



JEFFERSON COUNTY BOARD OF EDUCATION

Minutes of Special Meeting of November 15, 2016

Special Meeting of the Jefferson County Board of Education held at Pleasure Ridge Park High School, 5901 Greenwood Road, Louisville, Kentucky, on Tuesday, November 15, 2016, at 7 p.m.

BOARD MEMBERS PRESENT

Vice-Chair Diane Porter
Mr. Chris Brady
Mrs. Linda Duncan
Mr. Chuck Haddaway
Mrs. Stephanie Horne

BOARD MEMBERS ABSENT

Chair David A. Jones, Jr.
Dr. Lisa Willner

STAFF MEMBERS PRESENT:

Superintendent Donna M. Hargens, Ed.D.
Francis J. Mellen, Jr., Wyatt Tarrant & Combs LLP
Angie Gilpin, Assistant Secretary to the Board

WORK SESSIONS

4 p.m. Work Session: Turnaround Schools: Priority and Transformation

SPECIAL MEETING

Vice-Chair Porter called the November 15, 2016, Special Meeting of the Board of Education to order at 7:10 p.m.

Vice-Chair Porter read a statement prepared by Board Member Dr. Lisa Willner explaining her absence from the meeting. Dr. Willner was attending the Harvard Graduate School of Education as a member of Mayor Fischer's College to Career Cabinet which also serves as the Children's Cabinet for the Harvard By All Means Project.

The meeting began with a traditional moment of silence, the Pledge of Allegiance led by District 4 elementary school students, the Vision Statement read by Conway Middle School Students, and greetings from District 4 Board Member Chuck Haddaway and Pleasure Ridge Park High School Principal Kim Salyer.

Order #2016-184 - Motion Passed: A motion pursuant to KRS 160.270(1) that the Board of Education excuse the failure of Board Chairman David A. Jones Jr. to attend this meeting passed with a motion by Mr. Chuck Haddaway and a second by Mr. Chris Brady.

Mr. Chris Brady	Yes	Mrs. Linda Duncan	Yes
Mr. Chuck Haddaway	Yes	Mrs. Stephanie Horne	Yes
Mr. David A. Jones, Jr.	Absent	Ms. Diane Porter	Yes
Dr. Lisa Willner	Absent		

III. Recognitions and Resolutions

A. Recognition and Student Demonstration From Cane Run Elementary School Compassionate Schools Project Students

B. Recognition and Student Demonstration From Jacob Elementary School Bellarmine Literacy Project Students

C. Recognition and Student Demonstration From Farnsley Middle School Math Science Technology Magnet Program Students

D. Recognition and Student Demonstration From Western High School Early College Students

F. Recognition of Schaffner Traditional Elementary School, National Blue Ribbon School

E. Recognition of Christina Johnson and Meghann Clem, Cane Run Elementary School Compassionate Schools Project Teachers

G. Recognition of Jefferson County Public School District Schools for Attaining Fidelity in the Implementation of Positive Behavior Interventions and Supports for the 2015–16 School Year

H. Video Montage of District 4 Schools

Mr. Brady stepped away from the meeting for a few moments and was not present for the next three votes.

Order #2016-185 - Motion Passed: Superintendent Donna Hargens recommends the Board of Education receive the recognitions and resolutions for November 15, 2016, passed with a motion by Mr. Chuck Haddaway and a second by Mrs. Linda Duncan.

Mr. Chris Brady	Absent	Mrs. Linda Duncan	Yes
Mr. Chuck Haddaway	Yes	Mrs. Stephanie Horne	Yes
Mr. David A. Jones, Jr.	Absent	Ms. Diane Porter	Yes
Dr. Lisa Willner	Absent		

IV. Approval of Meeting Agenda

Order #2016-186 - Motion Passed: Superintendent Donna Hargens recommends the Board of Education approve the agenda for November 15, 2016, passed with a motion by Mr. Chuck Haddaway and a second by Mrs. Linda Duncan.

Mr. Chris Brady	Absent	Mrs. Linda Duncan	Yes
Mr. Chuck Haddaway	Yes	Mrs. Stephanie Horne	Yes
Mr. David A. Jones, Jr.	Absent	Ms. Diane Porter	Yes
Dr. Lisa Willner	Absent		

V. Approval of Minutes of Previous Meeting

Order #2016-187 - Motion Passed: Superintendent Donna Hargens recommends the Board of Education approve the minutes of the October 25, 2016, regular meeting passed with a motion by Mr. Chuck Haddaway and a second by Mrs. Linda Duncan.

Mr. Chris Brady	Absent	Mrs. Linda Duncan	Yes
Mr. Chuck Haddaway	Yes	Mrs. Stephanie Horne	Yes
Mr. David A. Jones, Jr.	Absent	Ms. Diane Porter	Yes
Dr. Lisa Willner	Absent		

VI. Superintendent's Report

Superintendent Dr. Hargens began her report by expressing her appreciation to Board Member Chuck Haddaway, Principal Kim Salyer, Terri Robinson and the JCPS staff.

She congratulated new Board Members Benjamin Gies and Dr. Chris Kolb, and re-elected Board Member Chris Brady. She stated that she looks forward to working together to provide quality instruction to educate, prepare, and inspire students to learn. She thanked Chair Jones and Board Member Chuck Haddaway for their commitment and service to JCPS students.

She discussed the following: a dialogue with Mayor Greg Fischer, U.S. Attorney John Kuhn, Chief Steve Conrad, and members of our Muslim community at the Muslim Community Center of Louisville; an update on bus drivers; the two remaining Equity Scorecard domains; the School Nutrition and Physical Activity Report; bell times at alternative schools; *Louisville Linked*; Harvard's By All Means; attendance, staffing, and discipline; and Sexual Health Education training. She recommend for approval the consent agenda later in the meeting.

Mr. Haddaway discussed a summary of the Local Planning Committee's first two meetings.

VII. Action Items

VII.A. Acceptance of the Comprehensive Annual Financial Report for Year Ended June 30, 2016

Speaker Chris Harmer came forward to address the Board on this item.

Vice-Chair Porter announced that Board Members previously met individually with Cordelia Hardin and Bill Carroll to discuss this report on October 31 and November 1.

Chief Financial Officer Cordelia Hardin; Eddie Muns, director Accounting; Susan Porter coordinator Accounting; and William G. Carroll, audit partner, Strothman & Company PSC, presented this item for approval. Each Board member had an opportunity to comment and ask questions.

Order #2016-188 - Motion Passed: Superintendent Donna Hargens recommends the Board of Education accept the attached Comprehensive Annual Financial Report for year ended June 30, 2016, passed with a motion by Mrs. Linda Duncan and a second by Mr. Chris Brady.

Mr. Chris Brady	Yes	Mrs. Linda Duncan	Yes
Mr. Chuck Haddaway	Yes	Mrs. Stephanie Horne	Yes
Mr. David A. Jones, Jr.	Absent	Ms. Diane Porter	Yes
Dr. Lisa Willner	Absent		

VIII. Information Items

None

IX. Consent Calendar

- A.** Report of Personnel Actions
- B.** Certified Leaves of Absence
- C.** Approval of Job Descriptions
- D.** Approval of Organizational Charts
- E.** Approval of Field Trip Requests
- F.** Approval of Project, BG-1 Form, and Assignment of Architect/Engineer for the Fence Installation at Waller Williams Environmental
- G.** Approval of Contract Completion and BG-4 Form for HVAC Renovation, Media Center Addition, and Roof at Dunn Elementary School
- H.** Approval of Construction Change Orders
- I.** Approval of Bid Tabulations, Contract Renewals, and Amendments
- J.** Acceptance of Purchase Order Report
- K.** Acceptance of Voucher Report
- L.** Acceptance of Donations, Grants, and Funding
 - 1.** Acceptance of Donations and Small Grants
 - 2.** Acceptance of Additional Funding from Administration for Children and Families for the Head Start/Early Head Start Programs
 - 3.** Acceptance of Individuals with Disabilities Education Part B, Section 611 Funding from the Kentucky Department of Education
 - 4.** Acceptance of a Preschool Partnership-Tier 1 Grant from Kentucky Department of Education
 - 5.** Acceptance of Funding from the Jefferson County Public Education Foundation
 - 6.** Acceptance of Funding from the Kentucky Department of Education for Career and Technical Education Industry Certifications
 - 7.** Acceptance of Funding from the University of Louisville to Support Teacher-in-Residence Programs
 - 8.** Acceptance of SubGrant from the University of Louisville Research Foundation, Inc.
 - 9.** Acceptance of School Climate Transformation Funding from the U.S. Department of Education
- M.** Approval of Agreements
 - 1.** Approval of Subgrant Agreement with the University of Louisville for the Mathematics and Science partnership grant from the Kentucky Department of Education
 - 2.** Approval of Subgrant Agreement with KentuckianaWorks Foundation to fund customized Adult Education Services

- 3. Approval of Agreement with Morehead State University, Eastern High School, and Ballard High School
- N. Approval of Shortened School Day for Five Exceptional Child Education Students
- O. Acceptance of the 2016–17 School Nutrition and Physical Activity Report for the Jefferson County Public School District
- P. WITHDRAWN: ~~Removal of Magnet Status at Cane Run Elementary School's Environmental Magnet Program for 2017–18~~
- Q. Notification of Consent and Release for City of Shively
- R. Approval of Finding to Change the Status of 13700 Sandray Boulevard from a Permanent to Transitional Center
- S. Approval of Regular Board Meeting Schedule for 2017
- T. Approval of Board Policy: 09.121 Entrance Age
- U. Approval of Board Policy: 08.134 Magnet Education
- V. Approval of Payment of Out-of-District Expenses for Board Members
- W. Approval of Job Family II Salary Schedule

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

IX.S. Approval of Regular Board Meeting Schedule for 2017

IX.U. Approval of Board Policy: 08.134 Magnet Education

Mrs. Horne requested a discussion of the consent calendar before taking action.

Mrs. Horne: “I noticed that on the consent calendar that Dr. Hargens is putting it forth. There have been several times when I’ve asked about it and you’ve replied (Dr. Hargens) that you can’t know exactly what is being submitted, so I’m getting concerned that when we have items on the consent calendar, that you will stand behind them. That what is being submitted, that we should trust that what the notes for each of the items, that they are something that you will stand behind as being true.”

Dr. Hargens: “Absolutely, the consent agenda has that *the superintendent recommends*. Each of the Chiefs submit items, and you will see on the bottom *Submitted By*, but absolutely I stand behind my team when we submit items.”

Mrs. Horne wanted reassurance that she can trust the rationale for each agenda item and know that the language is true.

Dr. Hargens stated that general counsel reviewed the item that she is referring to and he did not find any problems with the language for the item.

Mrs. Horne explained that her concern comes from a previous item on September 13.

Mrs. Horne: “I am very concerned that what we are being asked to approve, is on the face what we are being asked to approve. I am getting more and more concerned and I need to be able to trust what is being provided to me as a Board member.”

Order #2016-189 - Motion Passed: A motion that the Board of Education approve the consent calendar for November 15, 2016, minus Items IX.P., IX.S., and IX.U passed with a motion by Mr. Chris Brady and a second by Mr. Chuck Haddaway.

Mr. Chris Brady	Yes	Mrs. Linda Duncan	Yes
Mr. Chuck Haddaway	Yes	Mrs. Stephanie Horne	Yes
Mr. David A. Jones, Jr.	Absent	Ms. Diane Porter	Yes
Dr. Lisa Willner	Absent		

Mr. Brady stated that he would like to wait until January to approve a schedule of meetings for all of 2017. He would like to give the two new Board members an opportunity for input on the schedule. He would also like to discuss whether or not it has been beneficial to move the meetings to Tuesdays.

Order #2016-190 - Motion to Amend Failed: To amend the motion from: "Superintendent Donna Hargens recommends the Board of Education approve the attached schedule of regular Board meetings for 2017." to: "Approve the attached schedule of regular Board meetings for 2017 for the months of January through March only" failed with a motion by Mr. Chris Brady and a second by Mrs. Stephanie Horne.

Mr. Chris Brady	Yes	Mrs. Linda Duncan	Yes
Mr. Chuck Haddaway	No	Mrs. Stephanie Horne	Yes
Mr. David A. Jones, Jr.	Absent	Ms. Diane Porter	No
Dr. Lisa Willner	Absent		

Order #2016-191 - Motion Failed: Superintendent Donna Hargens recommends the Board of Education approve the attached schedule of regular Board meetings for 2017 failed with a motion by Mr. Chuck Haddaway and a second by Ms. Diane Porter.

Mr. Chris Brady	No	Mrs. Linda Duncan	No
Mr. Chuck Haddaway	Yes	Mrs. Stephanie Horne	No
Mr. David A. Jones, Jr.	Absent	Ms. Diane Porter	Yes
Dr. Lisa Willner	Absent		

Mrs. Duncan stated that she supports all parts of the policy except the ability of a school to exit students; it is not consistent with Magnet Schools of America. This is an equity issue and it isn't fair to the schools that exit students or the schools that cannot exit students. It also sends the message that a school has given up on that student.

Mr. Brady stated that he isn't comfortable moving forward with the policy at this time. He has heard multiple concerns from parents and he would like a provision in the policy that clearly outlines the communication to parents regarding their rights.

Mr. Haddaway stated that he would like to pull this item for further consideration.

Order #2016-192 - Motion Passed: A motion to pull item IX.U. Approval of Board Policy: 08.134 Magnet Education and to take action at a future meeting passed with a motion by Mr. Chuck Haddaway and a second by Mrs. Stephanie Horne.

Mr. Chris Brady	Yes	Mrs. Linda Duncan	Yes
Mr. Chuck Haddaway	Yes	Mrs. Stephanie Horne	Yes
Mr. David A. Jones, Jr.	Absent	Ms. Diane Porter	Yes
Dr. Lisa Willner	Absent		

Mr. Haddaway drew lots to determine winners on tie bids for Bid ID #7307 Electrical Supplies and Lighting (Line Item); BID ID #7312 Bus Body Parts & Accessories; and BID ID #7325 SCNS (Manufacturers Only - Warehouse Delivery)

Order #2016-193 - Motion Passed: A motion to award on tie bids to A-M Electric for BID ID #7307 Electrical Supplies and Lighting (Line Item); to American Bus and Accessories for BID ID #7312 Bus Body Parts & Accessories; and to Rich Products Corporation for BID ID #7325 SCNS (Manufacturers Only - Warehouse Delivery) passed with a motion by Mr. Chris Brady and a second by Mrs. Stephanie Horne.

Mr. Chris Brady	Yes	Mrs. Linda Duncan	Yes
Mr. Chuck Haddaway	Yes	Mrs. Stephanie Horne	Yes
Mr. David A. Jones, Jr.	Absent	Ms. Diane Porter	Yes
Dr. Lisa Willner	Absent		

X. Board Planning Calendar

Mrs. Duncan requested to add the Facilities Report to the March Planning Calendar, a discussion regarding the Board meeting schedule, information on the restorative practices plan, a thumbs-up or thumbs-down on the idea of metal detectors, and a report in May regarding the administrator's salary schedule.

Dr. Hargens stated that the issue of metal detectors will be discussed during the January work session regarding safe schools.

Mrs. Horne stated that it feels like we are planning month to month and it's concerning that we're only planned through December. There are a lot of budget deadlines and we need to see it so we can be reminded of allocations and when we will be asked to approve these items. She requested to add an Executive Session for the purpose of a discussion of the evaluation of the Superintendent to the February Planning Calendar.

Ms. Porter requested to add the Equity Scorecard to the Planning Calendar. She saw part of it and was supposed to see the rest of it in a work session. She would like to see this before 2017.

Order #2016-194 - Motion Passed: Superintendent Donna Hargens recommends the Board of Education receive for information a planning calendar outlining discussion agenda items passed with a motion by Mrs. Linda Duncan and a second by Mr. Chris Brady.

Mr. Chris Brady	Yes	Mrs. Linda Duncan	Yes
Mr. Chuck Haddaway	Yes	Mrs. Stephanie Horne	No
Mr. David A. Jones, Jr.	Absent	Ms. Diane Porter	Yes
Dr. Lisa Willner	Absent		

XI. Board Reports

Mrs. Duncan discussed the recent Local School Board Members Advisory Council Meeting and Southern High School graduate Lisa Harrison who was honored as a Hometown Hero.

Mrs. Horne stated that multiple principals were invited to attend a new budgeting process meeting that she wasn't aware of. She researched the board records in order to find the professional services contract and to find out how the board had hired a consultant that was coming into our schools. The problem is that the board didn't approve the contract, they approved a money donation from C.E. and S. Foundation through the Jefferson County Public Education Foundation. She doesn't have a problem with the substance of the contract, but she is very concerned about the way it transpired. This is a truthfulness issue and ethical dilemma.

Mr. Mellen stated that he reviewed the contract with Tom Hudson and he did not find any legal issues with the way that the contract was entered.

Mrs. Horne stated that she is also concerned that it is a conflict of interest to have general counsel advise both the Board and management. She sees it as a legal conflict and she is very concerned about the independence of our general counsel.

Mr. Mellen stated that he has already responded to Mrs. Horne's concerns regarding this issue and he will respond separately to all Board members.

Ms. Porter discussed a recent Fayette County Board of Education Planning Meeting that she and Dr. Hargens attended. She extended an invitation for the upcoming Facilities Committee Forum at Central High School on November 30. She concluded by announcing that the Louisville Defender Newspaper presented its Outstanding Professional Achievement Recognition Award to Dr. John Marshall.

XII. Persons Requesting to Address the Board on Non-Agenda Items

The following speakers addressed the Board regarding issues at The Academy @ Shawnee: Kim Pettus, Terrence Pettus, Erin Korbylo, Stephen Cain, Janice Pullen, Jessica Bennett, and Roberta Vincent.

XIII. Executive Session (If Needed)

XIV. Adjournment

Order #2016-195 - Motion Passed: A motion to adjourn the November 15, 2016, meeting of the Jefferson County Board of Education at 9:41 p.m. passed with a motion by Mr. Chuck Haddaway and a second by Mr. Chris Brady.

Mr. Chris Brady	Yes	Mrs. Linda Duncan	Yes
Mr. Chuck Haddaway	Yes	Mrs. Stephanie Horne	Yes
Mr. David A. Jones, Jr.	Absent	Ms. Diane Porter	Yes
Dr. Lisa Willner	Absent		

Chair David A. Jones, Jr.

Dr. Donna Hargens, Superintendent/Secretary

**THESE ACTIONS, ALONG WITH THE AGENDA ITEMS, MAKE UP THE OFFICIAL
MINUTES, WHICH ARE ON FILE IN THE OFFICE OF THE SECRETARY**