

**RECORD OF BOARD PROCEEDINGS
(MINUTES)
Regular Board Meeting
August 23, 2004**

The Fayette County Board of Education met at 701 East Main Street, Lexington, KY at 6:00 p.m. on the 23rd day of August 2004, with the following members present: (1) **Kathy Lousignont**, (2) **Larry Conner**, (3) **Steve Hyndman**, (4) **John Price**, (5) **Vacant**.

Staff Members Present

Stu Silberman, Virginia Gregg, Mary Browning, Bob McLaughlin, Doug Gibson, Peggy Blanton, Karen Acar, Wayne Smiley, Linda Martin, George Rogers, Mark Sellers, John Kiser, Mark Williams, Charlotte Jernigan, Amy McVey, and Fabio Zuluaga.

Tax Levy Hearing

Pursuant to KRS Chapter 61, notice was given that on August 09, 2004, the chair of the Fayette County Board of Education announced that the Regular Scheduled Board Meeting scheduled for **Monday, August 23, 2004, at 6:00 p.m.**, 701 East Main Street, Conference Room C, Lexington, Kentucky would include the following: hear public comments regarding a proposed general fund and building fund tax levy of 53.5 cents per \$100 assessed value on real property and 53.8 cents per \$100 assessed value on personal property.

Public Hearing Comments

No public comments were received

The public hearing was closed at 6:01 p.m.

A. Call to Order

Mrs. Lousignont called the meeting to order at 6:02 p.m.

B. Roll Call

Mrs. Lousignont, Mr. Conner, Dr. Hyndman, and Mr. Price were present. There is one vacant position on the Board of Education due to the resignation of one Board Member.

C. Extend 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

Mr. Price led the pledge.

2. Progress Reports

a. Buster the Bus

Bob McLaughlin introduced the new principal at Veterans Park Elementary School, Amy McVey, and she thanked the parents for bringing their children to learn about school bus safety from Buster the Bus and Wardy Mason.

H. Reports and Communications

3. Introduction of Student Representative

a. Superintendent Silberman introduced Michelle Cornett, Veterans Park Elementary School teacher, serving as the teacher representative for the August Board Meeting.

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- b. Superintendent Silberman introduced A.J. McWhorter, Tates Creek High School senior, serving as the student representative for the August Board Meeting.

G. Proclamation, Recognitions and Citations

1. Resolutions:

a. Regarding the Death of Jessica Dawn Hines

Mrs. Lousignont read the resolution. *A motion was made by Mr. Conner and seconded by Mr. Price, to adopt the Resolution regarding the death of Jessica Dawn Hines. The motion carried with a vote of 4 to 0.*

b. Regarding the Death of Larry J. Onkst

Mr. Price read the resolution. *A motion was made by Mr. Price and seconded by Mr. Conner, to adopt the Resolution regarding the death of Larry J. Onkst. The motion carried with a vote of 4 to 0.*

2. Recognition

a. Richard Green, Lexington Traditional Magnet School

Mr. Richard Green is retired from the Fayette County Public Schools district and was recognized for his ongoing volunteer work he does with the students in the Fayette County Public Schools in the area of math.

b. Mentor Program from Lexington Traditional Magnet School

The Great Leaps group was recognized for their volunteerism and help provided for LTMS and their contribution to the program.

c. Deep Springs Mentor Program

The Deep Springs group was introduced and recognized for the outstanding support given to Deep Springs Elementary School.

H. Reports and Communications

1. Remarks by Citizens

David Rhorer, Henry Clay High School parent, expressed his dissatisfaction with the constraints put on students when choosing to participate in No Child Left Behind (NCLB) by transferring to another school and not permitted to participate in athletics for 36 weeks after transferring.

Patrick Jones, Steven Woolfolk, Chase Oshavy, and Mark Arksburger, students at Henry Clay High School, participated in the NCLB act and transferred from Bryan Station High School and asked if there were problems on beginning the appeal process with KHSAA regarding athletics, requesting that they be allowed to participate in athletics after their transfer. The KHSAA's ruling deems that the student is ineligible to play for 36 weeks after transferring to another school in the District. It was conveyed to them that their decision to appeal was their choice.

2. Progress Reports

A. Superintendent's Report

Superintendent Silberman stated that we have approximately 33,000 students in the District, and he has visited a number of schools and it is exciting to see the teaching and learning that is taking place in our schools. We are dealing with the No Child Left Behind (NCLB) federal act and teachers are being placed in those schools to accommodate the students that chose to transfer to another school. He expressed his satisfaction with the opening of school this year but that we would have some adjustments for the opening next year.

b. Individual Graduation Plan

Dr. Mark Williams, Career and Technical Education Coordinator and Clay Goode, EBCE Coordinator, introduced the Individual Graduation Plan (IGP). Dr. Williams gave the Board an update, which included a video for eighth graders and parents. Mr. Goode demonstrated the information video and stated that the IGP can now be accessed through the Fayette County Public Schools web site. Dr. Williams expressed that the electronic version is a very valuable training tool. Clay Goode said that they are working with each school to make sure they have a marketing and implementation plan. The Board was pleased with the product and suggested using the community based and faith based organizations to utilize the plan.

c. One Community/One Voice – Written Report

d. Monthly Construction Report – Written Report

e. Support Services Control Document Monthly Report – Written Report

In response to a question from Dr. Hyndman, he requested that the report include a list of positions that have been deleted.

f. One Community/One Voice Change in Slogan

Superintendent Silberman was contacted by Arnold Gaither to request dropping their “Every Child on the Same Page” slogan and replace it with “It’ About Kids”. Superintendent Silberman said he was more than happy to give the endorsement.

I. Approval of Routine Matters

Board Agenda Planning minutes of July 12, 2004

Special Board Meeting minutes of July 14, 2004

Special Board Meeting minutes of July 17, 2004

Special Board Meeting minutes of July 21, 2004

Regular Board Meeting minutes of July 26, 2004

Special Board Meeting minutes of July 28, 2004

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

F. Approval of Agenda

*A motion was made by Mr. Price and seconded by Mr. Conner, to approve the agenda with the addition of the addendum items, **J.8 Actions for Post Approval and Claims and delete pages 15, 16 and 17 in the agenda H.2d Monthly Construction Report.** 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 Mr. Price, 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. FRYSC Extended Health Services
2. Early Start/Head Start Contract
3. Discretionary Grants Awarded Kentucky Department of Education: Teacher Quality Grant
United States Department of Agriculture: Secondary Agriculture Education Grant
4. Deep Springs Elementary & Tates Creek Elementary Community Juvenile Justice Partnership Grant (CJJPG)
5. Professional leave by District Personnel
6. Requests for Approval of School-Wide Fundraising Projects
7. Special and Other Leave of Absences
8. Actions for post Approval and Claims
9. Monthly Financial Report for the Month of June 2004 and July 2004
10. Award of Bids/Proposals and Bid Contract Extensions
11. Requests from Principals for Extended Trips

12. Approval of a Proposed Change Order (No. Eighteen) to the Construction Contract for the Renovation of the Lexington Traditional Magnet School BG 01-333
13. Approval of a Proposed Change Order (No. Eight) to the Construction Contract for the new Edythe Jones Hayes Middle School BG 02-023
14. Approval of a Proposed Change Order (No. One) to the Construction Contract for the ADA Improvements Project in Area D Schools Clays Mill and Stonewall Elementary School and Southside Technical BG 04-091 BID 05-04
15. Approval of a Proposed Change Order (No. One) to the Construction Contract for the ADA Improvements Project in Area Elementary School Schools Glendover, Squires, Millcreek, Tates Creek Elementary School and Tates Creek Middle School BG 04-092 BID 06-94
16. Approval of a Proposed Change Order (No. One) to the Construction Contract for the Glendover Elementary School Indoor Air Quality Improvement Project BG 04-174 BID 07-04
17. Declaration of Surplus and Intent to Sell
18. Award of Bids/Proposals Request for Qualifications – Medical Services

K. Approval of Action Items

19. Approval of Bid and Proposed Contract for South Site Work Package Related to the New Construction at Bryan Station High School BG 03-415

Mr. Conner asked how many vendors were contacted for this package, and Mr. Conner was disturbed that we had only one bidder to respond. Bill Wallace said that the Alliance Corp. sent out notices to potential bidders, and only one bid was received, and three attended the pre-bid meeting. The problem with the other two groups was that they were unable to obtain bonding and were over capacity of the excavation work.

A motion was made by Dr. Hyndman and seconded by Mr. Price, to accept the low bid for the South Site Work Package submitted by Griggs Enterprises, Inc. and approves the proposed contract in the amount of \$809,000 for this portion of the work related to the new construction at Bryan Station High School, 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 3 to 1. Mr. Conner abstained.

20. Adoption and Levy of Tax Rates for School Purposes

Dr. Hyndman commented that in his opinion the District should not be passing a property tax rate increase at this time, and Mr. Price stated that it would be best for kids, and that the Board was obligated to the children to meet the mandated needs from the State.

A motion was made by Mr. Conner and seconded by Mr. Price, that the Board of Education levy a total school tax rate of 53.5 cents (real estate) and 53.8 cents (personal property) per \$100 assessed valuation, a total motor vehicles property rate of 59.2 cents per \$100 assessed valuation and continue the 3.0% permissive utility gross receipts tax (including the tax on cable television) and the 5% occupational license tax for 2004-2005, and that the Chair and Secretary of the Board called a public hearing on August 23, 2004 for the purpose of hearing public comments regarding these proposed rates and to cause preparation of the Working Budget for School Year 2004-2005. The motion carried with a vote of 3 to 1. Dr. Hyndman voted no.

21. Salary Schedules

Superintendent Silberman submitted the 2004-2005 salary schedules. On June 28, 2004, the Board approved the 2004-05 salary schedule that included a 1.5% increase for certified and classified staff. The tentative budget that was approved in May 2004 has funds available to increase the beginning teacher's salary to \$30,000, which has been an objective of the Board for several years. If the legislature passes the budget, the District will recommend a 0.5% raise for this school year. Mr. Price stated that he appreciates the work the staff has done on the budget to get to the \$30,000 for beginning teachers salaries.

A motion was made by Mr. Conner and seconded by Mr. Price, to approve the recommendations as written in the agenda: 1) to approve the amended 2004-2005 Teacher Salary schedule to increase the

beginning teacher's salary to \$30,000 and 2) instruct the Superintendent to submit these salary schedules to the Kentucky Department of Education and the Kentucky Teachers Retirement System. The motion carried with a vote of 4 to 0.

22. Organizational Chart

Superintendent Silberman stated that one of his goals was to bring our organizational structure in and have fewer personnel reporting to the Superintendent. This was also a recommendation stemming from the Management Audit Report. Presently, the Superintendent has 17 employees reporting directly to him and with the reorganization; it will be reduced to nine, with the General Counsel reporting to the Board and Superintendent, plus two support staff. With this structure reorganization, it will save the district approximately \$7,000, along with the addition of a Chief Financial Officer (CFO). Superintendent Silberman stated that the organizational chart evolves, and the attitude of the staff has been very positive.

A motion was made by Mr. Price and seconded by Dr. Hyndman, to approve the Organizational Chart as presented with the addition of a Chief Financial Officer/Director of Resource Management and 1 Director of Elementary Schools, content specialists will be assigned to schools based on need, one content specialist will be changed to Title II funding due to vacated coordinator position, and positions eliminated will be smaller class size, court liaison, coordinator of ESL, and associate director of student achievement. The motion carried with a vote of 4 to 0.

L. Informational Items

1. Discretionary Grants Awarded Kentucky Department of Education – 21st Century Community Learning Centers (21st CCLC) Grants

There was concern from Dr. Hyndman regarding the Bethune Institute work that was approved in June 2004, and he requested additional data from the Bethune Institute, including additional conversation at an Agenda Planning meeting.

2. Confidentiality and Non-Discrimination Handbook

Ms. Gregg stated that this handbook would be on the web and updated as changes occur by federal or state laws, or by board action.

3. Personnel Changes – Written Report

M. Oral Communications

1. Public .

Mattie Katz, FCEA president, and two new teachers from Yates Elementary School expressed their appreciation to the Board for moving salaries up to \$30,000 for new teachers. Ms. Katz said she was disappointed about the proposed 0.5% increase but feels confident that an additional increase will come in the future. She stated that the Back of School Rally sponsored by One Community/One Voice was very positive.

2. Board Request Summary

- Bethune Institute Research data
- A report on the process for soliciting bids for projects, specifically as it relates to small and minority businesses.
- Include an Equity Council member on any committee that does work in the District, along with an Equity Council member on the Athletic Committee. Since the Local Planning Committee is a state regulated committee, Superintendent Silberman stated that he would have Ms. Gregg look into those guidelines as far as creating another seat on the committee.

A motion was made by Dr. Hyndman and seconded by Mr. Conner, to approve the board requests. The motion carried with a vote of 4 to 0.

3. Other Business:

Mr. Price thanked the One Community/One Voice, organizations and parents that participated in the Back to School Rally. Stu stated that during the rally, we had an academic challenge, and next month, the group will challenge the Board. There also will be a choir from Linlee Elementary School.

Michelle Cornett, teacher representative stated that the District is incredible and thanked the Superintendent for allowing her the opportunity to participate in the Board Meeting. A. J. McWhorter, student representative also thanked the Board for the opportunity.

**Motion Making Agenda Part of the,
Official Board Minutes**

A motion was made by Mr. Price and seconded by Mr. Conner, to make the agenda dated August 23, 2004, on 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 Mr. Price and seconded by Dr. Hyndman, to go into closed session at 7:35 p.m. to discuss pending and potential litigation, pursuant to KRS 61.810. The motion carried with a vote of 4 to 0.

Closed Session

A motion was made by Dr. Hyndman and seconded by Mr. Price, to go into open session. The motion carried with a vote of 4 to 0.

Open Session

Adjournment

A motion was made by Mr. Price and seconded by Dr. Hyndman, to adjourn the meeting at 9:36 p.m. The motion carried with a vote of 4 to 0.

CHAIR

SECRETARY