



JEFFERSON COUNTY BOARD OF EDUCATION

Minutes of December 10, 2019

Regular Meeting of the Jefferson County Board of Education held at VanHoose Education Center, Stewart Auditorium, Louisville, Kentucky, on Tuesday, December 10, 2019.

BOARD MEMBERS PRESENT:

Chairwoman Diane Porter

Mr. Chris Brady

Mrs. Linda Duncan

Mr. Corrie Shull

Vice-Chair Chris Kolb

Mr. James Craig

Mr. Joseph Marshall

STAFF MEMBERS PRESENT:

Superintendent Martin A. Pollio, Ed.D.

Kevin Brown, General Counsel

Angie Gilpin, Assistant Secretary to the Board

WORK SESSION

4:30 Work Session: District Union Collaboration

Dr. Saul Rubinstein, Rutgers University, presented information via video conference. Alan Young, resource teacher; James Adams, chief human resources; Tracy Barber, principal; and Brent McKim, president, JCTA; were available to answer questions and provide input.

The presentation covered union-management partnerships, educator collaboration, student performance, teacher retention, and school culture. Each Board member had an opportunity to comment and ask questions.

The work session adjourned at 5:26 p.m. No action was taken.

Order #2019-203 - Motion Passed: A motion to adjourn passed with a motion by Mr. Joseph Marshall and a second by Mr. Chris Brady.

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

EXECUTIVE SESSION

The Board entered into executive session pursuant to KRS 61.810(1)(c) at 5:28 p.m. for a discussion relating to proposed litigation.

Chair Porter made the following statement:

“The Board will now conduct a closed session, as permitted by KRS 61.810(1)(c) of the Open Meetings Act, for the purpose of a discussion relating to proposed litigation. Public discussion of this matter, and identification of the specific matter, would disclose litigation strategy and have an adverse impact upon the legal and financial interests of the District. Action by the Board to authorize the filing of any lawsuit will be conducted in open session.”

Order #2019-204 - Motion Passed: A motion that the Board of Education conduct a closed session, as permitted by KRS 61.810(1)(c) of the Open Meetings Act, for the purpose of a discussion relating to proposed litigation passed with a motion by Mr. Chris Brady and a second by Mr. James Craig.

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

Adjourn from Executive Session

The Board returned to open session at 6:13 p.m. and announced that no action was taken while in closed session.

Order #2019-205 - Motion Passed: A motion that the Board of Education adjourn from Executive Session and return to Open Session passed with a motion by Mr. Joseph Marshall and a second by Mr. Corrie Shull.

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

Chair Porter made the following statement:

“I will now entertain a motion to adopt a resolution authorizing litigation against JUUL and other manufacturers, distributors, and sellers of electronic cigarettes and vaping products.

If there is a motion, I ask the Board member making the motion to read the proposed resolution in its entirety.”

Mr. Brady read the proposed resolution authorizing litigation against JUUL and other manufacturers, distributors, and sellers of electronic cigarettes and vaping products. The resolution was then unanimously adopted.

Order #2019-206 - Motion Passed: A motion to adopt a resolution authorizing litigation against JUUL and other manufacturers, distributors and sellers of electronic cigarettes and vaping products passed with a motion by Mr. Chris Brady and a second by Mr. Joseph Marshall.

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

Adjournment

This session adjourned at 6:19 p.m.

Order #2019-207 - Motion Passed: A motion to adjourn passed with a motion by Mr. James Craig and a second by Mr. Joseph Marshall.

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

REGULAR MEETING

Chair Porter called the December 10, 2019, Regular Meeting of the Board of Education to order at 7:03 p.m.

I. Moment of Silence

II. The Pledge of Allegiance

A. Vision Statement

The vision statement was recited by Vice-Chair Kolb.

B. Constitutional Oath of Office to be Administered to Joseph C. Marshall, Member, District 4

The Honorable Judge Derwin Webb administered the Oath of Office to newly elected Board member for District 4, Joseph Marshall.

III. Recognitions and Resolutions

A. Recognition of JCPS Staff for Their Outstanding Effort in Helping Make the American Association of School Libraries Conference a Success

B. Recognition of JCPS Staff Members Naomi Brahim and Michelle Sircy for Winning Awards from the Kentucky Counseling Association

C. Recognition of JCPS District Health Coordinator Eva Stone for Being Named 2019 Nurse of the Year by the Kentucky Nurses Association

D. Recognition of JCPS Budget Executive Administrator John Collopy for Receiving the Pinnacle of Excellence Award from the Association of School Business Officials International.

E. Recognition of JCPS Bus Driver Jeanetta Carr for Showing Compassion and Being A Champion of the District's CORE Values

F. Recognition of Students from Butler Traditional, duPont Manual, Pleasure Ridge Park, Southern and Western High Schools for being named 2018 Youth Character Award winners from the YMCA of Greater Louisville

Order #2019-208 - Motion Passed: Superintendent Martin Pollio recommends the Board of Education receive the recognitions and resolutions for December 10, 2019. The recommendation passed with a motion by Mr. James Craig and a second by Mr. Chris Brady.

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

IV. Recommendation for Approval of Meeting Agenda

Order #2019-209 - Motion Passed: Superintendent Martin Pollio recommends the Board of Education approve the agenda for December 10, 2019. The recommendation passed with a motion by Mr. Joseph Marshall and a second by Mr. James Craig.

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

V. Recommendation for Approval of Minutes of Previous Meeting

Order #2019-210 - Motion Passed: Superintendent Martin Pollio recommends the Board of Education approve the minutes of the November 26, 2019, regular meeting. The recommendation passed with a motion by Mr. Joseph Marshall and a second by Mr. James Craig.

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

VI. Superintendent's Report

Dr. Pollio began his report by thanking Board members and staff for their work throughout the past year. He looked ahead and acknowledged that 2020 will be a pivotal year for the District. He briefly touched on some upcoming initiatives: student assignment decisions, school security, facility needs, new schools, a teacher residency program, and a new strategic plan.

VII. Persons Requesting to Address the Board

Terri White and Jessica Dueñas spoke in favor of extending the W.E.B. DuBois Academy to serve grades six through twelve.

Gay Adelman discussed the need to improve parental involvement/partnerships and urged the Board to add the following to the Board's Legislative Agenda: restoring decision-making power to site-based decision-making (SBDM) councils.

Stan Whitaker urged the Board to take action to make schools safe for students and staff.

Marina Gonzales, Mersida Mimms, Michael Mimms, and Jason Gerstorff spoke in opposition to the proposed changes from the Student Assignment Review Committee: the elimination of school-initiated exits from traditional and magnet schools.

VIII. Action Items

A. Recommendation for Approval of the W.E.B. DuBois Academy to Serve Grades Six through Twelve

Dr. John Marshall, chief equity officer; and Robert Gunn, principal; presented the rationale for extending the grades served by the W.E.B. DuBois Academy program to grades six (6) through twelve (12). Each Board member had an opportunity to comment and ask questions.

Mr. Brady was concerned with the lack of discussion and details regarding funding for the expansion of the program. He had reservations with extending the program without more data.

Chair Porter expressed concern for students who are preparing to plan for high school. She stated that they need to know if they can continue in the program or if they will need to look at other options for high school.

Mr. Craig expressed support with the expansion and stated that he is committed to finding a funding source for the program.

Order #2019-211 - Motion Passed: Superintendent Martin Pollio recommends the Board of Education approve the W.E.B. DuBois Academy to serve grades six (6) through twelve (12). The recommendation passed with a motion by Mr. Corrie Shull and a second by Mr. James Craig.

Mr. Chris Brady	Abstain
Mr. James Craig	Yes
Mrs. Linda Duncan	Yes
Dr. Christopher Kolb	Yes
Mr. Joseph Marshall	Yes
Ms. Diane Porter	Yes
Mr. Corrie Shull	Yes

B. Recommendation for Approval of 2020 Legislative Agenda

Amy Dennes, chief of staff; and Abby Piper, executive administrator, Government and Community Relations; briefly presented the 2020 Legislative Agenda. The Agenda passed unanimously without discussion.

Order #2019-212 - Motion Passed: Superintendent Martin Pollio recommends the Board of Education approve the attached 2020 Legislative Agenda. The recommendation passed with a motion by Mrs. Linda Duncan and a second by Mr. James Craig.

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

C. Recommendation for Approval of 2020–21 Budget Priorities

Cordelia Hardin, chief financial officer; and John Collopy, director, Financial Planning and Management; presented the list of budget priorities that was based on feedback received from the Board on November 12, 2019, and information received from JCPS chief administrators and program directors. Each Board member had an opportunity to comment and refine the priority list.

Mrs. Duncan wanted to ensure that there are enough resources to support ESL students and also expressed concern with the lack of schools in west Louisville.

Mr. Brady expressed concern with alternative schools and stated that it is critical to address those needs now.

Chair Porter questioned if something different needs to be done for the schools that have extra funding, stating that something is not working for student learning. It's not about the dollar amount, it's about the services for students. She questioned the financial impact on the District since Head Start went away and OVEC took over. She expressed concerned with providing more supports to new principals. She wants to understand what can be done to meet the needs of our students when parents reach out for help.

Order #2019-213 - Motion Passed: Superintendent Martin Pollio recommends the Board of Education approve the attached budget priorities for fiscal year 2020–21. The recommendation passed with a motion by Mr. Joseph Marshall and a second by Mr. James Craig.

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

IX. Information Items

A. Update on Revenue Advisory Task Force

Cordelia Hardin, chief financial officer; Amy Dennes, chief of staff; and Chris Harmer, Revenue Advisory Task Force member; presented a report focused on generating additional revenue through various tax options. The two primary recommendations were to raise the property tax rate beyond the four percent revenue growth and/or levying a recallable nickel tax. Each Board member had an opportunity to comment and ask questions.

Mrs. Duncan stated that she prefers a recallable nickel tax, reasoning that it may be the best option to gain public support. She requested data regarding 2018 revenue compared to 2019.

Mr. Craig stated that there was a sense of urgency at the Task Force meetings and that most supported the option to go beyond the four percent revenue growth.

Dr. Kolb stated that much of the Task Force discussions were focused on comparing the two options of raising the property tax rate beyond four percent and levying a recallable nickel tax. He let Board members know that there will be more opportunity for questions and discussion at a work session in January.

Mr. Brady expressed a desire to have more detailed information, asking about specific dollar amounts and specific items that need funding. He advised that they must be very clear and upfront with taxpayers. He stated that something must be done but he has concerns with doing both a property tax raise beyond four percent and levying a recallable nickel at the same time.

Chair Porter requested a process be put in place to ensure the Board is informed and understands the long-term effects when voting on tax options. They must understand the ramifications of tax decisions. She also expressed concern with the many facility needs and stated that something must be done to improve school buildings.

Order #2019-214 - Motion Passed: Superintendent Martin Pollio recommends the Board of Education receive an update on the Revenue Advisory Task Force. The recommendation passed with a motion by Mr. Joseph Marshall and a second by Mr. James Craig.

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

X. Consent Calendar

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

- X.P. Acceptance of Monthly Financial Report for Period Ended October 31, 2019
- X.BB. Acceptance of Payment in Lieu of Taxes Agreement with Brown-Forman Corporation

A. Report of Certified Leaves

B. Report of Personnel Actions

C. Recommendation for Approval of Job Descriptions

D. Recommendation for Approval of Organizational Charts

E. Recommendation for Approval of Field Trip Request

F. Recommendation for Approval of Bid for 2019-2020 Asbestos and Lead Maintenance Contract at Various Schools

G. Recommendation for Approval of Project, Assignment of Architect/Engineer, and BG-1 Form for Track Conversion and Resurfacing at Ballard High School

H. Recommendation for Approval of Revised BG-1 Form for Phase I HVAC Renovation at the Academy @ Shawnee

I. Recommendation for Approval of Contract Completions and BG-4 Forms

1. Recommendation for Approval of Contract Completion and BG-4 Form for Site Lighting Replacement at Churchill Park School

- 2.** Recommendation for Approval of Contract Completion and BG-4 Form for Track Resurfacing & Striping at Fairdale High School
- 3.** Recommendation for Approval of Contract Completion and BG-4 Form for Chiller Replacement at Jacob Elementary School
- 4.** Recommendation for Approval of Contract Completion and BG-4 Form for Fire Alarm Replacement at Middletown Elementary School
- J.** Recommendation for Approval of Project Closeouts and BG-5 Forms
 - 1.** Recommendation for Approval of Project Closeout and BG-5 Form for Phase I HVAC Renovation at Crums Lane Elementary School
 - 2.** Recommendation for Approval of Project Closeout and BG-5 Form for Partial Roof Replacement at Dixie Elementary School
- K.** Recommendation for Approval of Construction Change Orders
- L.** Recommendation for Approval of Bid Tabulations, Contract Renewals, and Amendments
- M.** Recommendation for Approval of Professional Services Contracts of \$20,000 or More
- N.** Acceptance of Summary of Professional Services Contracts of \$20,000 or More
- O.** Acceptance of Summary of Professional Services Contracts less than \$20,000
- P.** Acceptance of Monthly Financial Report for Period Ended October 31, 2019
- Q.** 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
- R.** Acceptance of Donations, Grants, and Funding
 - 1.** Acceptance of Donations and Small Grants
 - 2.** Acceptance of First Offer of Assistance from the Kentucky School Facilities Construction Commission Education Technology Funding Program
 - 3.** Acceptance of Funding from The Food Literacy Project at Oxmoor Farm, Inc.
 - 4.** Acceptance of Funding from the Kentucky Department of Education for the Office of Transition Readiness
 - 5.** Acceptance of Funding from the Kentucky Governor's Office of Early Childhood
 - 6.** Acceptance of Funding from The Cabinet of Education and Workforce Development (KYAE)
 - 7.** Acceptance of Modification in Funding from The Greater Louisville Workforce Development Board, Inc., dba Compass Rose for the Kentucky Youth Center (KYCC-Compass Rose)
 - 8.** Acceptance of a Modification in Funding from The Greater Louisville Workforce Board, Inc. dba REIMAGE for the Kentucky Youth Career Center (KYCC-REIMAGE)
 - 9.** Acceptance of Funding from the Jefferson County Public Education Foundation
- S.** Recommendation for Approval of Submission of Grant Application for Family Resource and Youth Services Centers
- T.** Recommendation for Approval of Agreements
 - 1.** Recommendation for Approval of Memorandum of Agreement with Creative Spirits Ministries
 - 2.** Recommendation for Approval of Clever Inc.-JCPS Data Sharing Agreement
 - 3.** Recommendation for Approval of SchoolCNXT-JCPS Data Sharing Agreement
 - 4.** Recommendation for approval of Memorandum of Agreement with Kilgore Samaritan Counseling
 - 5.** Recommendation for Approval of Memorandum of Agreement with SAFY of Louisville

- 6. Recommendation for Approval of Memorandum of Agreement with StepStone Family & Youth Services
- 7. Recommendation for Approval of Memorandum of Agreement with Western Kentucky University for the Principal Certification Program
- 8. Recommendation for Approval of Agreement with the Kentucky Department of Education for Education Recovery Leader
- U. Recommendation for Approval of 2019–20 Comprehensive District Improvement Plan
- V. Recommendation for Approval of Revised Regular Board Meeting Schedule for 2020
- W. Recommendation for Approval of Shortened School Day for Three Exceptional Child Education Students
- X. Adoption of Revised Board Policy 09.434 Suspension (Second Reading)
- Y. Adoption of Revised Board Policy 09.43 Student Disciplinary Processes (Second Reading)
- Z. Adoption of Revised Board Policy 01.45 Board Meeting Agenda (Second Reading)
- AA. Adoption of Revised Board Policy 03.4 Substitute Teachers (Second Reading)
- BB. Acceptance of Payment in Lieu of Taxes Agreement with Brown-Forman Corporation

Order #2019-215 - Motion Passed: A motion that the Board of Education approve the consent calendar for December 10, 2019, minus items *X.P. Acceptance of Monthly Financial Report for Period Ended October 31, 2019*, and *X.BB. Acceptance of Payment in Lieu of Taxes Agreement with Brown-Forman Corporation* passed with a motion by Mr. Chris Brady and a second by Mr. Joseph Marshall.

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

• **X.P. Acceptance of Monthly Financial Report for Period Ended October 31, 2019**

Mr. Brady questioned the *Comparative Revenues by Month* graph within the Financial Report. He was surprised to see lower revenue compared to previous years and asked if there is something the Board needs to be aware of. Ms. Hardin provided an explanation and offered to send more details on the report.

Order #2019-216 - Motion Passed: A motion that the Board of Education approve consent item *X.P. Acceptance of Monthly Financial Report for Period Ended October 31, 2019*, passed with a motion by Mrs. Linda Duncan and a second by Mr. James Craig.

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

- **X.BB. Acceptance of Payment in Lieu of Taxes Agreement with Brown-Forman Corporation**

Mr. Brady questioned why the Board is accepting this agreement and wanted to ensure that the District is not missing out on a larger payment by accepting this one. Mrs. Hardin and Mr. Brown provided an explanation and stated that there will not be an opportunity to receive additional funds.

Order #2019-217 - Motion Passed: A motion that the Board of Education approve consent item *X.BB. Acceptance of Payment in Lieu of Taxes Agreement with Brown-Forman Corporation* passed with a motion by Mr. James Craig and a second by Mr. Joseph Marshall.

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

XI. Board Planning Calendar

There was no discussion regarding the planning calendar.

Order #2019-218 - Motion Passed: Superintendent Martin Pollio recommends the Board of Education receive for information a planning calendar outlining discussion agenda items. The recommendation passed with a motion by Mr. Joseph Marshall and a second by Mr. James Craig.

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

XII. Committee Reports

There were no committee reports.

XIII. Board Reports

Mr. Craig discussed the Crosby Middle School Winter Concert. He then briefly discussed a report from the Metropolitan Housing Coalition.

Mrs. Duncan encouraged schools to take advantage of the program that retired JCPS Principal Opal Dawson conducts called goIT.

Chair Porter discussed YPAS's fall musical "Mamma Mia!" She then discussed the recent community forum about the student assignment plan at Louisville Urban League.

XIV. Persons Requesting to Address the Board

Not needed

XV. Executive Session

Not needed

XVI. Action Item

Not needed

XVII. Adjournment

The meeting adjourned at 10:00 p.m.

Order #2019-219 - Motion Passed: A motion to adjourn the December 10, 2019, meeting of the Jefferson County Board of Education passed with a motion by Mr. James Craig and a second by Mr. Joseph Marshall.

Mr. Chris Brady	Yes
Mr. James Craig	Yes
Mrs. Linda Duncan	Yes
Dr. Christopher Kolb	Yes
Mr. Joseph Marshall	Yes
Ms. Diane Porter	Yes
Mr. 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**