



## JEFFERSON COUNTY BOARD OF EDUCATION Minutes of Regular Meeting of May 23, 2017

**Regular Meeting** of the Jefferson County Board of Education held at VanHoose Education Center, Louisville, Kentucky, on Tuesday, May 23, 2017, at 7 p.m.

### **BOARD MEMBERS PRESENT:**

Chair Chris Brady  
Mr. Benjamin Gies  
Dr. Chris Kolb

Mrs. Linda Duncan  
Mrs. Stephanie Horne  
Ms. Diane Porter

### **BOARD MEMBERS ABSENT:**

Vice-Chair Lisa Willner

### **STAFF MEMBERS PRESENT:**

Superintendent Donna M. Hargens, Ed.D.  
Francis J. Mellen, Jr., Wyatt Tarrant & Combs LLP  
Sharon Deibel, Administrative Secretary

### **WORK SESSIONS**

5 p.m. Work Session: Student Support & Behavior Intervention Handbook Revisions

### **REGULAR MEETING**

Chair Brady called the May 23, 2017, Regular Meeting of the Board of Education to order at 7 p.m.

#### **I. Moment of Silence**

Before the moment of silence, Dr. Kolb said, "During the past week, we've lost two JCPS students to terrible tragedies in our community. Last week, Seneca High School senior Lunden Pope was killed while trying to cross Poplar Level Road. She was in the band and had a 3.6 GPA. She was scheduled to graduate with her class this Thursday and had plans to attend Eastern Kentucky University."

Ms. Porter said, "And over the weekend, we lost a first-grader at Wellington Elementary School. Daquante was seven years old and was killed by stray gunfire while sitting at his kitchen table eating a snack before bed. He was excited for his first grade promotion, held today.

We are proud to be Board Members to 100,600 students, and we want the parents of Lunden and Daquante to know our thoughts and prayers are with them during these difficult times. May we please have a moment of silence to honor their passing."

#### **II. The Pledge of Allegiance**

## II.A. Vision Statement

The Vision Statement was read by Member Porter.

## III. Recognitions and Resolutions

III.A. Recognition of Hala Saleh, 2017 Kentucky Educational Television Young Writers Contest Winner

III.B. Recognition of Farmer Elementary School Students, Kentucky Junior Beta Club Convention Competition Winners

III.C. Recognition of Carmynn Blakeley, Braille Challenge Top-Scoring Contestant

III.D. Recognition of Andrew Dunn, A Prudential Spirit of Community Award Recipient

**Order #2017-158 - Motion Passed:** Superintendent Donna Hargens recommended the Board of Education receive the recognitions and resolutions for May 23, 2017. The recommendation was approved with a motion by Mr. Benjamin Gies and a second by Ms. Diane Porter.

Mr. Chris Brady	Yes
Mrs. Linda Duncan	Yes
Mr. Benjamin Gies	Yes
Mrs. Stephanie Horne	Yes
Dr. Christopher Kolb	Yes
Ms. Diane Porter	Yes
Dr. Lisa Willner	Absent

## IV. Recommendation for Approval of Meeting Agenda

Dr. Kolb requested to move Item V. *Recommendation for Approval of Minutes of Previous Meeting* in order to receive clarity on Organizational Charts that were approved on May 9, 2017.

Chair Brady announced that there will be an executive session at the end of the meeting tonight.

**Order #2017-159 - Motion Passed:** A motion that the Board of Education amend the agenda for May 23, 2017, to move Item V. *Approval of Minutes of Previous Meetings* to after the Consent Agenda passed with a motion by Dr. Christopher Kolb and a second by Mr. Benjamin Gies.

Mr. Chris Brady	Yes
Mrs. Linda Duncan	Yes
Mr. Benjamin Gies	Yes
Mrs. Stephanie Horne	Yes
Dr. Christopher Kolb	Yes
Ms. Diane Porter	Yes
Dr. Lisa Willner	Absent

**Order #2017-160 - Motion Passed:** A motion that the Board of Education amend the agenda for May 23, 2017, to allow speakers to address the Board after Item VI. *Superintendent's Report* passed with a motion by Mr. Benjamin Gies and a second by Mrs. Stephanie Horne.

Mr. Chris Brady	Yes
Mrs. Linda Duncan	Yes
Mr. Benjamin Gies	Yes
Mrs. Stephanie Horne	Yes
Dr. Christopher Kolb	Yes
Ms. Diane Porter	Yes
Dr. Lisa Willner	Absent

**Order #2017-161 - Motion Passed:** A motion that the Board of Education approve the agenda for May 23, 2017, as amended by the two previous motions passed with a motion by Mrs. Stephanie Horne and a second by Mr. Benjamin Gies.

Mr. Chris Brady	Yes
Mrs. Linda Duncan	Yes
Mr. Benjamin Gies	Yes
Mrs. Stephanie Horne	Yes
Dr. Christopher Kolb	Yes
Ms. Diane Porter	Yes
Dr. Lisa Willner	Absent

V. Recommendation for Approval of Minutes of Previous Meeting will be considered after the consent agenda.

#### **VI. Superintendent's Report**

Superintendent Dr. Hargens congratulated Dr. Marty Pollio, who begins as Acting Superintendent on July 2, 2017. She said, "Tonight's consent agenda contains a job description for a *Special Assistant to the Superintendent*. If approved, Dr. Pollio will assume that transition role on June 1." She then delivered remarks regarding: the last day of the 2016–17 school year; staff and student attendance, staff vacancies, and referrals and suspensions from the Board's dashboard; the Kentucky TELL Survey; *Louisville Linked*; the Harvard By All Means Spring Convening on May 17–19; the School on FIRE concept from Eminence Independent Schools; and the Males of Color Academy. She concluded by recommending approval of the consent agenda.

#### **Persons Requesting to Address the Board on Non-Agenda Items**

Aldy Milliken spoke in support of Arts Education. Chris Harmer discussed budget adequacy. Rita Ward spoke in support of *Riverview*, a comprehensive intervention program for students with severe emotional behavior disorders at the Phoenix School of Discovery. Jalyn Hewitt discussed the Phoenix School of Discovery.

#### **VII. Action Items**

There were no Action Items.

## VIII. Information Items

### VIII.A. Acceptance of Internal Audit Status Report for Year Ending June 30, 2017

Jim Tencza, Director of Assurance Services, Dean Dorton Allen Ford, presented the report. Each Board member had an opportunity to comment and ask questions.

Mrs. Horne stated that the Finance Advisory Committee has formed an Audit Risk Oversight Subcommittee that will be working with Mr. Tencza to oversee the areas needing improvement.

**Order #2017-162 - Motion Passed:** Superintendent Donna Hargens recommended the Board of Education receive the attached Internal Audit Status Report for Year Ending June 30, 2017. The recommendation was approved with a motion by Mrs. Linda Duncan and a second by Mrs. Stephanie Horne.

Mr. Chris Brady	Yes
Mrs. Linda Duncan	Yes
Mr. Benjamin Gies	Yes
Mrs. Stephanie Horne	Yes
Dr. Christopher Kolb	Yes
Ms. Diane Porter	Yes
Dr. Lisa Willner	Absent

## IX. Consent Calendar

IX.A. Certified Leaves of Absence

IX.B. Report of Personnel Actions

IX.C. Recommendation for Approval of Job Descriptions

IX.D. Organizational Chart

IX.E. Recommendation for Approval of Field Trip Requests

IX.F. Recommendation for Approval of Bid and Revised BG-1 Form for Boiler Replacement at Waller-Williams Environmental

IX.G. Recommendation for Approval of Revised BG-1 Form for Track Conversion and Resurfacing at Waggener High School

IX.H. Recommendation for Approval of Project Closeouts and BG-5s Forms

IX.H.1. Recommendation for Approval of Project Closeout and BG-5 Form for Partial Roof Replacement at Central High School

IX.H.2. Recommendation for Approval of Project Closeout and BG-5 Form for Partial Roof Replacement at Conway Middle School

IX.H.3. Recommendation for Approval of Project Closeout and BG-5 Form for Partial Roof Replacement at Laukhuf Elementary School

IX.H.4. Recommendation for Approval of Project Closeout and BG-5 Form for Partial Roof Replacement at Watson Lane Elementary School

IX.H.5. Recommendation for Approval of Project Closeout and BG-5 Form for Partial Roof Replacement at Western Middle School

IX.H.6. Recommendation for Approval of Project Closeout and BG-5 Form for Full Replacement at Zachary Taylor Elementary School

IX.I. Recommendation for Approval of Construction Change Orders

IX.J. Recommendation for Approval of Bid Tabulations, Contract Renewals, and Amendment

IX.K. Recommendation for Approval of Professional Services Contracts of \$5,000 or More

- IX.L. Acceptance of Monthly Report of Professional Services Contracts of \$5,000 or More
- IX.M. Acceptance of Monthly Financial Report for Period Ended April 30, 2017
- IX.N. Acceptance of Purchase Order Report
- IX.O. Acceptance of Voucher Report
- IX.P. Acceptance of Donations, Grants, and Funding
  - IX.P.1. Acceptance of Donations and Small Grants
  - IX.P.2. Acceptance of Funding from the Jefferson County Public Education Foundation
  - IX.P.3. Acceptance of Grant from United Parcel Service, Inc. for The Office of College and Career Readiness
- IX.Q. Recommendation for Approval of Agreements
  - IX.Q.1. Recommendation for Approval of Agreement with Kentucky Department of Education for Education Administration Program Consultant
  - IX.Q.2. Recommendation for Approval of Memorandums of Agreement with the Kentucky Department of Education for Education Recovery Leaders
  - IX.Q.3. Recommendation for Approval of Memorandums of Agreement with the Kentucky Department of Education for Education Recovery Specialists
  - IX.Q.4. Recommendation for Approval of Personnel Memorandum of Agreement with Kentucky Department of Education for Equity Lead
  - IX.Q.5. Recommendation for Approval of Personnel Memorandum of Agreement with Kentucky Department of Education for Health Service/Law Safety Consultant
  - IX.Q.6. Recommendation for Approval of Memorandum of Understanding between KHEAA, KYCC, and Southern High School
  - IX.Q.7. Recommendation for Approval of Memorandum of Understanding between KHEAA, KYCC, and Valley High School.
  - IX.Q.8. Recommendation for Approval of Lease Agreement with Louisville/Jefferson County Metro Government
  - IX.Q.9. Recommendation for Approval of Memorandum of Understanding with Louisville Foster Grandparents Program
  - IX.Q.10. Recommendation for Approval of Agreements with Powertel/Memphis, Inc.
- IX.R. Recommendation for Approval of Tentative Budget for Fiscal Year 2017-18
- IX.S. Recommendation for Approval of Resolutions Concerning Jefferson County School District Finance Corporation
- IX.T. Recommendation for Approval of Contracts for Nonresident Pupils for Fiscal Year 2017-18
- IX.U. Recommendation for Approval of Revised School Allocation Standards for Usage in Fiscal Year 2017-18
- IX.V. Recommendation for Approval of 2018-19 Draft School Calendar
- IX.W. Recommendation for Approval of Early Admission into the Primary School Program
- IX.X. Recommendation for Approval of Nonresident Student Tuition Rates for Fiscal Year 2017-18
- IX.Y. Recommendation for Approval of Workers Compensation Excess Insurance Policy
- IX.Z. Notification of Conveyance of Right of Way
- IX.AA. Notification of Water Easements
- IX.BB. Recommendation for Approval of Board Policy (Second Reading)

Board members pulled down Items IX.C., IX.D, IX.R., IX.U., and IX.BB for discussion and a separate vote.

**Order #2017-163 - Motion Passed:** A motion that the Board of Education approve the consent calendar for May 23, 2017, minus Items IX.C., IX.D, IX.R., IX.U., and IX.BB., passed with a motion by Dr. Christopher Kolb and a second by Mrs. Stephanie Horne.

Mr. Chris Brady	Yes
Mrs. Linda Duncan	Yes
Mr. Benjamin Gies	Yes
Mrs. Stephanie Horne	Yes
Dr. Christopher Kolb	Yes
Ms. Diane Porter	Yes
Dr. Lisa Willner	Absent

#### **IX.D. Organizational Chart**

Chair Brady explained that the revised organizational chart is being presented to clarify what the administration believes was approved at the May 9, 2017, meeting. The revised chart changes four deeper learning resource teachers from a 260-day position to a 210-day position.

Chief Financial Officer Cordelia Hardin and Tiffeny Armour, director, Human Resources, presented the Board with rationale regarding the change and stated that the number of working-days was reduced in order to stay within the approved budget.

Ms. Porter requested more information regarding the organizational chart process, including who is involved with the development of the charts.

Brent McKim, president, Jefferson County Teachers Association, came forward to present his views and opinion. He stated that the deeper learning resource teachers are needed during the summer months for planning and support.

Dr. Kolb stated that when he made the motion to approve the charts on May 9, he was under the impression that the Board was approving four 260-day teachers. He stated that the Board intended to approve four 260-day deeper learning resource teachers and if that's not what the administration intended, the Board will have to approve something different at tonight's meeting to amend what the Board approved on May 9.

Dr. Hargens stated that she regrets not explaining exactly what the administration intended when Ms. Armour handed out the charts with the red marks at the May 9 meeting "We should have done that and that is what we will do in the future," she said.

Dr. Kolb noted that administration realized they had made a mistake on Monday, May 8 in the afternoon, yet they did not notify the Board until immediately before the meeting on May 9 by handing Board Members a photocopy without any explanation of the changes. Dr. Kolb stated that this is not acceptable and administration is expected to notify Board Members in a much timelier manner so Board Members are prepared for possible changes and are able to make informed decisions.

Chair Brady stated that it is clear that the Board members thought they were voting for something different. "From this point on, if there are any changes that are put on our desk as we sit down – don't bother," he said.

Chair Brady proposed four options for the deeper learning resource teacher position.

- Option 1: Approve four (4) 260-day Deeper Learning Resource Teachers
- Option 2: Approve two (2) 260-day Deeper Learning Resource Teachers
- Option 3: Approve two (2) 260-day and two (2) 210-day Deeper Learning Resource Teachers
- Option 4: Approve four (4) 210-day Deeper Learning Resource Teachers

Mr. Gies moved and Dr. Kolb seconded a motion that the Board approve Option 1: Four deeper learning resource teachers at 260 days.

Ms. Porter explained that there is a way to get to 260 days with a 210-day position in order to avoid the extra cost, by adding extended days as needed.

**Order #2017-164 - Motion Failed:** A motion to amend Member Gies' motion from: "the Board of Education approves Option 1: Four deeper learning resource teachers at 260 days" to "the Board of Education approves four deeper learning resource teachers at 210 days to add extended days totaling 260 if needed" failed with a motion by Ms. Diane Porter and a second by Mrs. Linda Duncan.

**Motion Withdrawn:** The motion that the Board of Education approve Option 1: Four deeper learning resource teachers at 260 days was withdrawn by Mr. Benjamin Gies, so no vote was taken on that motion.

**Order #2017-165 - Motion Passed:** A motion that the Board of Education amend Option 4 from "Approve four deeper learning resource teachers at 210 days" to "Approve four deeper learning resource teachers at 210 days and to add extended days if needed, not to exceed 260 days" passed with a motion by Ms. Diane Porter and a second by Mrs. Linda Duncan.

Mr. Chris Brady	Yes
Mrs. Linda Duncan	Yes
Mr. Benjamin Gies	Yes
Mrs. Stephanie Horne	Yes
Dr. Christopher Kolb	No
Ms. Diane Porter	Yes
Dr. Lisa Willner	Absent

**Order #2017-166 - Motion Passed:** A motion that the Board of Education approve Option 4 as amended by the previous motion passed with a motion by Mr. Benjamin Gies and a second by Mrs. Linda Duncan.

Mr. Chris Brady	No
Mrs. Linda Duncan	Yes
Mr. Benjamin Gies	Yes
Mrs. Stephanie Horne	Yes
Dr. Christopher Kolb	No
Ms. Diane Porter	Yes
Dr. Lisa Willner	Absent

**Order #2017-167 - Motion Failed:** Mr. Chris Brady moved and Mrs. Linda Duncan seconded a motion that the job description for the deeper learning resource teacher position that was approved on May 9, 2017, be changed from "260 days" to "210 days with the availability of extended days if needed, not to exceed 260 days, as approved by the Board."

Ms. Hardin and Ms. Armour explained the differences between a job description for a particular position and an organizational chart that includes such a position, and they stated that it should not be necessary to change the number of days in the job description because the extended days, not to exceed 260 days, can be added by the administration in accordance with the motion that was passed earlier in the meeting.

A vote was taken on the motion, as follows:

Mr. Chris Brady	Yes
Mrs. Linda Duncan	Yes
Mr. Benjamin Gies	No
Mrs. Stephanie Horne	No
Dr. Christopher Kolb	No
Ms. Diane Porter	No
Dr. Lisa Willner	Absent

**Order #2017-168 - Motion Passed:** A motion that the Board of Education approve Item IX.R. Recommendation for Approval of Tentative Budget for Fiscal Year 2017–18 passed with a motion by Mrs. Stephanie Horne and a second by Mr. Chris Brady.

Mr. Chris Brady	Yes
Mrs. Linda Duncan	No
Mr. Benjamin Gies	Yes
Mrs. Stephanie Horne	Yes
Dr. Christopher Kolb	Yes
Ms. Diane Porter	Yes
Dr. Lisa Willner	Absent

**Order #2017-169 - Motion Passed:** A motion that the Board of Education approve item IX.C. Recommendation for Approval of Job Descriptions passed with a motion by Dr. Christopher Kolb and a second by Mrs. Stephanie Horne.

Mr. Chris Brady	Yes
Mrs. Linda Duncan	Yes
Mr. Benjamin Gies	Yes
Mrs. Stephanie Horne	Yes
Dr. Christopher Kolb	Yes
Ms. Diane Porter	Yes
Dr. Lisa Willner	Absent

Ms. Porter requested that the centralization of custodians be analyzed and evaluated after the first year. She has spoken to principals that were not on-board and were not a part of the decision-making process.



Chief Operations Officer Dr. Michael Raisor suggested that a two-year evaluation would be a fairer assessment.

**Order #2017-170 - Motion Passed:** A motion that the Board of Education approve Item IX.U. Recommendation for Approval of Revised School Allocation Standards for Usage in Fiscal Year 2017–18 passed with a motion by Mrs. Linda Duncan and a second by Dr. Christopher Kolb.

Mr. Chris Brady	Yes
Mrs. Linda Duncan	Yes
Mr. Benjamin Gies	Yes
Mrs. Stephanie Horne	Yes
Dr. Christopher Kolb	Yes
Ms. Diane Porter	Yes
Dr. Lisa Willner	Absent

**Order #2017-171 - Motion Passed:** A motion to approve Item IX.BB. Recommendation for Approval of Board Policy (Second Reading) passed with a motion by Mrs. Linda Duncan and a second by Mr. Benjamin Gies.

Mr. Chris Brady	Yes
Mrs. Linda Duncan	Yes
Mr. Benjamin Gies	Yes
Mrs. Stephanie Horne	Yes
Dr. Christopher Kolb	Yes
Ms. Diane Porter	Yes
Dr. Lisa Willner	Absent

#### **X. Board Planning Calendar**

Mrs. Horne asked when they will have discussions regarding Board priorities for 2018–19.

Jonathan Lowe, director of strategy, stated that he hopes to have recommended times for those conversations within the next few weeks.

Mrs. Horne stated that there should be an agenda item on the planning calendar for arts education. The request for that item was made on May 9 from a couple of Board members.

Mr. Lowe stated that it should be on the list of *On Deck* issues.

Mrs. Duncan requested a policy regarding risk management/ethics training for staff.

**Order #2017-172 - 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 Mr. Benjamin Gies and a second by Mrs. Linda Duncan.

Mr. Chris Brady	Yes
Mrs. Linda Duncan	Yes
Mr. Benjamin Gies	Yes
Mrs. Stephanie Horne	No
Dr. Christopher Kolb	Yes
Ms. Diane Porter	Yes
Dr. Lisa Willner	Absent

Dr. Kolb clarified that the May 9 Minutes that are being approved should reflect the approval of four 260-day positions for deeper learning resource teachers.

**Order #2017-173 - Motion Passed:** A motion that the Board of Education approve the minutes of the May 9, 2017, regular meeting, May 11, 2017, special meeting, and May 16, 2017, special meeting passed with a motion by Dr. Christopher Kolb and a second by Mrs. Stephanie Horne.

Mr. Chris Brady	Yes
Mrs. Linda Duncan	Yes
Mr. Benjamin Gies	Yes
Mrs. Stephanie Horne	Yes
Dr. Christopher Kolb	Yes
Ms. Diane Porter	Yes
Dr. Lisa Willner	Absent

## **XI. Board Reports**

Mr. Gies thanked principals, teachers, support staff, and all those who made this school year what it was.

Ms. Porter discussed: the work transition program at Ahrens Educational Resource Center and acknowledged their collaboration with the community; Heuser Hearing and Language Academy's production of *The Little Red Hen*; the Street Academy Ceremony at the Muhammad Ali Center; a chess tournament at Byck Elementary School; the Whitney M. Young Scholars Program; a press conference for the National Center for Families Learning; and the Carole King Musical *Beautiful* at Kentucky Center for the Arts. She then gave a shout-out to Chief Operations Officer Dr. Michael Raisor and Texas Roadhouse for their work at Byck Elementary School. Byck students received a party from Texas Roadhouse to celebrate having good attendance all school year. She concluded her report by discussing the recent violence in our city and urged the community to come together to keep kids busy and engaged when not in school.

Chair Brady thanked teachers and congratulated this year's graduating class.

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

Public speakers came forward earlier in the meeting.

## **XIII. Executive Session**

The Board entered executive session at approximately 10 p.m.

**Order #2017-174 - Motion Passed:** A motion that the Board of Education conduct an executive session for the purpose of discussions relating to collective bargaining negotiations as permitted by KRS 61.810(1)(e) passed with a motion by Dr. Christopher Kolb and a second by Mr. Benjamin Gies.

Mr. Chris Brady	Yes
Mrs. Linda Duncan	Yes
Mr. Benjamin Gies	Yes
Mrs. Stephanie Horne	Yes
Dr. Christopher Kolb	Yes
Ms. Diane Porter	Yes
Dr. Lisa Willner	Absent

**Order #2017-175 - Motion Passed:** A motion that the Board of Education adjourn from executive session and return to open session passed with a motion by Ms. Diane Porter and a second by Dr. Christopher Kolb.

Mr. Chris Brady	Yes
Mrs. Linda Duncan	Yes
Mr. Benjamin Gies	Yes
Mrs. Stephanie Horne	Yes
Dr. Christopher Kolb	Yes
Ms. Diane Porter	Yes
Dr. Lisa Willner	Absent

The Board returned to open session at 10:51 p.m.

## **XIV. Adjournment**

The Board Adjourned at 10:56 p.m.

**Order #2017-176 - Motion Passed:** A motion to adjourn the May 23, 2017, meeting of the Jefferson County Board of Education passed with a motion by Mrs. Stephanie Horne and a second by Ms. Diane Porter.

Mr. Chris Brady	Yes
Mrs. Linda Duncan	Yes
Mr. Benjamin Gies	Yes
Mrs. Stephanie Horne	Yes
Dr. Christopher Kolb	Yes
Ms. Diane Porter	Yes
Dr. Lisa Willner	Absent

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Chair Chris Brady

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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**