



# JEFFERSON COUNTY BOARD OF EDUCATION

## Minutes of Business Meeting of September 14, 2021

Business Meeting of the Jefferson County Board of Education held at Central High School  
1130 West Chestnut Street, Louisville, Kentucky, on Tuesday, September 14, 2021, at 6 p.m.

### **BOARD MEMBERS PRESENT:**

Chairwoman Diane Porter

Mr. James Craig

Dr. Chris Kolb

Ms. Sarah McIntosh

Vice-Chair Corrie Shull

Mrs. Linda Duncan

Mr. Joseph Marshall

Board member Linda Duncan attended the meetings via videoconference.

### **STAFF MEMBERS PRESENT:**

Superintendent Martin A. Pollio, Ed.D.

Thomas Aberli, Executive Administrator Budget

Darren Atkinson, Principal

Kevin Brown, General Counsel

Cordelia Hardin, Chief Financial Officer

Dr. Erica Lawrence, Principal

Chris Perkins, Chief Operations Officer

Jodell Renn, Director of internal Audit

James Rose, Chair of Audit Risk Management Advisory Committee

Eva Stone, Health Coordinator

This meeting was conducted via video-teleconference pursuant to KRS 61.823 and KRS 61.826. The primary location for this meeting and where all members could be seen and heard by the public was Central High School. Members of the Board were permitted to attend in-person or via video-teleconference pursuant to KRS 61.826. Members of the public were permitted to attend in-person or watch the live-stream of the meeting

Prior to the Business Meeting, the Board held a Tax Hearing at 4:30 p.m. and a called meeting of the Board of Directors of the Jefferson County School District Finance Corporation at 5:45 p.m.

## **BUSINESS MEETING**

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

Chair Porter called the September 14, 2021, Business Meeting of the Board of Education to order at 6:00 p.m.

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

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

Vice-Chairman Shull read the District Vision Statement.

### **III. Recognitions and Resolutions**

**A.** Recognition of JCPS Nutrition Services Department

**B.** Recognition of Hispanic Heritage Month & JCPS Latinx Employee Resource Group

**C.** Recognition of The Real Young Prodigy's Group and Their Work on the CROWN Act

**Order #2021-149 - Motion Passed:** Superintendent Martin Pollio recommends the Board of Education receive the recognitions and resolutions for September 14, 2021. The recommendation 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

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

**Order #2021-150 - Motion Passed:** Superintendent Martin Pollio recommends the Board of Education approve the agenda for September 14, 2021. 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

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

**Order #2021-151 - Motion Passed:** Superintendent Martin Pollio recommends the Board of Education approve the minutes of the August 31, 2021, meeting. 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

## VI. Superintendent's Report

Dr. Pollio thanked the entire JCPS family and educators for their work over the past six weeks. He said, "Without a doubt, these six weeks have been the most difficult and challenging of any six weeks I can remember in 25 years ... Our district teachers, educators, classified staff, leaders, all of our employees are working so hard to provide safe and effective instruction for students, and I continue to be inspired by the work. People are just stepping up to do whatever they need to do." He then highlighted important parts of Senate Bill 1 (AN ACT relating to the delivery of education and care for children and declaring an emergency). He concluded by discussing the acceptance of the Wallace Foundation Grant on tonight's Consent Agenda.

## VII. Persons Requesting to Address the Board

The following individuals signed up and were allowed three minutes to address the Board.

- Mike Spanton discussed vaccinations/natural immunity.
- Diane Stevens discussed the JCPS masks mandate and requested the researched used to justify it.
- Miranda Stovall discussed Social Emotional Learning programs in JCPS.
- Gay Adelman discussed racial equity, mask mandates, and organizations pushing misinformation.
- Christina West discussed the JCPS mask mandate.
- Eileen Serke discussed mask mandates/vaccinations/natural immunity.
- Chuck Eddy discussed the JCPS mask mandate.
- Austyn Raymer discussed the need for SROs in schools.
- Bob DeVore discussed the Fleet Reserve Association Essay Contest

## VIII. Action Items

### A. Recommendation for Approval of Tax Rates for Fiscal Year 2021-22

Dr. Pollio introduced this item and Cordelia Hardin presented the rationale for the recommended 4 percent increase rate of 79.6 cents per \$100 assessment. There were no comments or questions from Board members.

**Order #2021-152 - Motion Passed:** Superintendent Martin Pollio recommends the Board of Education approve the General Fund Tax Rate of 79.6 cents on real property and 79.6 cents on personal property for Fiscal Year 2021-22. The recommendation 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

**B. Recommendation for Approval of the Working Budget for Fiscal Year 2021-22**

Dr. Pollio and his team provided an overview of the recommended Working Budget for FY 2021-22. Each Board member had an opportunity to comment and ask questions.

Mrs. Duncan asked, “When you talk about flexible seating for your students, can you describe that a little bit?” She then questioned ESSER funding.

**Order #2021-153 - Motion Passed:** Superintendent Martin Pollio recommends the Board of Education approve the attached Working Budget for Fiscal Year 2021-22. 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

**C. Recommendation for Approval of Internal Audit Work Plan for the Period Ending September 30, 2022, and Acceptance Report on the Status of the Internal Audit Work Plan for the Period Ending September 30, 2021**

Dr. Pollio introduced this item. Jodi Renn and James Rose delivered the presentation. Each Board member had an opportunity to comment and ask questions.

Mrs. Duncan questioned inventory management and then requested data showing how often schools call law enforcement to the buildings.

**Order #2021-154 - Motion Passed:** Superintendent Martin Pollio recommends the Board of Education approve the Internal Audit Work Plan for the period ending September 30, 2022, and receive the report on the status of the Internal Audit Work Plan for the period ending September 30, 2021. The recommendation passed with a motion by Dr. Christopher Kolb 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

**D. Acceptance of a Report on a New Way Forward, Approval of a Revised JCPS COVID-19 School Operations Plan, Employee Requirement for Vaccination/Diagnostic Testing, and Authorization for the Superintendent to Assign Students to Remote Instruction**

Dr. Pollio presented the report and recommendations to help the District move forward. Each Board member had an opportunity to ask questions and provide feedback.

Mr. Marshall asked for clarification regarding the frequency of testing for unvaccinated staff members; how the results will be reported; and possible legal implications for the District due to a data breach. He then asked if the District is assisting teachers to allow them to go into remote instruction with their quarantined students. He concluded by questioning services for ECE students attending the Pathfinder virtual school.

Ms. McIntosh asked questions regarding the ‘test to stay’ program and staffing issues. She questioned flexibility from EPSB on certification for retirees and wondered if they would qualify for the stipend payments. She concluded by asking about data from MAP testing.

Mr. Craig discussed the possibility of implementing a mandate for students who participate in voluntary activities such as a sport, band, cheer, dance, and anything outside of the normal classroom instruction. He stated, “It is within the legal authority of this board to set requirements for those activities and I am interested in pursuing a requirement for all those students who participate in any activity that does not lend itself to masking - to be required to be vaccinated to participate. Or, to provide - like we're doing with our staff - a negative test each week. I'm especially interested in accomplishing that task before winter sports begin. I think there's a weak link in the system with some of our indoor activities right now.”

Dr. Kolb asked how the District plans to approach using the 20 days of temporary remote instruction provided by SB1. He then discussed the possibility of allowing parents to work as substitutes at their children’s school, stating, “My sense is that a lot of people would be very willing to help out at their kid’s school or even the school of somebody they know.” He then asked, “What's the downside of requiring staff vaccinations with no option of testing?” He went on to say, “I think we need to require testing more frequently. I would prefer that we not give people the testing option period and just require vaccinations.” Dr. Kolb agreed with Mr. Craig regarding vaccinations for sports and extracurricular activities.

Mrs. Duncan asked if a test showing proof of antibodies could substitute for being vaccinated. She went on to say, "I am concerned about a mandatory vaccination across the board because there will be exceptions ... And those exceptions will still allow for those little holes where something might slip through. I don't think we can afford the loss of staff that that might put on us. So, I think this is a recommended path and I really feel like it is the best that we can do with this right now."

Chair Porter asked questions regarding the implementation of the 'test to stay' model. She then asked for clarification regarding how SB1 impacts retired administrators who choose to come back as substitute teachers. She wanted clarification regarding who is eligible for the \$100 KDE incentive for vaccinated employees. She concluded by expressing concern and asking for consideration when it's time to look at MAP testing and the equity issues for students who have not had enough instruction time.

A motion was made by Mr. James Craig and seconded by Ms. Sarah McIntosh to receive a report on a New Way Forward regarding the District response to the COVID-19 pandemic; approve the attached revised JCPS COVID-19 School Operations Plan that includes a vaccination or diagnostic testing requirement for all employees; and authorize the Superintendent to temporarily assign students to remote instruction.

A motion was made by Dr. Chris Kolb to amend the main motion on the floor - to require staff to be vaccinated without the option of testing in lieu of vaccination. The motion died for lack of a second.

**Order #2021-155 - Motion Passed:** Superintendent Martin Pollio recommends the Board of Education receive a report on a New Way Forward regarding the District response to the COVID-19 pandemic; approve the attached revised JCPS COVID-19 School Operations Plan that includes a vaccination or diagnostic testing requirement for all employees; and authorize the Superintendent to temporarily assign students to remote instruction. 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	No
Mr. Joseph Marshall	Yes
Ms. Sarah McIntosh	Yes
Ms. Diane Porter	Yes
Dr. Corrie Shull	Yes

## IX. Information Items

### X. Consent Calendar

- A. Report of Certified Leaves
- B. Report of Personnel Actions
- C. Recommendation for Approval of Field Trip Request
- D. Recommendation for Approval of Organizational Charts and/or Job Descriptions
  - 1. Recommendation for Approval of Organizational Charts and/or Job Descriptions - Academic Services
  - 2. Recommendation for Approval of Organizational Charts and/or Job Descriptions - Technology
  - 3. Recommendation for Approval of Organizational Charts and/or Job Descriptions - Transportation
- E. Recommendation for Approval of Construction Change Orders

- F.** Acceptance of Notification of Temporary Construction Easement for New Elementary School – West Broadway
- G.** Recommendation for Approval of Bid Tabulations, Contract Renewals, and Amendments.
- H.** Recommendation for Approval of Professional Services Contracts of \$20,000 or More
- I.** Acceptance of Summary of Professional Services Contracts for Fiscal Year 2021-22
- 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 July 31, 2021
- L.** 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
  - 3.** Acceptance of Stewart B. McKinney Homeless Education Grant from Kentucky Department of Education
  - 4.** Acceptance of Grant from Louisville Metro Government for Community Schools for Students Experiencing Homelessness Program
  - 5.** Acceptance of Funding from the Wallace Foundation for the Equity Centered Pipeline Initiative
- M.** Recommendation for Approval of Agreements
  - 1.** Recommendation for Approval of Memorandum of Agreement with Bluegrass Community & Technical College for Dual Credit
  - 2.** Recommendation for Approval of Memorandum of Agreement with the Kentucky Department of Education for the Release of JCPS Employee
  - 3.** Recommendation for Approval of Participation Agreement with the Kentucky Division of Health Information
  - 4.** Recommendation for Approval of Data Sharing Agreement with Follett School Solutions
  - 5.** Acceptance of a Modification to a 21st Century Community Learning Center Contract and MOA with the Kentucky Department of Education to Extend the Effective Date
- N.** Recommendation for Approval of Resolutions Concerning the Jefferson County School District Finance Corporation

**Order #2021-156 - Motion Passed:** Superintendent Martin Pollio recommends the Board of Education approve the consent calendar for September 14, 2021. 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

## **XI. Board Planning Calendar**

There was no discussion.

**Order #2021-157 - 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

## **XII. Committee Reports**

There were no reports.

## **XIII. Board Reports**

Dr. Kolb said hello to his niece, Penny, whose mother was making her watch the school board meeting online.

Chair Porter asked Renee Murphy to play a YouTube video at a future meeting showing the naming of Central High School football stadium after Tyrran "Ty" Scroggins.

XIV. Persons Requesting to Address the Board (If Needed)

XV. Executive Session (If Needed)

XVI. Action Item (If Needed)




**XVII. Adjournment**

The meeting adjourned at 8:26 p.m.

**Order #2021-158 - Motion Passed:** A motion to adjourn the September 14, 2021, meeting of the Jefferson County Board of Education at 8:26 p.m. passed with a motion by Mrs. Linda Duncan 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

  
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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**