights to the certificate holder in lieu of such endorsement(s).

PRODUCER USI Insurance Services LLC 312 Elm Street, Suite 2400 Cincinnati, OH 45202 855 874-1390	CONTACT NAME: Barb Smith	
	PHONE (A/C, No, Ext): 513 852-6348	FAX (A/C, No): 484-652-5341
	E-MAIL ADDRESS: barb.smith@usi.com	
INSURED Fund for the Arts 623 W. Main Street Louisville, KY 40202	INSURER(S) AFFORDING COVERAGE	
	INSURER A : The Cincinnati Insurance Company	
	INSURER B : Cincinnati Indemnity Company	
	INSURER C : Tracking Purposes Only	
	INSURER D :	
	INSURER E :	
	INSURER F :	

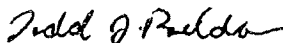
COVERAGES CERTIFICATE NUMBER: REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSR	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC OTHER:			EPP0190591	04/16/2019	04/16/2022	EACH OCCURRENCE \$1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$1,000,000 MED EXP (Any one person) \$5,000 PERSONAL & ADV INJURY \$1,000,000 GENERAL AGGREGATE \$2,000,000 PRODUCTS - COMP/OP AGG \$2,000,000 \$
C	AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO OWNED AUTOS ONLY <input checked="" type="checkbox"/> HIRED AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS NON-OWNED AUTOS ONLY			EBA0190591	04/16/2021	04/16/2022	COMBINED SINGLE LIMIT (Ea accident) \$1,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$
A	<input checked="" type="checkbox"/> UMBRELLA LIAB <input checked="" type="checkbox"/> OCCUR <input type="checkbox"/> EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE DED <input type="checkbox"/> RETENTION \$			EPP0190591	04/16/2019	04/16/2022	EACH OCCURRENCE \$4,000,000 AGGREGATE \$4,000,000 \$
B	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? <input checked="" type="checkbox"/> Y/N (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below		N/A	EWC0372368	04/16/2021	04/16/2022	PER STATUTE <input type="checkbox"/> OTH-ER <input type="checkbox"/> E.L. EACH ACCIDENT \$1,000,000 E.L. DISEASE - EA EMPLOYEE \$1,000,000 E.L. DISEASE - POLICY LIMIT \$1,000,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

Certificate Holder is added as Additional Insured as respects General Liability.

CERTIFICATE HOLDER Board of Education of Jefferson County Attn: Insurance/Real Estate Dept 3332 Newburg Road Louisville, KY 40218	CANCELLATION SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.
	AUTHORIZED REPRESENTATIVE 

This page has been left blank intentionally.