



# **JEFFERSON COUNTY BOARD OF EDUCATION**

## **Minutes of Special Meeting of October 20, 2020**

**Special Meeting** of the Jefferson County Board of Education held via Video Teleconference, on Tuesday, October 20, 2020, at 6 p.m.

### **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  
Kevin Brown, General Counsel  
Dr. Kermit Belcher, Chief Information Officer  
Kim Chevalier, Chief Exceptional Child Education  
Dr. Carmen Coleman, Chief Academic Officer  
Dr. Dena Dossett, Chief Accountability, Research, & Systems Improvement  
Cordelia Hardin, Chief Financial Officer  
Dr. John Marshall, Chief Equity Officer  
Renee Murphy, Chief Communications and Community Relations Officer  
Chris Perkins, Chief Operations Officer  
Eva Stone, Health Coordinator

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.”

Members of the public had the opportunity to voice opinions or express concerns by submitting remarks via email or mail.

## **SPECIAL MEETING**

### **I. Call to Order**

Chair Porter called the October 20, 2020, Special Meeting of the Board of Education to order at 6 p.m.

### **II. Enter into Executive Session per KRS 61.810(1)(c)**

The purpose of the closed session was for discussion of and possible action on proposed litigation.

Chair Porter made the following announcement:

“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 #2020-154 - Motion Passed:** A motion that the Board of Education conduct a closed session for the purpose of discussions relating to 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 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     | Yes |
| Dr. Corrie Shull     | Yes |

### **III. Adjourn from Executive Session and Return to Open Session**

The Board returned to open session at approximately 6:50 p.m.

**Order #2020-155 - Motion Passed:** A motion to adjourn closed session and return to open session passed with a motion by Mr. Chris Brady and a second by Dr. Corrie Shull.

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|----------------------|-----|
| 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 |

Chair Porter made the following announcement:

“The Board of Education met in Executive Session to discuss proposed litigation pursuant to KRS 61.810(1)(c) of the Open Meetings Act and no action was taken while in closed session.”

#### IV. Possible Consideration of a Motion on Proposed Litigation

Chair Porter made the following announcement:

“I will now entertain a motion to adopt a resolution authorizing participation in the “Multi-District Litigation” against pharmaceutical manufacturers, distributors and marketers of opioid pain medications 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. Craig read the resolution aloud.

**Order #2020-156 - Motion Passed:** A motion to adopt a resolution authorizing participation in the “Multi-District Litigation” against pharmaceutical manufacturers, distributors and marketers of opioid pain medications and vaping products passed with a motion by Mr. James Craig and a second by Mr. Chris Brady.

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|----------------------|-----|
| 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 |

#### V. Recommendation for Approval of Project, BG-1 Form, and Purchase of Land for the New Elementary School – West Broadway Corridor

Dr. Pollio introduced this item and Chris Perkins, chief operations officer, discussed the construction of a modern 21<sup>st</sup> Century elementary school in West Louisville. Each Board member had an opportunity to comment and ask questions.

Chair Porter stated that she would meet with Mr. Perkins individually to get more details, noting the importance of student safety and community input.

**Order #2020-157 - Motion Passed:** Superintendent Martin Pollio recommends the Board of Education approve the project, the BG-1 form for an estimated cost of \$19,664,000, and the purchase of land at 1720 West Broadway in the amount of \$1,409,570.24 for the New Elementary School – West Broadway Corridor. The recommendation passed with a motion by Dr. Corrie Shull and a second by Mr. Chris Brady.

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|----------------------|-----|
| 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 |

## **VI. A New Way Forward: Back to School Plans**

Dr. Pollio and his team presented an update on plans for a possible return to in-person school and the concurrent implementation of the JCPS Virtual Academy. Dr. Pollio noted the escalating COVID-19 incidence rate and stated that the U.S. Centers for Disease Control and Prevention and the White House show Jefferson County in high categories of transmission rates. Each Board member had an opportunity to comment and ask questions.

Mrs. Duncan expressed hope with the plans and asked for clarification on student hand washing; bus depot transfers; lesson plans; and face mask enforcement.

Mr. Marshall expressed enthusiasm with the planning and asked about transitioning from a hybrid model to a normal schedule for in-person learning. He was interested in learning how the Virtual Academy would look compared to the current NTI.

Mr. Craig questioned if the hybrid model would work better at elementary schools with higher percentages of families who opt for in-person instruction. He asked about transportation for students who need to leave school due to a fever. He asked for clarification on medical waivers and wondered if it would be possible to require students without masks to enroll in the Virtual Academy. He then asked when staff members who are working remotely would be required to return to their building. He concluded by stating that he thinks the Board should have an in-person meeting when the time comes to consider a possible date to return to in-person instruction.

Dr. Shull requested details regarding teacher expectations while working in a hybrid model. He asked about the process for students who may have to miss in-person instruction due to self-quarantine. He wanted to ensure there would be a process in place to deal with students who refuse to wear a face mask.

Mr. Brady wanted to ensure that face masks would be mandatory for staff members who choose to wear a face shield. He requested clarification on face mask medical waivers and about staffing for isolation rooms. He then asked for transition details and was specifically concerned for students who are transitioning with IEPs. He wanted to understand the criteria that would trigger a return to NTI and suggested the District have written criteria since there is no clear benchmark.

Chair Porter asked for details regarding the development of individual school plans. She asked about partnerships with local health care providers. She wanted to ensure that all students now have the capability of logging in and working virtually.

Dr. Kolb acknowledged frustration among families who want to return to in-person instruction and stated that he doesn't see hope in returning until the Governor and Mayor implement limitations to help contain the spread of COVID-19.

Mr. Brady asked about the possibility of a testing plan. He urged the administration to have a date in which they would call for the continuation of NTI for the remainder of the calendar/school year to help families make accommodations.

**Order #2020-158 - Motion Passed:** Superintendent Martin Pollio recommends the Board of Education receive an update regarding Back-to-School Plans. The recommendation passed with a motion by Mr. James Craig and a second by Dr. Corrie Shull.

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|----------------------|-----|
| 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. Adjournment**

The meeting adjourned at 8:56 p.m.

**Order #2020-159 - Motion Passed:** A motion to adjourn the October 20, 2020 meeting at 8:56 p.m. 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 |

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Diane Porter  
Chairwoman

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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**