



JEFFERSON COUNTY BOARD OF EDUCATION
Minutes of Special Business Meeting of August 18, 2020

Special Business Meeting of the Jefferson County Board of Education
held via Video Teleconference, on Tuesday, August 18, 2020

BOARD MEMBERS PRESENT:

Chairwoman Diane Porter
Mr. Chris Brady
Mrs. Linda Duncan
Dr. Corrie Shull

Vice-Chair Chris Kolb
Mr. James Craig
Mr. Joseph Marshall

STAFF MEMBERS PRESENT:

Superintendent Martin A. Pollio, Ed.D.
Jimmy Adams, Chief Human Resources
Dr. Alicia Averette, Assistant Superintendent
Dr. Kermit Belcher, Chief Information Officer
Kim Chevalier, Chief of Exceptional Child Education
Dr. Carmen Coleman, Chief Academic Officer
Cordelia Harden, Chief Financial Officer
Chris Perkins, Chief Operations Officer
Jerry Wyman, Director of Athletics

In light of the Governor having declared a state of emergency within the Commonwealth on March 6, 2020, as a result of the COVID-19 outbreak and in compliance with guidance issued by the Executive Branch on March 12 and 16, 2020, regarding the conduct of meetings of state boards and commissions during the emergency period, this meeting was conducted by video-teleconference and available for live public viewing online.

The guidance from the Executive Branch provided that all Kentucky Boards and Commissions take proper health precautions to mitigate the spread of COVID-19 and accordingly, with respect to the public attendance at meetings of said bodies, states “members of the public will only be able to view video-teleconferenced meetings remotely.”

6:00 p.m. Executive Session

The Board conducted a closed session for the purpose of discussions relating to pending and proposed litigation as permitted by KRS 61.810(1)(c) of the Kentucky Open Meetings Act.

I. Call to Order

Chair Porter called the August 18, 2020, Special Meeting of the Board of Education to order at 6:00 p.m. and they went directly into closed executive session.

II. Enter into Executive Session Pursuant to KRS 61.810(1)(c)

Order #2020-108 - Motion Passed: A motion that the Board of Education conduct a closed session for the purpose of discussions relating to pending and proposed litigation as permitted by KRS 61.810(1)(c) of the Kentucky Open Meetings Act 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
Dr. Corrie Shull	Yes

III. Adjourn from Executive Session

Order #2020-109 - Motion Passed: A motion that the Board of Education adjourn from Executive Session and return to Open Session passed with a motion by Mr. James Craig and a second by Dr. 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
Dr. Corrie Shull	Yes

At 6:53 p.m. the Board returned to open session and Chair Porter made the following announcement:

“The Board of Education met in Executive Session for the purpose of discussions relating to pending and proposed litigation as permitted by KRS 61.810(1)(c) of the Kentucky Open Meetings Act and no action was taken”

The Board then took action to authorize Superintendent Marty Pollio to take all steps necessary, including the filing of legal action, to challenge the recent certification by the Jefferson County Clerk that a sufficient number of valid signatures of qualified Jefferson County voters were submitted to place the Board’s recent tax levy on the November election ballot for a potential recall.

Order #2020-110 - Motion Passed: A motion that the Jefferson County Board of Education authorize Superintendent Marty Pollio to take all steps necessary, including the filing of legal action, to challenge the recent certification by the Jefferson County Clerk that a sufficient number of valid signatures of qualified Jefferson County voters were submitted to place the Board’s recent tax levy on the November election ballot for potential recall pursuant to KRS 132.017 passed with a motion by Mr. James Craig and a second by Dr. Christopher Kolb.

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

IV. Adjournment

The Board adjourned the 6:00 p.m. special meeting by consensus at 6:59.

SPECIAL BUSINESS MEETING

I. Call to Order

Chair Porter called the Special Business Meeting of the Board of Education to order at 7:00 p.m.

II. Recommendation for Approval of Meeting Agenda

Order #2020-111 - Motion Passed: Superintendent Martin Pollio recommends the Board of Education approve the agenda for August 18, 2020. 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
Dr. Corrie Shull	Yes

III. Recommendation for Approval of Minutes of Previous Meeting

Order #2020-112 - Motion Passed: Superintendent Martin Pollio recommends the Board of Education approve the minutes of the August 4, 2020, special 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
Dr. Corrie Shull	Yes

IV. Superintendent's Report

Dr. Pollio discussed the recent announcement from Evolve502 regarding scholarships that will allow eligible students to begin postsecondary studies tuition-free at any Kentucky Community and Technical College school or Simmons College of Kentucky.

Chair Porter thanked the Board for their hard work and the time that they have put forth during the COVID-19 outbreak. She then thanked teachers and staff and shared a message from a thank you card.

She acknowledged that the Board has received questions regarding public comments during video-conferenced meetings. She stated that public-voice at Board meetings is essential to the work of the District. The Board welcomes feedback from the community and will discuss how to incorporate public comments during virtual meetings. She stated that community members have been able to email or send written comments to the Board secretary which were shared with Board members and then recorded in the Official Meeting Minutes. She stated that they will share information once the Board has a plan on how to incorporate public comments during meetings in an equitable way.

V. Action Items

There were no action items.

VI. Information Items

A. Acceptance of Update on Non-Traditional Instruction (NTI) Implementation for Fall 2020

Dr. Pollio and his team presented an update on the implementation of NTI 2.0. Each Board member had an opportunity to comment and ask questions.

Dr. Kolb expressed concern regarding the current positive COVID-19 test rates. He acknowledged the benefits of school sports but stated that he doesn't see how he can in good conscience go forward with allowing in-person activities/sports except for the ones that are the most tightly controlled and absolutely necessary. He is grateful that the Board is waiting to hear from KHSAA before making a decision.

Mr. Craig acknowledged that the decision on whether or not to hold fall sports is very difficult. He expressed hope in allowing some sports with the health of students and staff to be priority. He then questioned the amount of synchronous instruction expected during NTI. He asked how much live instruction would normally occurring during traditional in-school class.

Mr. Marshall questioned the flexibility and timing of schedules requiring students and teachers to be on a computer.

Mr. Brady questioned access to recorded class lessons. He expressed concern with liability and with following proper protocols in learning hubs. He wanted to ensure that all outside organizations are following health guidelines. He then advocated for pushing fall sports to the spring.

Chair Porter stated that she is receiving multiple questions and concerns from parents regarding sports/NTI and requested direction on how to address them. She questioned mental health activities during NTI. She then requested clarification regarding using and funding Learning Hubs. She questioned the use of CARES Funding for purchasing face masks/PPE and the availability of masks/PPE for staff and students. She asked how buses and schools will be sanitized and requested the Board receive more information as they continue to prepare for in-person classes. She questioned the availability of Chromebooks for teachers and requested data regarding hotspot connectivity by district, stating that she has heard of connectivity issues in some areas.

The Board took action on receiving the *Update on Non-Traditional Instruction Implementation for Fall 2020* later in the meeting.

B. Acceptance of Progress Report on the JCPS Final Corrective Action Plan

Dr. Pollio presented the report. Each Board member had an opportunity to comment and ask questions.

Mr. Craig and Dr. Kolb acknowledged the amount of work that has gone into the Corrective Action Plan and thanked JCPS staff for their continued efforts.

Order #2020-113 - Motion Passed: Superintendent Martin Pollio recommends the Board of Education receive a progress report regarding the JCPS Final Corrective Action Plan. The recommendation passed with a motion by Dr. Corrie Shull 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
Dr. Corrie Shull	Yes

Order #2020-114 - Motion Passed: A motion that the Board of Education receive an update on the implementation of NTI for the start of the 2020-21 school year passed with a motion by Mrs. Linda Duncan 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
Dr. Corrie Shull	Yes

C. Acceptance of Report on English as a Second Language (ESL)

Dr. Pollio and his team presented the report. Each Board member had an opportunity to comment and ask questions.

Dr. Kolb wanted to understand what ESL supports are available in all schools. He wanted to ensure that teachers have the necessary resources and support.

Mrs. Duncan asked for details regarding support available to principals. She requested data showing the percent of ESL students who also require ECE/special services.

Dr. Shull wanted to ensure that the District is building capacity as the number of ESL students continues to increase.

Mr. Craig asked how they will judge their success going forward. He questioned resources and wanted to ensure they are meeting all needs and hitting all benchmarks. He requested ongoing reports detailing ESL staffing/vacancies. He then asked for clarification regarding organizational chart revisions.

Chair Porter discussed two public comment letters that were shared with the Board. She questioned the staffing plan for the upcoming school year and asked if the summer program is still possible.

Order #2020-115 - Motion Passed: Superintendent Martin Pollio recommends the Board of Education receive a report on English as a Second Language. The recommendation passed with a motion by Mr. James Craig and a second by Dr. Christopher Kolb.

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

VII. Consent Calendar

- 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 Project Closeouts and BG-5 Forms
 - 1. Recommendation for Approval of Project Closeout and BG-5 Form for Site Lighting at Churchill Park School
 - 2. Recommendation for Approval of Project Closeout and BG-5 Form for Fire Alarm Replacement at Middletown Elementary School
- F. Recommendation for Approval of Construction Change Orders
- G. Recommendation for Approval of Bid Tabulations and Contract Renewals.
- H. Recommendation for Approval of Professional Services Contracts of \$20,000 or More
- I. Acceptance of Summary of Professional Services Contracts

- J. 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**
- K. Acceptance of Monthly Financial Report for Period Ended June 30, 2020**
- L. Acceptance of Quarterly Report of Investment Performance**
- M. Acceptance of Donations, Grants, and Funding**
 - 1. Acceptance of Donations and Small Grants**
 - 2. Acceptance of Flexible Focus Funds from the Kentucky Department of Education**
 - 3. Acceptance of School-Based Mental Health Funding**
- N. Recommendation for Approval of Agreements**
 - 1. Recommendation for Approval of the Memorandum of Agreement with Elizabethtown Community & Technical College and JCS High Schools**
 - 2. Recommendation for Approval of Third-Party Cooperative Agreement with Kentucky Office of Vocational Rehabilitation for Post-School Transition Services**
 - 3. Recommendation for Approval of the Memorandum of Agreement with Morehead State University for Dual Credit**
 - 4. Recommendation for Approval of the Memorandum of Agreement with Spalding University for Dual Credit**
 - 5. Recommendation for Approval of Grant Agreement Extension from New America and the Partnership to Advance Youth Apprenticeships**
 - 6. Recommendation for Approval of Data Sharing Agreements**
 - a. Recommendation for Approval of JCS Data Sharing Agreement with BrightBytes**
 - b. Recommendation for Approval of JCS Data Sharing Agreement with Business U**
 - c. Recommendation for Approval of JCS Data Sharing Agreement with Collabra**
 - ~~**d. WITHDRAWN: Recommendation for Approval of JCS Data Sharing Agreement with Edmentum Inc.**~~
 - e. Recommendation for Approval of JCS Data Sharing Agreement with Edmentum Inc.**
 - f. Recommendation for Approval of JCS Data Sharing Agreement with IXL Learning**
 - g. Recommendation for Approval of JCS Data Sharing Agreement with Pioneer Valley Educational Press**
 - h. Recommendation for Approval of JCS Data Sharing Agreement with Texthelp**
 - ~~**i. WITHDRAWN: Recommendation for Approval of JCS Data Sharing Agreement with ThinkCERCA, Inc.**~~
 - j. Recommendation for Approval of JCS Data Sharing Agreement with Zearn**
 - k. Recommendation for Approval of JCS Data Sharing Agreement with Cengage Learning**
 - l. Recommendation for Approval of JCS Data Sharing Agreement with Instructure**
- O. Recommendation for Approval of Indirect Cost Rates for Fiscal Year 2020-21**
- P. Recommendation for Approval of Comprehensive Financial Planning Calendar**
- Q. Acceptance of Report on the Required KAR Board Notification of Data Security**
- R. Recommendation for Approval of Early Admission into the Primary School Program**
- S. Recommendation for Approval of Finding to Add New West End Middle School to the District's Facility Plan**
- T. Adoption of Revised Board Policies 10.4 Business Partnership Recognition and Advertising in Schools and 05.11 School Property - Naming of Facilities and Alterations (First Reading)**

U. Recommendation for Adoption of a Resolution Authorizing COVID-19 Related Emergency Leave for the 2020-21 School Year

V. Adoption of Board Policies 03.1233 Child Rearing/Adoption Leave (Certified) and 03.2233 Child Rearing/Adoption Leave (Classified) (First Reading)

W. Adoption of Board Policies Relating to Implementation of Federal Title IX Regulations (First Reading)

X. Adoption of Board Policy 09.2211 Employee Reports of Criminal Activity (First Reading)

Y. Recommendation for Approval of 2020-2021 NTI 2.0 Assessment and Grading Recommendations and Guidance (For Non-Traditional Instruction during the COVID-19 Crisis)

Chair Porter pulled down the following items for discussion and a separate vote:

- VII.C. Recommendation for Approval of Job Descriptions
- VII.D. Recommendation for Approval of Organizational Charts

Order #2020-116 - Motion Passed: A motion that the Board of Education approve the consent calendar for August 18, 2020, minus items VII.C. Recommendation for Approval of Job Descriptions and VII.D. Recommendation for Approval of Organizational Charts 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
Dr. Corrie Shull	Yes

VII.C. Recommendation for Approval of Job Descriptions

Chair Porter wanted clarification regarding the work of the Executive Administrator ESL /Academic Support Programs and Special Populations. She questioned the rationale for the minimum qualifications required for the job which narrows the number of people who can apply for the position.

Mrs. Duncan questioned the intake/staffing process and the structure in place to support the work of the previous director position.

Mr. Craig stated that he supports the changes but wanted to ensure that they continue to monitor and evaluate ESL staffing.

Chair Porter requested a report from the Diversity Hiring Specialist to help the Board understand recent changes in staffing. She stated that she is voting no until she has clarification on the changes.

Order #2020-117 - Motion Passed: A motion that the Board of Education approve consent item VII.C. Recommendation for Approval of Job Descriptions passed with a motion by Dr. Christopher Kolb and a second by Mrs. Linda Duncan.

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

▪ **VII.D. Recommendation for Approval of Organizational Charts**

Chair Porter requested clarification on the organizational chart revisions to help the Board understand the workload. She stated that she will vote no until she has more information from the Diversity Hiring Specialist.

Order #2020-118 - Motion Passed: A motion that the Board of Education approve consent item VII.D. Recommendation for Approval of Organizational Charts passed with a motion by Dr. Christopher Kolb 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	No
Dr. Corrie Shull	Yes

VIII. Board Planning Calendar

Mr. Craig asked for clarification on the plan for when the Board will decide on fall sports since the KHSAA meeting will be this coming week. Dr. Pollio stated that they may need to call a special meeting depending on the outcome of the KHSAA meeting.

Order #2020-119 - 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 Mrs. Linda Duncan 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
Dr. Corrie Shull	Yes

IX. Committee Reports

There were no committee reports.

X. Board Reports

Mr. Craig took a moment to acknowledge the stress that everyone is under with the upcoming implementation of NTI and the COVID-19 pandemic.

Chair Porter discussed the Grace James Academy of Excellence Virtual Back to School Kick-Off and gave a shout-out to Principal Rhonda Cosby and her staff.

XI. Executive Session (If Needed)

XII. Action Item (If Needed)

XIII. Adjournment

The meeting adjourned at 9:42 p.m.

Order #2020-120 - Motion Passed: A motion to adjourn the August 18, 2020, 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
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**