

**RECORD OF BOARD PROCEEDINGS
(MINUTES)
Regular Board Meeting
July 25, 2005**

The Fayette County Board of Education met at 701 East Main Street, Lexington, KY at 6:00 p.m. on the 25th day of July 2005, with the following members present: **(1) Kathy Lousignont, (2) Larry Conner, (3) Steve Hyndman, and (4) Becky Sagan.**

Staff Members Present

Stu Silberman, Virginia Gregg, Mary Browning, George Rogers, Doug Gibson, Greg Figgs, Fabio Zuluaga, Jack Hayes, Lisa Stone, Bob Joice, Michael Ernst, Jim Searle, Lisa Deffendall, Wayne Smiley, Kathy Dykes

A. Call to Order

Mrs. Lousignont called the meeting to order at 6:05 p.m.

B. Roll Call

Mrs. Lousignont, Mr. Conner, Dr. Hyndman, and Mrs. Sagan.

C. Extended Welcome to Guests

Mrs. Lousignont welcomed the guests and attendees to the meeting.

D. Moment of Silence

A moment of silence was observed.

E. Pledge of Allegiance

Mrs. Sagan led the pledge.

Mrs. Sagan read the Mission Statement

F. Approval of Agenda

A motion was made by Dr. Hyndman and seconded by Mr. Conner, to approve the agenda, with the addition of an addendum, J.2. Actions for Post Approval and Claims and L2. Policy and Administrative Procedures Revisions 1st reading. The motion carried with a vote of 4 to 0.

G. Recognitions, Introductions and Proclamations

1. Recognitions

a. State Geography Bee Winner, Matt Hensley, Beaumont Middle School – Placed 17th in the Nation

Mrs. Lousignont recognized Matt Hensley, 17th place winner in the national State Geography Bee competition. Matt presented the Board members with the question that was his winning question and answer.

H. Reports, Communications and Resolutions

1. Progress Reports

A. Superintendent's Report

a. 2020 Vision Update/School Counts Update

Lisa Deffendall presented an update on the 20/20 Vision project. Ms. Deffendall stated that approximately 900 people signed up for the workgroups. She stated that there have been several inquiries from other districts and government agencies as to how the summit was created and if they could borrow the concept. Board members were presented the 2020 Vision Workgroup Connections Survey Results and Ms. Deffendall stated that the workgroups are well on their way. Ms. Deffendall pointed out to the Board members where the web site for the 2020 Vision project

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is located. She also stated that the recommendations from the workgroups will be compiled and strategies will be developed for incorporation into the zero based budget and alignment with the One Community/One Voice plan.

Ms. Deffendall also presented a power point presentation on the School Counts campaign which is a partnership between the school district, local businesses, and the media, to raise awareness of what a child misses out on when not in attendance. She stated that this is not a comprehensive truancy program, but a community effort and awareness project to promote school attendance. CJ Advertising has been instrumental in the campaign, securing ABC, CBS, and NBC affiliate television stations to run advertisements for the School Counts Campaign.

b. Student Based Achievement Strategies – Bates Creek Elementary School

Dee Patrick from Bates Creek Elementary presented an Analysis of Scrimmage Data and Comparison to CATS Scores Identifying SB 168 Needs to show the many ways that assessment data is being used at Bates Creek Elementary. Ms. Patrick guided the Board members through the written data which shows how Bates Creek Elementary is performing. Ms. Patrick stated that all of the collected data can be sorted in several different ways, allowing the school to use the data in ways that will allow the staff to help the students raise their achievement levels. She also stated that goals and targets are strongly stressed with the students.

c. Support Services Position Control Document Monthly Report – No written report

d. Monthly Construction Report – Written Report

2. Remarks by Citizens

- a.** Frank Peters asked the Board to consider fairness to all students, seek the greatest good for the greatest number and to consider reasonable doubt, given the numbers and plans presented. He asked that the Todds Road corridor be include in ACE.
- b.** Jan Peters spoke on the thirteen children from Stuart Hall/Chilesburg who would be allowed to attend ACE and that Andover Forest would not be allowed to attend. She urged the Board to vote no to this provision.
- c.** Sandra Duvall, from the Autumn Ridge area, requested that the September 1, 2005 grandfathering date for Chilesburg/Stuart Hall, be for everyone.
- d.** Meredith Covey, from the Stuart Hall area, stated that her child has gone to Athens and it was a very loving school. She stated that her residence was based on the school that her children would attend.
- e.** Whitty Rhea, from the Stuart Hall area stated that all parents attending the meetings in her area have a vested interest in their children and compared them to the Todds Road corridor parents stating that they had not shown the same support as the Stuart Hall parents, but were being districted in.
- f.** Cary Covey spoke of concern that some of the new construction is being treated differently than other new construction areas and all new construction areas should be treated the same.
- a.** Michael Du, from the Chilesburg area, spoke on the September 1st residency deadline for attending ACE stating that there are houses under contract, but will not meet the September 1 deadline and will be districted to Breckenridge. Mr. Du stated that his family and other families in the area would add diversity to ACE.
- h.** Susan Jones stated that her son had been attending private school due to the condition of Athens and that she had been waiting to send him to public school until the new school was built. She stated that dividing subdivisions will not allow students to develop peers within the school setting and socialization is an important part of the rural area. She also stated that parents should not be kept in the dark in regard to what school their children would attend.

3. Resolution

a. Regarding the Death of Nettie P. Litteral

Mr. Conner read a resolution regarding the death of Nettie P. Litteral.

A motion was made by Mr. Conner and seconded by Dr. Hyndman, to adopt the resolution regarding the death of Nettie P. Litteral.

I. Approval of Routine Matters

1. *Approval of Special Board Meeting Minutes of June 7, 2005*
2. *Approval of Agenda Planning Meeting Minutes of June 13, 2005*
3. *Approval of Special Board Meeting Minutes of June 15, 2005*
4. *Approval of Regular Board Meeting Minutes of June 27, 2005*

A motion was made by Mr. Conner and seconded by Mrs. Sagan, to approve the minutes. The motion carried with a vote of 4 to 0.

J. Approval of Consent Items

- a. *A motion was made by Dr. Hyndman and seconded by Ms. Sagan, to receive the information items and approve the action items in the consent section of the agenda. The motion carried with a vote of 4 to 0.*

1. Award of Bids/Proposals and Bid Contract Extensions
2. Actions for Post Approval and Claims
3. Special and Other Leave of Absences
4. Professional Leave by District Personnel
5. Request for Approval of School-wide Fund Raising Project
6. Approval of a Proposed Change Order (No. Two) to the Construction Contract for the Henry Clay High School Stadium Replacement Project BG 04-189 BID 57-04
7. Approval of a BG-1 Project Application for the Construction of a New Band Tower at Paul Laurence Dunbar High School
8. Approval of a BG-1 Project Application for the Construction of an Equipment Storage Building at Paul Laurence Dunbar High School
9. Approval of a Proposed Change Order (No. One) to the Construction Contract for the Southern Middle School Road Replacement Project BG—04-392 BID 15-05
10. Approval of Harrison Elementary Reading First Contract
11. Approval of Edythe J. Hayes Middle School Youth Services Center Grant

K. Approval of Action Items

12. Refinement of Athens-Chilesburg Redistricting Action

Superintendent Silberman stated that the Athens-Chilesburg proposal was not being reopened, but was being refined. He stated that the proposal at the June 27th meeting was for the Stuart Hall/Chilesburg area to be zoned to Athens Chilesburg (ACE). At the meeting, discussion was held as to the method of tracking students and the grandfathering method was approved. The action taken at the June 27th meeting was not intended to change the proposal, but to refine the tracking system. Superintendent Silberman stated that at this meeting they had gone back to the original Task Force proposal and that proposal is being presented tonight with a cutoff date of September 1, 2005 for a residency requirement in order to control the growth at Athens and ACE. The September 1 cutoff date will be applied to all areas that are grandfathered for ACE. This will not affect current residents, but will affect those moving in. Superintendent Silberman reiterated that the reason for the refinement being proposed was that with the proposal at the June 27th Board meeting, the question was raised about tracking, not about changing the zone. The Board discussed the tracking system, not changing the proposal and it was recommended to go with grandfathering. The proposal being presented tonight goes back to the original Task Force proposal with the September 1, 2005 residency requirement cutoff.

Bob Joice presented a map that outlined the Athens/Chilesburg area and stated that the Stuart Chilesburg area is the focus tonight. Mr. Joice stated that growth is occurring faster than expected with over 200 homes in Chilesburg and Stuart Hall together and an additional 200 under construction. The proposal being presented recommends that future students in the Athens/Chilesburg area, moving in after September 1, 2005, would not go to ACE. Students already living in the area would go to ACE, including those students living in Stuart Hall/Chilesburg, but not yet registered at Athens. Superintendent Silberman stated that the recommendation being presented keeps the original proposal in tack, limiting the potential growth that could overcrowd Athens and ACE by having the September 1, 2005 cutoff date. The proposal could allow for approximately forty to ninety out of area students.

Mrs. Sagan asked for a clarification that with the September 1, 2005, deadline, students living in Walnut Creek, Fairway Lake Crossing, Shoreside Crossing and Jacks Creek Rural before the deadline, would attend Athens and be grandfathered into ACE and after the September 1 residency deadline a student would go to the other districted school and Superintendent Silberman stated that this was correct. Mrs. Sagan stated that she supported this recommendation with the September 1, 2005 cutoff date. Mrs. Lousignont clarified that when homes are sold after the September 1, 2005 deadline, the date requirement remains in effect. She also stated that the Board was working with the Superintendent to create an attendance plan that addresses student continuity, but not necessarily neighborhood continuity. Mrs. Sagan stated that with the September 1, 2005 deadline, it allows the site based council at Athens and ACE to have the numbers needed to make staffing decisions and she also thought that it would allow for more out of area students.

A motion was made by Mrs. Sagan and seconded by Mr. Conner to go back to the original proposal presented by the Task Force with two changes. (1) The Stuart/Chilesburg area would attend Athens Chilesburg until September 1, 2005 and after that date the Stuart/Chilesburg area would attend Breckenridge or the school having available space. (2) The areas that are grandfathered, Walnut Creek, Fairway Lake Crossing, Shoreside Crossing and Jacks Creek Rural, would continue to be grandfathered with a cutoff date of September 1, 2005. Any student moving into the area after the deadline would attend the appropriate listed school. Andover Creekside, Athens, Cleveland Rural Area, Banbridge, Chilesburg, Boonecreek and Stillmeadow are zoned to Athens and then to Athens Chilesburg with no cutoff dates and no grandfathering. The motion carried with a vote of 4 to 0.

1. Organizational Chart

Superintendent Silberman stated that the recommendation being presented is the result of the Arvin study through KASA and KSBA. He stated that one of the recommendations resulting from the study was to take the operations area, which is everything non instructional, and have them report to one person. He also stated that there is a district savings within this recommendation and that a major part of the proposal is the reclassification of the Chief Financial Officer to Chief Operating Officer. Superintendent Silberman also stated that with the structure being presented, it would allow him to spend more time on the area of instruction.

A motion was made by Mrs. Sagan and seconded by Dr. Hyndman to approve the Organizational Chart as presented. The motion carried with a vote of 4 to 0.

14. Use of School Facilities and Equipment Policy and Procedure Revisions (05.3) – 2nd reading Involvement Review Committee

A motion was made by Mr. Conner and seconded by Dr. Hyndman to approve the proposed changes in Policy 05.3. The motion carried with a vote of 4 to 0.

2. Senate Bill 168 Comprehensive District Report and 2006 School Targets

Superintendent Silberman stated that at the July 11th Agenda Meeting the Senate Bill 168 Comprehensive District Report and 2006 School Targets were presented. Vince Mattox stated that the report given to the Board was a comprehensive report, required by law to be presented to the Board members and the 2006 SB 168 Targets. Mr. Mattox led the Board members through the

05764

written document. Mr. Conner asked for clarification regarding the incentives for schools submitting

additional targets and Mr. Mattox stated that schools could set aggressive targets, but would only be accountable at the minimum level.

A motion was made by Mr. Conner and seconded by Mrs. Sagan to approve the adoption of 2006 SB 168 Targets. The motion carried with a vote of 4 to 0.

15. Policy and Administrative Procedures Revisions – 2nd Reading and Adoption

A motion was made by Dr. Hyndman and seconded by Mr. Conner to adopt the policies as presented. The motion carried with a vote of 4 to 0.

Break: 8:03 p.m.

Reconvened: 8:08 p.m.

4. Approval of a BG-1 Project Application for the Construction of the Elementary School at Bluegrass-Aspendale

Mary Browning stated that the Bluegrass-Aspendale school would replace Johnson Elementary and Russell Elementary, housing approximately 400 students. Mrs. Lousignont asked for clarification regarding the KDE cost projections differing significantly from our projections. Ms. Browning stated that KDE uses average costs and that our costs reflect what the Lexington market is showing. Mr. Conner stated that this was a historical and significant project for the Fayette County Public School due to the fact that this is the first new school being built inside New Circle Road and this vindicates some of the negative comments from the public in 2002 when Russell Elementary was closed. Dr. Hyndman questioned the Architect/Engineer fees among the three BG's being presented and Ms. Browning stated that it is based on the total amount of expected construction costs. She also stated that there is a scale from KDE that is used to determine these costs, the larger the amount of the construction, the smaller the fee. Dr. Hyndman asked what was covered in the furnishings and equipment category and Ms. Browning stated that this would cover any furniture, desks, casework, chairs, etc. that will be needed. Dr. Hyndman requested that Ms. Browning's response be reflected in the minutes. Ms. Browning stated that the land had not been purchased yet, but that we have a negotiated estimated purchase price.

A motion was made by Mr. Conner and seconded by Dr. Hyndman to approve a BG-1 Project Application for the construction of a new 400-student elementary school to replace the Johnson and Russell schools and to be located in the Housing Authority's Bluegrass-Aspendale development in the amount of \$10,317,456, subject to the approval of the Kentucky Department of Education Division of Facilities Management, per the provisions of 702 KAR 4:160. The motion carried with a vote of 4 to 0.

5. Approval of a BG-1 Project Application for the Construction of the Elementary School on Liberty Road

Ms. Browning stated that the Liberty Road school will replace J.R. Ewan Elementary. This project is contingent on the acquisition of the property. Superintendent Silberman stated he is working with the Mayor to acquire the property. Dr. Hyndman reiterated that submitting the BG-1 did not commit any funds and Superintendent Silberman stated that this was correct.

A motion was made by Mrs. Lousignont and seconded by Dr. Hyndman to approve a BG-1 Project Application for the construction of a new 650-student elementary school to replace J.R. Ewan Elementary and to be located on Liberty Road, in the amount of \$12,799,587, subject to approval of the Board for land acquisition and subject to the approval of the Kentucky Department of Education Division of Facilities Management, per the provisions of 702KAR 4:160 and contingent on the acquisition of the property. The motion carried with a vote of 4 to 0.

6. Approval of a BG-1 Project Application for the Construction of the Elementary School at Masterson Station

Mary Browning stated that the Masterson Station School would replace Linlee Elementary. Mrs. Lousignont asked if the land that Linlee is located on now is too small and Ms. Browning stated that it is smaller than what was typically used for an elementary school and it is also located in a light industrial area. Mrs. Lousignont expressed concern that Linlee is not far from being overcrowded currently and that the Masterson Station school might be overcrowded. Superintendent Silberman stated that there are plans to develop a Continuation Plan that would address overcrowding and would allow for students to finish at the school they start. Virginia Gregg stated that this property is in condemnation litigation, which gives the property to us and we are legally able to build on the land.

A motion was made by Mr. Conner and seconded by Dr. Hyndman to approve a BG-1 Project application for the construction of a new 650-student elementary school to replace Linlee Elementary to be located at Masterson Station, in the amount of \$13,488,254, subject to the approval of the Kentucky Department of Education Division of Facilities Management, per the provisions of 702 KAR 4:160. The motion carried with a vote of 4 to 0.

7. Capital Outlays

Mary Browning stated that KDE is allowing the use of capital outlay funds to pay insurance premiums instead of using general fund monies.

A motion was made by Mr. Conner and seconded by Mrs. Sagan to authorize and approve staff's recommendation that the district use capital outlay funds to pay property insurance in fiscal 2004-2005. The motion carried with a vote of 4 to 0.

8. Amended Instructional Calendar 2005-2006

A motion was made by Dr. Hyndman and seconded by Mrs. Sagan to approve the amended school instructional calendar for the 2005-2006 school year. The motion carried with a vote of 4 to 0.

9. Extracurricular Task Force Appointment

A motion was made by Dr. Hyndman and seconded by Mr. Conner to approve the formation of a task force to study extracurricular activities. The motion carried with a vote of 4 to 0.

10. Evaluation of Superintendent

Dr. Hyndman reviewed the steps of the evaluation process and the instrument used for evaluating the superintendent. Dr. Hyndman stated that in previous years there was no formal written evaluation process as was with most districts and the Board members decided that in their search for a new superintendent, they wanted to devise an evaluation process that would be tied into the superintendent's performance. When Stu Silberman's contract was written, it contained a base pay of \$180,000 with a possibility of 10% performance pay. Dr. Hyndman clarified that there was no bonus pay given, that this was performance pay. The evaluation is a public document and is contained in the permanent agenda.

Superintendent Silberman stated that with part of the performance pay he was receiving, he and his wife Kathy would be setting up a \$1,000 scholarship at each of the five high schools for students continuing into college in the field of education.

A motion was made by Dr. Hyndman and seconded by Mrs. Sagan to accept the Superintendent's performance evaluation as conducted on July 16, 2005. The motion carried with a vote of 4 to 0.

11. Sale of Russell Elementary

A motion was made by Mr. Conner and seconded by Dr. Hyndman to ratify the Board's decision made in closed session on February 14, 2005, to sell the property known as Russell Elementary School, 201 West Fifth Street, Lexington, Kentucky for the price of \$350,000 to Russell School Community Service Center, Inc. The motion carried with a vote of 4 to 0.

L. Informational Items

1. Personnel Changes
2. Policy and Administrative Procedures Revisions – 1st reading

M. Oral Communications

1. Public

N. Motion Making Agenda Part of the Official Board Minutes

A motion was made by Dr. Hyndman and seconded by Mr. Conner, to make the agenda dated July 25, 2005, which action has been taken at this meeting, a part of the minutes as if copied in the minutes verbatim. The motion carried with a vote of 4 to 0.

A motion was made by Mrs. Sagan and seconded by Mr. Conner, to go into closed session to discuss acquisition or sale of real property pursuant to KRS 61.810(a)(b) and discuss proposed or pending litigation pursuant to KRS 61.810(1)(c). The motion carried with a vote of 4 to 0.

Closed Session

O. Adjournment

The meeting adjourned at 10:55 p.m. with a vote of 4 to 0.

CHAIR

SECRETARY