



JEFFERSON COUNTY BOARD OF EDUCATION

Minutes of May 23, 2023

Meeting of the Jefferson County Board of Education held at VanHoose
Education Center on Tuesday, May 23, 2023, at 6:00 PM.

BOARD MEMBERS PRESENT:

Chairwoman Diane Porter

Mr. James Craig

Dr. Chris Kolb

Ms. Sarah McIntosh

Vice-Chair Corrie Shull

Mrs. Linda Duncan

Mr. Joseph Marshall

STAFF MEMBERS PRESENT:

Superintendent Martin A. Pollio, Ed.D.

Matt Anderson, Assistant Superintendent for Climate and Culture

BJ Bunton, Executive Administrator for Diversity, Equity, and Poverty Division

Kevin Brown, General Counsel

Robert Fulk, Assistant Superintendent for Middle Schools

This meeting was conducted via videoconference pursuant to KRS 61.823 and KRS 61.826. The primary location for this meeting and where all members could be seen and heard by the public was the VanHoose Education Center. Members of the Board were permitted to attend in-person or via video-teleconference pursuant to KRS 61.826. Members of the public were permitted to attend in person or watch the live-stream of the meeting.

EXECUTIVE SESSION

The purpose of this meeting was for Board members to have preliminary and formative discussions regarding the Superintendent's evaluation. Portions of the meeting were closed to the public pursuant to KRS 61.810(1)(k) and KRS 156.557(6)(c).

I. Call to Order

Chair Porter called the May 23, 2023, Special Meeting of the Board of Education to order at 5:05 p.m. and made the following announcement.

“The Board will conduct a closed session, as permitted by KRS 61.810(1)(k) of the Open Meetings Act and KRS 156.557, for the purpose of a preliminary and formative discussion regarding the evaluation of the superintendent.”

II. Enter into Closed Executive Session for Preliminary and Formative Discussions Regarding the Superintendent's Evaluation pursuant to KRS 61.810(1)(k)

Order #2023-72 - Motion Passed: A motion to enter executive session to have preliminary and formative discussions relating to the 2022–23 Evaluation of the Superintendent pursuant to KRS 61.810(1)(k) of the Open Meetings Act and KRS 156.557 passed with a motion by Dr. Christopher Kolb and a second by Mrs. Linda Duncan.

Mr. James Craig	Absent
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. Adjourn from Executive Session

The Board returned to open session at approximately 5:55 p.m. and Chair Porter made the following announcement.

“The Board of Education met in Executive Session for the purpose of a preliminary and formative discussion regarding the evaluation of the superintendent pursuant to KRS 61.810(1)(k) of the Open Meetings Act and KRS 156.557. No action was taken.”

Order #2023-73 - Motion Passed: A motion to adjourn from closed session and return to open session passed with a motion by Ms. Sarah McIntosh 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

IV. Adjournment

Order #2023-74 - Motion Passed: A motion to adjourn the special meeting passed with a motion by Mr. James Craig 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

REGULAR MEETING

I. Call to Order

Chair Porter called the May 23, 2023, Board Work Session to order at 6:03 p.m.

II. Recommendation for Approval of Meeting Agenda

Order #2023-75 - Motion Passed: Superintendent Martin Pollio recommends the Board of Education approve the agenda for March 28, 2023. The recommendation passed with a motion by Mr. James Craig and a second by Dr. Corrie Shull.

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 #2023-76 - Motion Passed: Superintendent Martin Pollio recommends the Board of Education approve the minutes of the May 9, 2023, meeting. The recommendation passed with a motion by Mrs. Linda Duncan 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

IV. Work Session

A. Acceptance of Student Support and Behavior Intervention Handbook for the 2023-2024 School Year for First Reading

Dr. Pollio introduced this item. Matt Anderson, assistant superintendent for Climate and Culture; BJ Bunton, executive administrator for Diversity, Equity, and Poverty; and Robert Fulk, assistant superintendent for middle schools; delivered a presentation regarding changes for the 2023-24 Student Support and Behavior Intervention Handbook. Each Board member had an opportunity to comment and ask questions.

Mrs. Duncan ask, “There was a section there concerning hate speech, and of course you know that's something we want to discourage, but who defines hate speech and how do our students know that this is hate speech? She then confirmed, “There won't be exceptions for hate speech, like some people can say these things and its okay and some people can say these things and it's wrong?”

Ms. McIntosh wanted to confirm that the printed handbook would be ready for the start of the school year. She stated that in the future, she would like to see more school-based staff involved with the handbook revisions. She asked if there were any representatives on the SSBIH Committee from alternative program schools. She discussed pages 26, 27, and 28 regarding suspension of primary school students. She asked, “When is the concern that this is taking some of the decision-making and authority away from our principals and shifting that to Central Office?” She later asked, “Are we going to be able to adequately document the severity of some of the behaviors if we are taking away some of the options that our principles and school-based staff have for that documentation?”

Chair Porter asked, “How do you look at the results of what happens based on the code of conduct? And as we talk about suspensions, who evaluates and analyzes the reasons for suspensions and what are the things that we do to eliminate and to prepare students so that they don't repeat the same thing?” She requested the Board receive updates on suspensions more frequently.

Order #2023-77 - Motion Passed: Superintendent Martin Pollio recommends the Board of Education receive the attached Student Support and Behavior Intervention Handbook and The Student Bill of Rights for the 2023-2024 school year for first submission and reading. The recommendation passed with a motion by Mrs. Linda Duncan 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

V. Persons Requesting to Address the Board on Consent Calendar Items to be Voted Upon Separately at Board Member Request

There were no speakers at this time.

VI. Student Outcomes-Focused Governance Update

Chair Porter made the following statement, “We will continue to have these reports based on the work that this board of education is doing with the Council of Great City Schools. It's very important that the community, those in the room and the community, understands that this board is working to do a better job with governess. Because in order for us to have successful students, we have to do our work differently and that is what we're working on. So rather than come to you once a year, we're going to come to you every time that there's a report from someone on the board about the work we're doing with the Council of Great City Schools to enhance the governance of this board of education.”

Board member Marshall then gave a brief report on the Governance Implementation Committee and the next steps in the Board's governance overhaul process as they prepare for listening sessions.

VII. Consent Calendar

A. Report of Certified Leaves

B. Report of Personnel Actions

C. Recommendation for Approval of Organizational Charts and/or Job Descriptions

1. Recommendation for Approval of Organizational Charts and/or Job Descriptions - Academics

2. Recommendation for Approval of Organizational Charts and/or Job Descriptions - Administration

3. Recommendation for Approval of Organizational Charts and/or Job Descriptions - Diversity, Equity, and Poverty

4. Recommendation for Approval of Organizational Charts and/or Job Descriptions - Finance

5. Recommendation for Approval of Organizational Charts and/or Job Descriptions - Human Resources

6. Recommendation for Approval of Organizational Charts and/or Job Descriptions - Operations Services

7. Recommendation for Approval of Organizational Charts and/or Job Descriptions - Schools

D. Recommendation for Approval of Field Trip Request and Receipt of Report of Field Trips Approved by the Superintendent

E. Recommendation for Approval of Bids and Revised BG-1 Forms

1. Recommendation for Approval of Bid and Revised BG-1 Form for Gym Wood Floor Replacement at Academy @ Shawnee

2. Recommendation for Approval of Bid and Revised BG-1 Form for a New Front Entry Vestibule at Highland Middle School

3. Recommendation for Approval of Bid and Revised BG-1 Form for a Security Vestibule at Wheatley Elementary School (Hudson Middle School)

F. Recommendation for Approval of Construction Change Orders

G. Recommendation for Approval to Request a Finding to Add an Athletic Stadium at W.E.B. DuBois Academy to the District Facility Plan

H. Recommendation for Approval of request from VBN Architects to Apply for Commercial Buildings Tax Deduction under Section 1331 of the Energy Policy Act of 2005

I. Recommendation for Notification of Louisville Water Company Easement for New Elementary School – Wilkerson Elementary School

J. Recommendation for Approval of Competitive Negotiation, Bid Tabulations, Contract Renewals, and Amendments.

K. Recommendation for Approval of Professional Services Contracts of \$20,000 or More

L. Acceptance of Summary of Professional Services Contracts

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. Acceptance of School Activity Fund Budget Summary for Fiscal Year 2023-24

O. Recommendation for Approval of Fidelity Bonds for Fiscal Year 2023-24

- P.** Recommendation for Approval of Change Orders
- Q.** Recommendation for Approval of Tentative Budget for Fiscal Year 2023-2024
- R.** Acceptance of Donations, Grants, and Funding
 - 1.** Acceptance of Donations and Small Grants
 - 2.** Acceptance of FY23 American Rescue Plan Elementary and Secondary School Emergency Relief Fund Before/After School Funding from the Kentucky Department of Education
 - 3.** Acceptance of FY23 American Rescue Plan Elementary and Secondary School Emergency Relief Fund Summer School Funding from the Kentucky Department of Education
 - 4.** Acceptance of FY23 Title I School Improvement Funds from the Kentucky Department of Education
 - 5.** Acceptance of Funding with Reconfiguration from the Commonwealth of Kentucky Cabinet for Health and Family Services for Family Resource and Youth Services Centers
- S.** Recommendation for Approval of Agreements
 - 1.** Recommendation for Approval of Affiliate Partner Agreement with the Alliance for Young Artists & Writers, Inc.
 - 2.** Recommendation for Approval of Memorandum of Agreement with the Center for Healthy Minds, University of Wisconsin-Madison
 - 3.** Recommendation for Approval of Device Transfer Agreement with Digital Promise
 - 4.** Recommendation for Approval of Memorandum of Agreement with LaCasita Inc.
 - 5.** Recommendation for Approval of Contract with Louisville Gas & Electric for Electric Vehicle Charging Station and Service at the VanHoose Education Center
 - 6.** Recommendation for Approval of Agreement with Louisville Marriott East
 - 7.** Recommendation for Approval of Memorandum of Agreement with Spalding University
 - 8.** Recommendation for Approval of Memorandum of Agreement Amendment with the University of Louisville
 - 9.** Recommendation for Approval of Memorandum of Agreement with the University of Louisville Research Foundation - Cardinal Success Program
 - 10.** Recommendation for Approval of Data Privacy Agreement with ePrep, Inc.
 - 11.** Recommendation for Approval of Data Sharing Agreement with Global Game Changers Children's Education Initiative, Inc.
 - 12.** Recommendation for Approval of Data Protection Agreement with Instructure
 - 13.** Recommendation for Approval of External Auditors Contract
 - 14.** Recommendation for Approval of Memorandum of Agreement with Heuser Hearing and Language Academy
- T.** Recommendation for Approval to Name the Small Gymnasium Floor at Pleasure Ridge Park High School the Lesley Drury Prather Court
- U.** Recommendation for Approval of Declaration for One-Year Emergency Substitute Teacher Certification for the 2023-24 school year.
- V.** Recommendation for Approval of External Support/Booster Organizations.
- W.** Recommendation for Adoption of Board Policies (Second Reading)
- X.** Recommendation for Adoption of Board Policies (First Reading)

The following items were pulled down for a discussion and a separate vote:

- VII.Q. Approval of Tentative Budget for Fiscal Year 2023
- VII.X. Adoption of Board Policies (First Reading)

Order #2023-78 - Motion Passed: A motion to approve the Consent Calendar MINUS: *VII.X. Adoption of Board Policies (First Reading)* and *VII.Q. Approval of Tentative Budget for Fiscal Year 2023* passed with a motion by Dr. Corrie Shull 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

• **VII.Q. Approval of Tentative Budget for Fiscal Year 2023**

Dr. Kolb wanted to clarify the timeline and process to levy a tax rate exceeding four percent.

Order #2023-79 - Motion Passed: A motion to schedule the Tax Rate Hearing no later than a date that would allow the petition committee the statutorily required 50 days to gather petitions for a potential recall vote passed with a motion by Dr. Christopher Kolb and a second by Mr. Joseph Marshall.

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

Order #2023-80 - Motion Passed: A motion to approve Consent Item *VII.Q. Approval of Tentative Budget for Fiscal Year 2023* 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

• VII.X. Adoption of Board Policies (First Reading)

Ms. McIntosh expressed concern with student conduct on school buses and requested further discussion regarding Board policy 06.34 *Conduct on Bus*. She stated, “I’m concerned that maybe we need to go a little bit further in our approach and be a lot more proactive.”

Order #2023-81 - Motion Passed: A motion to receive *VII.X. Board Policies First Reading* minus what Board Member McIntosh has brought before us (06.34 Conduct on Bus) passed with a motion by Mrs. Linda Duncan 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

VIII. Persons Requesting to Address the Board

The following speakers addressed the Board with concerns regarding Kentucky Senate Bill 150 that, in part, prevents schools from keeping student information secret from parents, using students’ preferred pronouns, and limiting the teaching of human sexuality. They asked the Board to not comply with the new law.

- Kennita Ballard
- Kate Albarcht
- Virginia Mckay
- Chandler Gies
- Rebecca Grant
- Sara Butryn
- M Joy
- Bobbie Glass
- Matilda Ertz
- Anna Hardy
- JP Whiting
- Deanna Rushing
- Jardana Peacock

Gay Adelman addressed the Board with concerns regarding Kentucky House Bill 538, an ACT relating to the discipline of students.

IX. Adjournment

The May 23, 2023, Work Session adjourned at 7:50 p.m.

Order #2023-82 - Motion Passed: A motion to adjourn the May 23, 2023, Board of Education meeting at 7:50 p.m. 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

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**