



JEFFERSON COUNTY BOARD OF EDUCATION

Minutes of Meeting of January 19, 2021

Regular Business Meeting of the Jefferson County Board of Education held
via Video Teleconference, on Tuesday, January 19, 2021

BOARD MEMBERS PRESENT:

Chairwoman Diane Porter

Mr. James Craig

Mr. Joseph Marshall

Dr. Corrie Shull

Vice-Chair Chris Kolb

Mrs. Linda Duncan

Ms. Sarah McIntosh

STAFF MEMBERS PRESENT:

Superintendent Martin A. Pollio, Ed.D.

Kevin Brown, General Counsel

Kim Chevalier, Chief Exceptional Child Education Officer

Cordelia Hardin, Chief Financial Officer

Renee Murphy, Chief Communications and Community Relations 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.

4:30 p.m. EXECUTIVE SESSION

The purpose of the Executive Session was for the Board to have a preliminary discussion regarding the Superintendent Evaluation and for a discussion regarding pending litigation pursuant to KRS 61.810(1)(k) and KRS 61.810(1)(c) of the Kentucky Open Meetings Act.

I. Call to Order

Chair Porter called the January 19, 2021, Meeting of the Board of Education to order at 4:35 p.m. and went immediately into closed session.

II. Enter into Executive Session per KRS 61.810(1)(c) and KRS 61.810(1)(k) of the Kentucky Open Meetings Act

Order #2021-11 - Motion Passed: A motion that the Board of Education conduct a closed session as permitted by KRS 61.810(1)(c) and KRS 61.810(1)(k) of the Open Meetings Act, for the purpose of discussions relating to pending litigation and formative discussions of the Superintendent's Evaluation passed with a motion by Mr. James Craig and a second by Mrs. Linda Duncan.

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

III. Adjourn from Executive Session

The Board returned to open session at approximately 6:08 p.m.

IV. Possible Consideration of a Motion on Pending Litigation

No action was taken.

V. Adjournment

The 4:30 Special Meeting adjourned at 6:08 p.m.

Order #2021-12 - Motion Passed: A motion to adjourn the Special Meeting passed with a motion by Mr. James Craig and a second by Dr. Corrie Shull.

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

6:00 p.m. REGULAR BUSINESS MEETING

I. Call to Order

Chair Porter called the January 19, 2021, Regular Business Meeting to order at 6:09 p.m.

II. Recommendation for Approval of Meeting Agenda

Order #2021-13 - Motion Passed: Superintendent Martin Pollio recommends the Board of Education approve the agenda for January 19, 2021. The recommendation passed with a motion by Mr. James Craig and a second by Mr. Joseph Marshall.

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

III. Recommendation for Approval of Minutes of Previous Meeting

Order #2021-14 - Motion Passed: Superintendent Martin Pollio recommends the Board of Education approve the minutes of the January 5, 2021, regular meeting. The recommendation passed with a motion by Mr. Joseph Marshall and a second by Dr. Christopher Kolb.

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

IV. Superintendent's Report

Dr. Pollio highlighted the plan to administer COVID-19 vaccines to JCPS staff. He expressed hope that students will soon be able to return to in-person learning. He then briefly discussed the KDE Management Audit Findings that would be presented later in the meeting. He concluded by discussing the federal financial supports that are being provided to school districts.

V. Action Items

A. Recommendation for Approval of Update on District Response to the COVID-19 Pandemic

Dr. Pollio provided the update regarding the District response to the COVID-19 pandemic and a recommendation to begin winter athletics. Each Board member had an opportunity to comment and ask questions.

Mr. Craig complemented the well-organized plan for staff vaccinations and stated that he is anxious to get students back into classrooms.

Dr. Kolb requested clarification regarding considerations for employees who request reasonable accommodations. He also wanted to ensure that the District would replace damaged Chromebooks for students when needed and suggested communication be sent to schools regarding this issue.

Mrs. Duncan discussed the need to administer the vaccine to coaches as they consider allowing winter athletics to begin. She questioned the waiting period after the second shot and wanted to confirm the earliest return to in-person learning could be mid-March. She expressed concern with the possibility of continued transmission even after the vaccination of staff. She concluded by discussing the need for additional time to reestablish in-person learning for students once they are back in the buildings.

Mr. Marshall asked about the plan to provide special supports and accommodations for ECE students once they return to the classroom. He also questioned short-term and long-term changes that will need to be made for all students as they return to school.

Chair Porter requested more information/clarification regarding bus capacity. She discussed the need to be consistent with safety protocols across all schools. She questioned the process of notifying families of potential virus exposure. She concluded by advising the District to create a quick-guide for families that would cover all the key points regarding safety guidance.

Dr. Kolb expressed great concern with allowing too many students on buses. He then questioned the availability of vaccines for adults helping at the Learning Hubs.

Chair Porter wanted to ensure that substitute teachers would be included with school staff as they begin to receive the vaccine.

Mr. Craig acknowledged that great efforts have been made to ensure that teachers and school staff are next in line to be vaccinated, which should lead the way for schools to reopen. He expressed concern with the idea of continuing NTI after priority has been given to educators. He then went on to discuss winter sports and stated that his opinion is the same as last time. He believes they should begin practices immediately with competitions beginning on February 1.

Chair Porter stated that she would like to hear from all Board members before taking action on Athletics.

A motion to start winter sports practices on January 20 with competitions beginning on February 1 was withdrawn for further discussion with a motion by Mr. Craig.

Dr. Kolb displayed a presentation that included Covid-19 data; CDC recommendations, school indicators, and sports considerations; and effects from Covid-19. He stated that he wants students to play sports but the science just does not support it. He advised that they should not make their decision based on the bad decisions of other districts. He stated that if they go forward with winter sports then they will be adding to more sickness, a longer outbreak, and a higher death toll.

Dr. Shull stated that he is deeply troubled with the push to have athletics in the middle of a health crisis. He expressed concern for the well-being of students, staff, and the community. He acknowledged how the virus caused some teams to be pulled from competitions during fall sports.

Chair Porter discussed the many emails that Board members received regarding the need to allow winter sports. She read one email aloud and acknowledged the mental health concerns for students. She then stated that there would be two votes on this item, one to receive the Update and one regarding Winter Athletics.

Order #2021-15 - Motion Passed: A motion that the Board of Education receive an update regarding the District response to the COVID-19 pandemic. passed with a motion by Dr. Corrie Shull and a second by Mr. James Craig.

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

Dr. Pollio clarified his recommendation and stated that he prefers to start winter sports practices on January 20 with competitions beginning on February 1.

Mr. Marshall stated that it does not make sense that school boards should have to make this decision. He acknowledged that many students are already moving around in the community and playing sports. There needs to be a path forward that can limit risks. He stated that it is the Board's job to do the right thing for students.

Mrs. Duncan agreed that school boards should not be making medical decisions. She stated that they must listen to their constituents and many parents want to try to go forward with sports. She will reluctantly agree with Dr. Pollio's recommendation.

Ms. McIntosh stated that they must do what is best for kids and the value of sports should not be underestimated. She expressed concern for mental health and stated that she supports Dr. Pollio's recommendation.

Dr. Kolb reiterated the facts and evidence of science and advised Board members that if they vote yes to allow athletics then they are saying that they do not believe in the science. He expressed great concern with setting a precedent of not looking at facts and evidence.

Mr. Craig stated that these are very tense times and very difficult decisions. A vote yes does not mean that they want to allow more people to die. He advised that kids are already moving around in the community and sports are not going to curb the spread of COVID-19.

Order #2021-16 - Motion Passed: A motion to start winter sports practices on January 20 with competitions beginning on February 1 passed with a motion by Mr. James Craig and a second by Mr. Joseph Marshall.

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

VI. Information Items

A. Acceptance of Report on the KDE Management Audit Findings and Continuous Improvement Strategies

Dr. Pollio presented the Report. Each Board member had an opportunity to ask questions and provide feedback.

Mr. Craig wanted to ensure that the Board would receive ongoing data and updates to be able to track improvements in the future.

Mrs. Duncan agreed with the need to receive periodic updates and stated that the recommendations are very important.

Chair Porter discussed IDEA funding and the needs of ECE students. She stated that there is a backlog of students who need to be assessed and the District needs to take care of those students as quickly as possible.

Order #2021-17 - Motion Passed: Superintendent Martin Pollio recommends the Board of Education receive a report regarding the KDE Management Audit findings and continuous improvement strategies. The recommendation passed with a motion by Mr. James Craig and a second by Mrs. Linda Duncan.

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

B. Acceptance of the General Fund Draft Budget for Fiscal Year 2021-22

Dr. Pollio introduced this item and Chief Financial Officer Cordelia Harden presented the Draft Budget. Each Board member had an opportunity to comment and ask questions.

Chair Porter questioned how general funds will support professional development and expressed concern with the lack of training at the two Montessori schools in District 1.

Order #2021-18 - Motion Passed: Superintendent Martin Pollio recommends the Board of Education receive the General Fund Draft Budget for Fiscal year 2021-22. The recommendation passed with a motion by Mr. James Craig and a second by Ms. Sarah McIntosh.

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

VII. Consent Calendar

Dr. Pollio advised the Board that he had withdrawn consent item VII.B. Job Descriptions.

A. Report of Personnel Actions

~~B. WITHDRAWN: Recommendation for Approval of Job Descriptions~~

C. Recommendation for Approval of Projects, Assignment of Architect/Engineers, and BG-1 Forms

1. Recommendation for Approval of the Project, Assignment of Architect/Engineer, and BG-1 Form for Wall Addition at Ballard High School

2. Recommendation for Approval of the Project, Assignment of Architect/Engineer, and BG-1 Form for Site Lighting Replacement at Conway Middle School

3. Recommendation for Approval of the Project, Assignment of Architect/Engineer, and BG-1 Form for Wall Addition at Newcomer Academy

D. Recommendation for Approval of Bids and Revised BG-1 Forms

1. Recommendation for Approval of Bid and Revised BG-1 Form for Phase I HVAC Renovation Bid Package III – Roof Replacement at the Academy @ Shawnee

2. Recommendation for Approval of Bid and Revised BG-1 Form for Window Replacement at Hawthorne Elementary School

3. Recommendation for Approval of Bid and Revised BG-1 Form for Wood Door Replacement at Rutherford Elementary School

4. Recommendation for Approval of Bid and Revised BG-1 Form for Window Replacement at Waller-Williams Environmental

5. Recommendation for Approval of Bid and Revised BG-1 Form for Wood Door Replacement at Western Middle School

6. Recommendation for Approval of Bid and Revised BG-1 Form for Window Replacement at Wilder Elementary School

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

- 1.** Recommendation for Approval of Contract Completion and BG-4 Form for Phase I HVAC Renovation at Georgia Chaffee TAPP School
- 2.** Recommendation for Approval of Contract Completion and BG-4 Form for Stadium Light Pole Replacement at Louisville Male High School
- 3.** Recommendation for Approval of Contract Completion and BG-4 Form for Window Replacement at St. Matthews Elementary School
- 4.** Recommendation for Approval of Contract Completion and BG-4 Form for Partial Roof Replacement at Stuart Academy
- F.** Recommendation for Approval of Project Closeout and BG-5 Form for Phase I HVAC Renovation at Phoenix School of Discovery at Jaeger Education Center
- G.** Recommendation for Approval of Construction Change Orders
- H.** Recommendation for Approval of TARC Bus Shelter Easement at Brandeis Elementary School.
- I.** Recommendation for Approval of Bid Tabulations, Contract Renewals, and Amendments.
- J.** Recommendation for Approval of Professional Services Contracts of \$20,000 or More
- K.** Acceptance of Summary of Professional Services Contracts
- L.** 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
- M.** Acceptance of Donations, Grants, and Funding
 - 1.** Acceptance of Donations and Small Grants
 - 2.** Acceptance of Funding from the Kentucky Department of Education for School Security Projects
- N.** Recommendation for Approval of Agreements
 - 1.** Approval of Memorandum of Agreement with Kentucky Department of Education
 - 2.** Recommendation for Approval of California Community Satellite Office Lease Agreement with Louisville Metro Government
 - 3.** Recommendation for Approval of Agreement with St. Matthews Pharmacy
 - 4.** Recommendation for Approval of the Memorandum of Agreement with Western Kentucky University for Dual Credit
- 5.** Recommendation for Approval of JCPS Data Sharing Agreements
 - a.** Recommendation for Approval of JCPS Data Sharing Agreement with Carnegie Learning
 - b.** Recommendation for Approval of JCPS Data Sharing Agreement with The DBQ Company
 - c.** Recommendation for Approval of JCPS Data Sharing Agreement with Hearing Milestones
 - d.** Recommendation for Approval of JCPS Data Sharing Agreement with n2y
 - e.** Recommendation for Approval of JCPS Data Sharing Agreement with National Student Clearinghouse
 - f.** Recommendation for Approval of JCPS Data Sharing Agreement with Nearpod
- O.** Revision of Board Policies 03.11 Hiring (Certified) and 03.21 Hiring (Classified) (First Reading)
- P.** Revision of Set #2 of Board Policies as Part of the District Policy Review Cycle (First Reading)

Order #2021-19 - Motion Passed: Superintendent Martin Pollio recommends the Board of Education approve the consent calendar for January 19, 2021. The recommendation passed with a motion by Mr. Joseph Marshall and a second by Mrs. Linda Duncan.

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

VIII. Board Planning Calendar

There was no discussion regarding the Planning Calendar.

Order #2021-20 - 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. James Craig and a second by Ms. Sarah McIntosh.

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

IX. Committee Reports

There were no committee reports from Board members.

X. Board Reports

Mr. Craig acknowledged the many emails received from teachers. He stated that they appreciate their input and they are taking these issues very seriously.

XI. Executive Session (If Needed)

XII. Action Item (If Needed)

XIII. Adjournment

The January 19, 2021, meeting adjourned at 8:36 p.m.

Order #2021-21 - Motion Passed: A motion to adjourn the January 19, 2021, meeting of the Jefferson County Board of Education passed with a motion by Mr. Joseph Marshall and a second by Mr. James Craig.

Mr. James Craig	Yes
Mrs. Linda Duncan	Yes
Dr. Christopher Kolb	Yes
Mr. Joseph Marshall	Yes
Ms. Sarah McIntosh	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**