



# **JEFFERSON COUNTY BOARD OF EDUCATION**

**Minutes of May 25, 2021**

**Regular Business Meeting** of the Jefferson County Board of Education held at VanHoose Education Center, Louisville, Kentucky, on Tuesday, May 25, 2021.

## **BOARD MEMBERS PRESENT:**

Chairwoman Diane Porter

Mr. James Craig

Mr. Joseph Marshall

Vice-Chair Chris Kolb

Mrs. Linda Duncan

Dr. Corrie Shull

## **BOARD MEMBERS ABSENT:**

Ms. Sarah McIntosh

## **STAFF MEMBERS PRESENT:**

Superintendent Martin A. Pollio, Ed.D.

Dr. Matt Anderson, Executive Administrator, Culture and Climate

Kevin Brown, General Counsel

Dr. Carmen Coleman, Chief Academic Officer

Dr. Katy Deferrari, Assistant Superintendent for School Culture and Climate

Cordelia Hardin, Chief Financial Officer

Robert Moore, Chief of Schools

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, public attendance at this meeting is permitted, however, it was advised that COVID-related mitigation efforts would require a severely reduced seating capacity in Stewart Auditorium to ensure social distancing.

As a result, all interested members of the public were strongly encouraged to view the meeting virtually, which was available for live public viewing online.

## **EXECUTIVE SESSION**

The purpose of this meeting was for Board members to have preliminary and formative discussions regarding the 2020–2021 Evaluation of the Superintendent; discussions relating to collective bargaining negotiations; and discussions relating to pending litigation. Portions of the meeting were closed to the public as provided for under KRS 61.810(1)(k), KRS 61.810(1)(e), and KRS 61.810(1)(c) of the Kentucky Open Meetings Act and KRS 156.557(6)(c).

## **I. Call to Order**

Chair Porter called the special meeting to order at 4:39 p.m. and the Board went into closed session.

## **II. Enter into Executive Session per KRS 61.810(1)(k), KRS 61.810(1)(e), and KRS 61.810(1)(c) of the Kentucky Open Meetings Act and KRS 156.557(6)(c)**

**Order #2021-80 - Motion Passed:** A motion that the Board of Education enter closed session to have preliminary and formative discussions regarding the 2020–2021 Evaluation of the Superintendent; discussions relating to collective bargaining negotiations; and discussions relating to pending litigation as provided for under KRS 61.810(1)(k), KRS 61.810(1)(e), and KRS 61.810(1)(c) of the Kentucky Open Meetings Act and KRS 156.557(6)(c) 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	Absent
Ms. Diane Porter	Yes
Dr. Corrie Shull	Yes

## **III. Adjourn from Executive Session**

**Order #2021-81 - Motion Passed:** A motion that the Board of Education adjourn from Executive Session and return to Open Session passed with a motion by Dr. Corrie Shull 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	Absent
Ms. Diane Porter	Yes
Dr. Corrie Shull	Yes

The Board returned to open session at approximately 6:33 p.m.

Chair Porter made the following announcement:

*The Board of Education met in Executive Session for preliminary and formative discussions regarding the 2020–2021 Evaluation of the Superintendent; discussions relating to collective bargaining negotiations; and discussions relating to pending litigation pursuant to KRS 61.810(1)(k), KRS 61.810(1)(e), and KRS 61.810(1)(c) of the Kentucky Open Meetings Act and KRS 156.557(6)(c).*

*No action was taken while in closed session.*

*Public discussion of the litigation matter, and identification of the specific matter, would have disclosed litigation strategy and have an adverse impact upon the legal and financial interests of the District.*

#### IV. Consideration of Motion Regarding Pending Litigation

Chair Porter made the following statement:

*I will now entertain a motion to authorize Board Counsel to effectuate a settlement in the matter identified in closed session and pursuant to the terms discussed in closed session.*

**Order #2021-82 - Motion Passed:** A motion to authorize Board Counsel to effectuate a settlement in the matter identified in closed session and pursuant to the terms discussed in closed session 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	Absent
Ms. Diane Porter	Yes
Dr. Corrie Shull	Yes

#### V. Adjournment

**Order #2021-83 - Motion Passed:** A motion to adjourn at 6:64 p.m. 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	Absent
Ms. Diane Porter	Yes
Dr. Corrie Shull	Yes

## **REGULAR MEETING**

Chair Porter called the May 25, 2021, Regular Business Meeting to order at 6:35 p.m.

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

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

#### **A. Vision Statement**

Dr. Kolb read the District Vision Statement.

### **III. Recognition of and Presentation from Jefferson County Public Schools Superintendent's Student Advisory Council**

The Superintendent's Student Advisory Council (SSAC) comprises students from high schools across the District. The purpose of the group is to provide the Superintendent and senior staff members with feedback on ways that the District can improve students' overall experience.

Members of the SSAC gave a presentation sharing the results of their efforts regarding the issue of student representation on the Jefferson County Board of Education.

### **IV. Recommendation for Approval of Meeting Agenda**

**Order #2021-84 - Motion Passed:** Superintendent Martin Pollio recommends the Board of Education approve the agenda for May 25, 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	Absent
Ms. Diane Porter	Yes
Dr. Corrie Shull	Yes

### **V. Recommendation for Approval of Minutes of Previous Meeting**

**Order #2021-85 - Motion Passed:** Superintendent Martin Pollio recommends the Board of Education approve the minutes of the May 4, 2021, and May 11, 2021, meetings. 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	Absent
Ms. Diane Porter	Yes
Dr. Corrie Shull	Yes

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

Dr. Pollio briefly discussed end-of-year celebrations and graduation ceremonies and shared a few important accomplishments. He also recognized the four winners of the JCPS scholarship fund and discussed upcoming summer learning programs.

## **VII. Persons Requesting to Address the Board (Deferred to Email Due to COVID Attendance Limitations)**

Due to the reduction in meeting room capacity due to COVID social distancing requirements, and recognizing many members of our community were not yet ready to attend in-person public meetings, in-person comments to the Board were deferred. Members of the public had the opportunity to voice opinions or express concerns by submitting remarks via email.

## **VIII. Action Items**

### **A. Recommendation for Approval of Student Support and Behavior Intervention Handbook Revisions and The Student Bill of Rights**

Board members received a brief presentation summarizing the rationale for the recommended revisions. They each had an opportunity to ask clarifying questions and express concerns.

Mrs. Duncan said, "I've asked questions along the way and I've just not felt comfortable with the responses so I probably will not support these changes." She briefly discuss language that she said is troubling to her and questioned race conscious supports and interventions to reduce disproportionate outcomes; data on restorative practice showing it reduces recidivism/repeat offenses; and no suspension for kindergarten through third-grade. She also questioned funding for these kinds of treatments.

**Order #2021-86 - Motion Passed:** Superintendent Martin Pollio recommends the Board of Education approve the attached Student Support and Behavior Intervention Handbook and The Student Bill of Rights for the 2021-22 school year. The recommendation passed with a motion by Dr. Corrie Shull and a second by Mr. Joseph Marshall.

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

## **B. Recommendation for Approval of Tentative Budget for Fiscal Year 2021-2022**

Board members received a brief presentation summarizing the recommended Tentative Budget. They each had an opportunity to ask clarifying questions.

Chair Porter asked for a list of what funding looks like for individual schools.

Mrs. Duncan expressed concern that they are not budgeting and planning for potential threats and said, “I just want to say that I’m afraid this budget doesn't make me feel better about keeping our kids safe in our schools with what we've added. We've added five security monitors and one security officer and we have seen a proliferation of guns in this community.”

Dr. Kolb reiterated a few items in the budget and acknowledged that we are seeing more and more need and less and less funding. He asked for clarification on page 31 regarding the SEEK formula. He asked if the District has had conversations with State legislators regarding funding for state agency schools.

**Order #2021-87 - Motion Passed:** Superintendent Martin Pollio recommends the Board of Education approve the attached Tentative Budget for Fiscal Year 2021-2022. The recommendation passed with a motion by Mr. James Craig and a second by Dr. Corrie Shull.

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

## **IX. Information Items**

### **A. Report From and Discussion with the Council of the Great City Schools Regarding Improving Board Governance**

The Board heard from A.J. Crabill, the Council of the Great City Schools (CGCS) Director of Governance, and had the opportunity to discuss the process and timeline for CGCS governance support for the Board.

Chair Porter thanked the Council of the Great City Schools for their work.

Dr. Kolb asked if the services would be based on existing best practices of other high functioning school boards or a more tailored approach to help them reach their specific goals. He also wanted to understand the intensity of the engagement between the Board and the CGCS.

Dr. Craig requested clarification regarding where they are currently at in this process.

## **X. Consent Calendar**

### **A. Report of Certified Leaves**

### **B. Report of Personnel Actions**

### **C. Recommendation for Approval of Organizational Charts and Job Descriptions**

#### **1. Recommendation for Approval of Organizational Charts and Job Descriptions - Academic School**

#### **2. Recommendation for Approval of Job Descriptions - Human Resources**

#### **3. Recommendation for Approval of Organizational Charts and Job Descriptions - Operations Division**

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

#### **1. Recommendation for Approval of Bid and Revised BG-1 Form for Boiler Replacement at Newburg Middle School**

#### **2. Recommendation for Approval of Bid and Revised BG-1 Form for Outdoor Air Unit Replacement at Farnsley and Newburg Middle Schools**

#### **3. Recommendation for Approval of Bid and Revised BG-1 Form for Kitchen Classroom Renovation at W.E.B. DuBois Academy**

### **E. Recommendation for Approval of Construction Change Orders**

### **F. Recommendation for Approval of Bid Tabulations, Contract Renewals, and Amendment.**

### **G. Recommendation for Approval of Professional Services Contracts of \$20,000 or More**

### **H. Acceptance of Summary of Professional Services Contracts**

### **I. 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**

### **J. Acceptance of Donations, Grants, and Funding**

#### **1. Acceptance of Donations and Small Grants**

#### **2. Acceptance of Additional FY17 Title I, Part A Section 1003(g) Funding from the KDE**

#### **3. Recommendation for Acceptance of Funding from the Kentucky Department of Education for School Security Projects**

#### **4. Acceptance of Donation from Ballard Alumni Association**

### **K. Recommendation for Approval of Agreements**

#### **1. Recommendation for Approval of Memorandum of Agreement with Jefferson Community & Technical College for Dual Credit Courses**

#### **2. Recommendation for Approval of Lease Agreement with Kentucky International Convention Center for 2022-23 JCPS Showcase of Schools**

#### **3. Recommendation for Approval of Agreement with Norton Healthcare to Provide Medical Services**

#### **4. Recommendation for Approval of Licensing Agreement for Naming School Property Between Jefferson County Public Schools, Ballard Alumni Association, and Dr. Mark Lynn and Cindy Lynn**

### **L. Recommendation for Approval of JCPS Certified Personnel Evaluation Plan (Second Reading)**

### **M. Adoption of Board Policies 08.1348 Certified Oral and Written Language Support, 09.4341 Alternative Education Programs, and Board Policies Relating to the Student Support and Behavior Intervention Handbook (First Reading)**

### **N. Adoption of Set #3 of Board Policies as Part of the District Policy Review Cycle (Second Reading)**

### **O. Recommendation for Approval of Supplemental School Year Program Requests**

**Order #2021-88 - Motion Passed:** Superintendent Martin Pollio recommends the Board of Education approve the consent calendar for May 25, 2021. The recommendation passed with a motion by Mrs. Linda Duncan 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	Absent
Ms. Diane Porter	Yes
Dr. Corrie Shull	Yes

## **XI. Board Planning Calendar**

**Order #2021-89 - 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 Dr. Christopher Kolb.

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

## **XII. Committee Reports**

There were no committee reports.

## **XIII. Board Reports**

Dr. Shull expressed enthusiasm for all of the students who participated in the Justice Fest and thanked NyRee Clayton-Taylor and Matthew Kaufmann. He congratulated the first class of teachers who were emerging from the Louisville teacher residency program and gave kudos to the JCPS team who ensured their success.

Chair Porter echoed Dr. Shull's comments and discussed the Justice Fest. She gave a special thank you to Hannah Drake for her words of motivation and guidance.

Mrs. Duncan congratulated her grandson who is graduating as a valedictorian from Pleasure Ridge Park High School.

Chair Porter congratulated graduates and all students who are moving on to middle or high school.

## **XIV. Executive Session (If Needed)**

## **XV. Action Item (If Needed)**




## XVI. Adjournment

The May 25, 2021, regular business meeting adjourned at 7:52 p.m.

**Order #2021-90 - Motion Passed:** A motion to adjourn the May 25, 2021, meeting of the Jefferson County Board of Education at 7:52 p.m. 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	Absent
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**

Regular Business Meeting  
May 25, 2021 6:00 PM  
VanHoose Education Center  
Stewart Auditorium

Agenda Item:	<b>VII. Persons Requesting to Address the Board (Deferred to Email Due to COVID Attendance Limitations)</b>
Rationale:	Until meeting room capacity returns to normal, members of the public will have the opportunity to voice opinions or express concerns by submitting remarks via email. Remarks should be limited to 500 words or less and sent to the Assistant Secretary to the Board ( <a href="mailto:angela.gilpin@jefferson.kyschools.us">angela.gilpin@jefferson.kyschools.us</a> ) for dissemination purposes prior to the meeting. Public remarks will be shared with each Board member and recorded in the Official Minutes.

JCPS

How does Critical Race theory relate to the school board's mission statement?

"All Jefferson County Public Schools students graduate prepared, empowered, and inspired to reach their full potential and contribute as thoughtful, responsible citizens of our diverse, shared world."

Critical Race Theory divides ethnic and cultural groups into two parts . The victim and the oppressors vs individual achievements and lifelong learners. CRT teaches the United States is racist from the beginning to it's colonial roots. This claim is inaccurate, why does JCPS teach those false claims? Your thoughtful responses to my questions will be greatly appreciated.

Love Life & Live Free

Bob DeVore Jr.

P.S Angela thanks for relaying this email to the school board.

In another school system in this state, children are almost forced to doubt they are really the sex they were born with. Does that happen in Jefferson Co?

Sent from my iPhone

Ruth Alves [dolly7602@aol.com](mailto:dolly7602@aol.com)

Does Jefferson County Public School curriculum currently include 'Critical Race Theory' or 'The 1619 Project' ?

Is the plan for either or both to be part of the curriculum for the up coming school year?

Thank you,

Ruth Ann Shumate-Reed

Sent from my iPhone

Ruth Shumate [ruthshumate8359@gmail.com](mailto:ruthshumate8359@gmail.com)

Good evening.

My name is Mike Beard and I am a teacher at Iroquois High School. I am here tonight to talk about school safety.

In August of 2019, just a couple of weeks before school began, and while the board was short one member, due to a resignation, three members of this board, with very little if even any public notice, voted to not renew the contracts of several police departments' that had been working in our schools for many years.

After hearing the concerns of parents, the general public, faculty and staff, plans were announced that some officers would be back in some of the schools by February of 2020. In the meantime the district would work on a plan to have its own internal police force. No officers were ever placed back into any schools and the plans for the JCPS security force is still waiting for the final approval of this board, even after there have been numerous meeting and adjustments to the Standard Operating Procedures Manual.

During that time with no officers in our schools, let's review what took place in our district.

- |    |           |   |
|----|-----------|---|
| *1 | Sep. 2019 | Seneca High School - student brought a gun to the school  |
| *2 | Sep. 2019 | Pleasure Ridge Park High School - gun is found in a student's backpack                            |
| *3 | Nov. 2019 | Ballard High School - gun found in a student's car  |
| *4 | Nov. 2019 | Southern High School - gun found in student's backpack  |
| *5 | Dec. 2019 | Shawnee High School - gun and ammo found in school bathroom                                       |
| *6 | Jan. 2020 | Pleasure Ridge Park High School - gun found in student's backpack                                 |
| *7 | Jan. 2020 | Hazelwood Elementary - gun found in student's backpack  |
| *8 | Jan. 2020 | Waggener High School - student arrested after threatening, on social media to shoot up the school |

\*9 And let's not forget what happen just a couple of months ago just as we returned to in person learning, when a man, armed with a gun, tried to enter Greenwood Elementary. It was reported he even tried to drive his vehicle through the cafeteria doors. Who could have confronted him if he were able to get into the building?

Fortunately, no one was hurt or killed as a result of these weapons being at schools. But do you really think these were the only weapons brought into our building and on our properties during the school year? And how much longer do you think we will be so fortunate, before something tragic happens in one of our schools?

In March of 2019, Senate Bill 1 was signed into law, requiring among other things that all schools have an SRO. This bill was a direct result of the horrific school shooting in January of 2018 at Marshall County High School in which, two students, Preston Cope and Bailey Holt,

both just 15 years old, were killed and 14 other students were wounded. This Board has chosen not to comply with this law.

In February of 2020, Senate Bill 8 was signed into law, requiring among other things, that SRO's must carry a firearm. This bill was a direct result of members of this Board implying that they might follow the directive in Senate Bill 1, to have officers in the schools, but to not allow them to be armed. This Board has also chosen not to comply with this law.

Just a point of interest for the newest member of the Board, and a reminder to the other members. A survey was sent to all middle and high school staffs, seeking their opinion on this very subject. Over 2500 people responded and the results were overwhelming in support of armed officers in our schools.

90% responded yes, they want an officer in their building and 82% said they want that officer to be armed.

So at this time I am asking that all members of this Board go on the record publicly and say if they will continue to ignore and not comply with state law, or will they do the right thing, follow the law and support having armed officers in our building for the start of the 2021-22 school year. If it's about the funding, just how much is too much to spend for the safety of our students and staff?

1	WDRB.com	September 3, 2019
2	WLKY	September 11, 2019
3	WDRB.com	November 1, 2019
4	WDRB.com	November 12, 2019
5	WDRB.com	December 9, 2019
6	WAVE3.com	January 24, 2020
7	WDRB.com	January 27, 2020
8	WAVE.com	January 28, 2020
9	WAVE.com	March 19, 2021

Board Meeting 5/25/21



May 25, 2021

Jefferson County Public Schools Board of Education  
VanHoose Education Center  
3332 Newburg Road  
Louisville, KY 40218

Dear Chairwoman Porter, Board Members, and Superintendent Polio,

JackBeNimble, Inc. (JBN) is a Jefferson County based, non-profit and nonpartisan network of students with disabilities, their families, allies, and providers. We seek to work in collaboration with educators and policymakers to improve the special education system for all involved, most importantly, for the students themselves.

I write to you regarding the following items on today's Board Meeting agenda:

- Item # VIII.A. Recommendation for Approval of Student Support and Behavior Intervention Handbook Revisions and The Student Bill of Rights
  - Although the 2020-2021 SSBIH Revision Process included two ECE teachers, we understand that few students with disabilities or their family members, allies, or providers had an opportunity to participate. The 13,736<sup>1</sup> JCPS students with IEPs are among the subpopulations who disproportionately receive consequences such as restraint and seclusion. We urge the Board **not** to adopt this Handbook until a more thorough and inclusive discussion of how students with disabilities are impacted by these policies takes place.
  - We strongly recommend that the JCPS ECE Advisory Council should be included in the review process.
- VIII.B. Recommendation for Approval of Tentative Budget for Fiscal Year 2021-2022  
Page 17 of the *Tentative Budget* document (see Agenda for today's meeting) references that over \$10 million is being invested in Exceptional Child Education (ECE) Implementation Coaches, "positions that will support the schools with compliant implementation of federal guidelines under the Individuals with Disabilities Education Act (IDEA)."  
While we appreciate the consideration of students with disabilities, we urge this Board to:
  1. Develop and adopt a "Disability Equity" policy comparable to the Racial Equity policy before the beginning of the next school year.

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1

[https://www.kyschoolreportcard.com/organization/5590/school\\_overview/students/enrollment?year=2020](https://www.kyschoolreportcard.com/organization/5590/school_overview/students/enrollment?year=2020)



2. In lieu of or in addition to the Implementation Coach positions, invest substantially in enhanced professional development for all staff, including general education teachers and paraprofessionals to ensure that students with disabilities are receiving equitable access to and quality instruction in the general education curriculum. As presently stated, the focus of the Implementation Coach is on compliance with federal and state law. Compliance should be the expectation, not the destination.
  3. Evaluate the investment of \$10 million in light of the mandate of Congress and President Biden under the American Recovery Plan to “expand opportunities for students who need the funds most, including students from low-income backgrounds, students of color, students with disabilities, English learners, students experiencing homelessness, and students with inadequate access to technology.”<sup>2</sup>
  4. Heavily invest also in eliminating longstanding inequities for students with disabilities, including students with section 504 plans. Such inequities may include: inaccessible activity buses (or unavailable), inaccessible playground equipment, exclusion from extracurricular activities, segregation during the school day. “It is particularly important that ARP ESSER funding will enable States and school districts, as well as schools, to support students who have been most severely impacted by the pandemic and are likely to have suffered the most because of longstanding inequities in our communities and schools.”<sup>3</sup>
- X.C.2. Recommendation for Approval of Job Descriptions - Human Resources  
Ensure that all current and new “Transition Teachers” (Emergency Certified Substitute Teacher) receive special education training to enable them to be qualified to substitute for special education teachers, when necessary.
  - X.K.1. Recommendation for Approval of Memorandum of Agreement with Jefferson Community & Technical College for Dual Credit Courses  
Section IV on page 2 of the MOA does not specify whether students with IEPs taking courses “at JCTC” will receive their documented IEP services. Please clarify what JCPS’ policy is with respect to these students. Will they or will they not continue to have their IEP implemented when taking a course on the campus of JCTC? Would their IEP be implemented for all courses except the JCTC course? What specifically and exactly is JCPS’ policy?
  - X.M. Adoption of Board Policies 08.1348 Certified Oral and Written Language Support, 09.4341 Alternative Education Programs, and Board Policies Relating to the Student Support and Behavior Intervention Handbook (First Reading)
    - Page 6 notes that placement in an alternative education program may be voluntary. Yet, page 7 under “Exceptions” notes that for students with disabilities, decisions are made by either the ARC or Section 504 team. Surely, students with disabilities are entitled to access the full range of

2

<https://www.ed.gov/news/press-releases/department-education-announces-american-rescue-plan-funds-a-ll-50-states-puerto-rico-and-district-columbia-help-schools-reopen>

<sup>3</sup> Education Secretary Miguel Cardona , *Letter to State Commissioners*, March 24, 2021

alternative education programs whether or not such programs are specified in their IEPs, the same as students without disabilities. Please clarify that students with disabilities will have the same access as all other students.

- Please also see comments under the first bullet, Item # VIII.A. We urge the Board **not** to adopt these policy changes until a more thorough and inclusive discussion of how students with disabilities are impacted by these policies takes place.
  - We strongly recommend that the JCPS ECE Advisory Council should be included in the review process.
- X.O. Recommendation for Approval of Supplemental School Year Program Requests  
We urge the Board to vote “yes” to permit supplemental school year program requests for any family making such a request. Many students with disabilities have been significantly impacted by the pandemic. Some of these families feel their student(s) would benefit from a supplemental school year. They should be given this choice.

Sincerely,



Managing Partner & Idea Architect,  
JackBeNimble, Inc.