

**RECORD OF BOARD PROCEEDINGS
(MINUTES)
Regular Board Meeting
June 27, 2005**

The Fayette County Board of Education met at 701 East Main Street, Lexington, KY at 6:00 p.m. on the 27th day of June 2005, with the following members present: (1) **Kathy Lousignont**, (2) **Larry Conner**, (3) **Steve Hyndman**, (4) **John Price** and (5) **Becky Sagan**.

Staff Members Present

Stu Silberman, Virginia Gregg, George Rogers, Lisa Deffendall, Bob McLaughlin, Doug Gibson, Fred Nelson, Bob Joice, Mary Browning, James Searle, Jack Hayes, Vince Mattox, Mark Williams, Donna George, Peggy Blanton

A. Call to Order

Mrs. Lousignont called the meeting to order at 6:06 p.m.

B. Roll Call

Mrs. Lousignont, Mr. Conner, Mr. Price, 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

Mr. Hyndman led the pledge.

F. Approval of Agenda

A motion was made by Mr. Conner and seconded by Mr. Price, to approve the agenda, with the addition of the addendum, J.3. Actions for Post Approval and Claims. The motion carried with a vote of 5 to 0.

G. Recognitions, Introductions and Proclamations

1. Recognitions

- a. Paul Laurence Dunbar High School, Girls Track Team – Kentucky State High School Athletic Association Track and Field Co-Champions
- b. Bryan Station High School, Boys Track Team – Kentucky State High School Athletic Association Track and Field – Second Place
- c. Kentucky State High School Athletic Association Track and Field Individual State Winners
- d. Kentucky Association of School Resource Officers, Region II School Resource Officer of the Year – Officer Tracy Day
- e. Fair Housing Project State Poster Winner – Tyson Donahue, Fourth Grade, Harrison Elementary

H. Reports, Communications and Resolutions

1. Progress Reports

A. Superintendent's Report

a. Smaller Learning Communities – Lafayette High School – Stephanie Schoff

Stephanie Schoff presented an overview of the vision that the staff at Lafayette High School has designed as to where they feel the school and students need to be in the next few years.

In the vision are high standards for students and staff, values such as respect and open mindedness and the basic skills that students need to be successful. A video created to show the work of one of the research teams and produced by the students was presented.

b. Agenda Item to be Rescheduled

c. Student Based Achievement Strategies, Eastside Technical Center

Francis O'Hara, Principal at Eastside Technical Center, presented an overview of the Eastside Technical Center stating that the staff at Eastside personalize every aspect of the school. Mr. O'Hara stated that the enrollment has increased over 333% over the last five or six years with students being turned away every year. Mr. O'Hara stated the Eastside program mixes the industrial side of society with the information technology side. This year Eastside had the number one transportation department in the state. At Eastside, all students that maintain an A or B average earn dual credit with the KCTS college system.

d. Support Services Position Control Document Monthly Report – Written Report

e. One Community/One Voice – Written Report

f. Monthly Construction Report – Written Report

CLOSED SESSION

A motion was made by Dr. Hyndman and seconded by Mr. Price, to go into closed session at 6:45 pm. to discuss acquisition or sale of real property pursuant to KRS 61.810(1)(b). The motion carried with a vote of 5 to 0.

No action taken

A motion was made by Mr. Conner and seconded by Dr. Hyndman, to go into open session at 7:30 p.m. The motion carried with a vote of 5 to 0.

2. Remarks by Citizens

- a. Erich Castillo's concern was why the criteria and commitment of the Board of Education from December 2002 is not being taken into consideration. He stated that the neighborhood associations should be kept together as in the criteria in December 2002 and stated that transportation costs will increase because students are not going to be able to walk to school. He encouraged the Board to vote against the recommendation.
- b. Rob Deal spoke in regard to the ACE proposal stating that the recommendation represented failure of the Board to keep their word in regard to the criteria in the December 2002 OSC. He asked that the Board respect the long history of the Athens community.
- d. Katherine Butler spoke in regard to transportation problems in the ACE area and stated that diversity will be lowered by the Task Force recommendations.
- e. Frank Peters stated the important part of this recommendation has to be that the kids are important. He stated that adopting the proposal would undermine public trust and confidence and the Board needs to take steps to provide an independent review.
- f. Jan Peters spoke with concerns that a new proposal is being presented and asked that the vote be postponed.
- g. Todd Kunze stated that it's about kids, kids today, not kids at another time.
- h. Barbara Ann Rockefeller stated that she has been involved since 1995. They have done everything they could and are still being told they are new construction and to be patient. She was concerned that as new construction they are being held to different standards.
- i. Monica Walker expressed concerns for equity for all students. She stated that grandfathering is in the best interest of the students and she would like to see the vote take place.

- j. Pat Madden stated that the Liberty Road site had been given by his family for a school. He stated that the Madden family was contributing \$500,000 toward the school if the Hamburg area attended this school and he was concerned that the Hamburg area will not be going to the new Liberty Road School.
- l. Jackie Walters expressed concern that with the latest change, the Jacks Creek area would not be going to ACE.
- m. Pete Frederick stated that he was from the Stewart Hall area and that he was supporting the Task Force recommendation and stated that everyone wants this issue resolved quickly.
- n. Mindy Curless represented the Jacks Creek area and is concerned for the kids at Athens. The needs of the kids at Athens need to be met in terms of their continuity and their education.
- o. Cary Covey's concerns were in regard to transportation and he stated that the Stewart Hall mile guideline would be from the closest point of the school property. He stated that he supports the Task Force recommendation and does not see how voting for this recommendation would bring about distrust.
- p. Ernie Stamper expressed concern that if the OCS plan of 2002 was breaking down, there should have been an analysis performed to see why the criteria is no longer valid. He also stated that the recommended plan is not a complete plan.
- q. Crystal Ludwig/Paige Dodge expressed support for the recommendation and stated that grandfathering is a good decision.
- o. Mat Arnold expressed concern for the awarding of RFP 1705 and stated that he questioned the tabulation process. He requested that the Board review this RFP.

At this point there was a discussion as to whether RFP 1705 should be pulled from the agenda. Mrs. Lousignont made a motion to have the item pulled from the agenda. After discussion, the item was not pulled.

- 3. **Resolution** – Mr. Price read a resolution on the death of Adele M. Thompson
A motion was made by Mr. Price and seconded by Mr. Conner to adopt the resolution regarding the death of Adele M. Thompson. The motion carried 5 to 0.

I. Approval of Routine Matters

- 1. *Approval of Board Agenda Planning Meeting Minutes of May 10, 2005*
- 2. *Approval of Regular Board Meeting Minutes of May 23, 2005*
A motion was made by Mr. Conner and seconded by Dr. Hyndman, to approve the minutes. The motion carried with a vote of 5 to 0.

J. Approval of Consent Items

*A motion was made by Mr. Price and seconded by Dr. Hyndman, to receive the information items and approve **all** action items in the consent section of the agenda. The motion carried with a vote of 5 to 0.*

- 1. Award of Bids/Proposals and Bid Contract Extensions
- 2. Monthly Financial Report for the Month of May 2005
- 3. Actions for Post Approval and Claims
- 4. Special and Other Leave of Absences
- 5. Requests from Principals for Extended Trips
- 6. Professional Leave by District Personnel
- 7. Approval of Additional Migrant Education Program Staff
- 8. Agenda Item to be Rescheduled
- 9. Approval of Early Start Contracts for 2005-2006 – Family Care Center, Head Start Full Utilization Agreement, Head Start Partnership Agreement and University of Kentucky
- 10. FY05 KETS Offer
- 11. Approval of Meal Prices for 2005-2006
- 12. Approval of a Proposed Change Order (No. One) to the Construction Contract for the New Athens-Chilesburg Elementary School BG 04-349

13. Approval of Bid and Proposed Contract for the Laminate Clad Casework Package for the New Athens-Chilesburg Elementary School BG 04-349
14. Approval of a Proposed Change Order (No. One to the Construction Contract for the Eastside Technical Center Resource Area Storage Project BG 04-458 BID 04-05
15. Approval of Budget Transfer
16. Facility Usage Fee Schedule for 2005-2006

K. Approval of Action Items

17. Annual Review of the Statement on Rights and Responsibilities and Student Code of Conduct (1st reading and adoption)

A motion was made by Dr. Hyndman and seconded by Mrs. Sagan, to approve the Statement on Rights and Responsibilities and Student Code of conduct for the 2005-2006 school year as presented. The motion carried with a vote of 5 to 0.

18. Middle School Athletic Guidelines

A motion was made by Mr. Conner and seconded by Mr. Price, to approve the changes to the Middle School Athletic Guidelines for the 2005-2006 school year as recommended by staff. The motion carried with a vote of 5 to 0.

19. High School Athletic Guidelines

A motion was made by Mr. Conner and seconded by Mr. Price, to approve the changes to the High School Athletic Guidelines for the 2005-2006 school year as recommended by staff. The motion carried with a vote of 5 to 0.

20. Tuition for District High School Summer School 2005

A motion was made by Mrs. Sagan and seconded by Mr. Price, to approve the proposed dates for the district Summer School program for grades 9-12 and the proposed tuition schedule. The motion carried with a vote of 5 to 0.

21. Approval of a BG-1 Project Application for the Henry Clay High School Connector Project

A motion was made by Dr. Hyndman and seconded by Mrs. Sagan, to approve the submittal of the BG-1 Project application for the proposed Henry Clay connector project; authorize EOP Architects, to continue development of construction drawings and the commencement of the project subject to the approval of the Kentucky Department of Education with a change of the summer of 2004 date in two places being changed to summer of 2006. The motion carried with a vote of 5 to 0.

22. Approval of the 2005-2006 Salary Schedules

A motion was made by Mr. Conner and seconded by Mr. Price, to approve the 2005-2006 Salary Schedules: Teachers' Salary Schedule; Youth, Adult and Community Programs and Services Salary Schedule; Extended School Services and Before School, After School, and Saturday Programs Salary Schedule; Occupational Therapist/Physical Therapists and the Certified Occupational Therapist Assistant Salary Schedules; Family Resource and Youth Service Center Coordinators Salary Schedules and Classified Hourly Employees Single Salary Schedule. Approve the 2005-2006 Salary Schedules as presented for the following: Certified Salary Schedule Index; Supplemental Salary Schedules for Academics; Supplemental Salary Schedule for Athletics; Administrative Additive Schedule for Administrative and Supervisory Personnel; Substitute Teacher Salary Schedule; and Student Workers Salary Schedule and 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 5 to 0.

23. Approval of Athens-Chilesburg Task Force Redistricting Recommendations

Included with official minutes:

Proposal for The Athen Chilesburg Elementary (ACE) School Boundaries

Adjustments to Task Force Recommendations on Athens- Chilesburg Elementary School
Attendance Area and Directly Related Issues – 6/24/05

Map – 2006-2007 Athens Chilesburg Task Force Recommendation with Alternative Adjustments
June 24, 2005

Redistricting Criteria adopted December 16, 2002

Bob Joice stated that the information of the 2002 OCS plan had been given to the Task Force and that they were aware of the map. Since Edythe J. Hayes had opened overcrowded, the Task Force had to look at the possibility that Athens-Chilesburg might open overcrowded and that changes to the boundaries might need to be made to implement the OCS plan. At the meeting last fall at Henry Clay High School concerns were expressed over distrust of the OCS plan. It was resolved that a community Task Force for each of the three most difficult refinements of the OCS plan would be formed. The Veterans Park and the Edythe J. Hayes Task Forces completed their work and the recommendations were approved.

The Athens-Chilesburg Task Force made a recommendation in May and public comments were taken during and after a public forum on May 18, 2005. The Task Force did not feel they could further resolve the public comment issues and the staff was directed by the Board to evaluate the Task Force proposal, look at the public comments and consider the OSC plan. Mr. Joice stated that on June 13 the staff recommendations were brought to the Board and with Board input, an adjusted proposal has been developed.

Mr. Joice presented an adjusted proposal chart being recommended by the Task Force (**included in official minutes**). He pointed out that the current proposal has Jacks Creek going to Squires, with grandfathering. He also pointed out on the map (**included with official minutes**) that the blue area is the future Athens-Chilesburg area and the gray areas on the map are areas where no houses exist.

The criteria adopted on December 16, 2002 were highlighted by Mr. Joice as to how they were met by the adjusted Task Force Recommendations being presented.

Mr. Joice highlighted that on the Detailed Adjustments Sheet (**included with official minutes**) grandfathering of students has been noted. He pointed out that with the current recommendation with Jacks Creek being districted to Squires, the staff is recommending grandfathering of siblings into ACE, with transportation, for five years. Also, the grandfathering provisions would include Walnut Creek and the others subdivisions already attending Athens. Liberty assignments, if approved, would be final action and would be implemented at the time the Liberty Road School opens. Mr. Joice pointed out that Number 16 on the Adjustments to Task Force Recommendations is contingent on the acquisition of the Liberty Road property.

John Price expressed a concern over not being able to definitely define which addresses would be grandfathered in ACE. Mr. Joice stated that a street directory is used for all schools and one for Stuart Hall would be developed. Mr. Price stated that he would like to see the included streets posted. Superintendent Silberman stated that the Stuart Hall/Chilesburg area could be grandfathered in for those living in the area, but any new construction would be grayed out and that grandfathering would apply to the students that are attending Athens when the school closes. Superintendent Silberman stated that the grandfathering verbiage would be included in the recommendation. Superintendent Silberman stated that there would be room for a small number of out of area students at ACE, with students currently attending public schools receiving first priority.

Dr. Hyndman expressed concern that sufficient funds would be available to build the Liberty Road school. He also stated that he was not going to vote to build a school in the Liberty Road area without land being available and that he was concerned with accepting a donation with a contingent attached.

Mr. Conner expressed concern with the graying out on the map being consistent with attendance areas. Mr. Conner stated that we may not be able to support all the new neighborhoods with schools and that developers need to be cautious as to what they inform buyers in regard to schools for that area. Superintendent Silberman stated that there are plans to work with the developers as to school locations.

Mrs. Sagan stated that the Task Force was actually a result of the OCS plan and that she did not feel that the OCS plan from December 2002 was being disregarded. She also reiterated that the recommended plan is contingent on the acquiring of land for the Liberty Road school.

Mrs. Lousignont asked for clarification that everyone currently at Athens would be going to ACE and Mr. Joice stated yes and that Grandfathering for siblings would be for a five-year period with transportation. This provision would be for students attending Athens at the time the school is closed. New development and gray areas around ACE will not be guaranteed attendance at ACE. She also clarified that with Jacks Creek it would be the same grandfathering for current students, for a five-year period, with transportation. Superintendent Silberman stated that students not attending Athens when it closed would go to Squires and that students currently attending public school would be given first priority for out of area.

Mrs. Lousignont asked if the current proposal would change the Hayes Task Force recommendation and Mr. Joice stated that Andover Creekside would go back to Hayes.

Mr. Price asked for a clarification on grandfathering of Stuart Hall/Chilesburg and Superintendent Silberman stated that the proposal states that any student from Stuart Hall/Chilesburg who is attending Athens, at the time it closes, will be grandfathered into ACE. This language will replace #8 on the Adjustments to Task Force Recommendations sheet.

Mr. Price stated that he had to do what he considered in the best interest of his constituents and that he could not support the plan, even with the modification. He stated that he thought the modified proposal from the Todds Road community best represented a stable school population and gave more options to move future growth to other areas.

Dr. Hyndman requested that the minutes reflect that the map being voted on included the graying out of Hamburg.

Mr. Joice stated that based upon this evening's discussion, the Stuart Hall/Chilesburg area would be shown as attending Breckinridge in 2006 and grandfathering would be provided.

Superintendent Silberman clarified that the Stuart Hall/Chilesburg area students attending Athens at the close of the school would be grandfathered into ACE and any new students beyond that point would go to Breckinridge. Transportation would be provided for those being grandfathered for a five-year term. Superintendent Silberman stated the out of area procedure would be available to the Todds Road Corridor until the Liberty Road school opens, with students already in public schools receiving first priority. This is covered under item #4 on the adjustment list provided.

A motion was made by Dr. Hyndman and seconded by Mrs. Sagan, to accept the proposal as amended, with the specifications included for the Athens-Chilesburg Elementary School. The motion carried with a vote of 4 to 1 with Mr. Price voting no.

L. Informational Items

1. Personnel Changes
2. Use of School Facilities and Equipment Policy and Procedure Revisions (05.3) – 1st reading
3. Policy and Administrative Procedures Revisions – 1st reading

M. Oral Communications

1. Public Comment – No public sign up

Those wishing to speak were given an opportunity to give closing remarks.

2. Board Request Summary

- Review current salary schedule steps
- Code of conduct – date Board needs Code of Conduct for review

A motion was made by Dr. Hyndman and seconded by Mr. Price, to approve the Board Request Summary. The motion carried with a vote of 5 to 0.

4. Other Business

N. Motion Making Agenda Part of the Official Board Minutes

A motion was made by Mr. Price and seconded by Mrs. Sagan, to make the agenda dated June 27, 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 5 to 0.

O. Closed Session

A motion was made by Mr. Conner and seconded by Mr. Price, to go into closed session at 10:35 pm to discuss proposed or pending litigation pursuant to KRS 61.810(1)(c). The motion carried with a vote of 5 to 0.

Action:

It was moved by Steve Hyndman and seconded by Larry conner to appeal the Fayette circuit court jury verdict in the matter of *Cobb v. Behanan, Flynn and Fayette County Board of Education*. The motion passed with a vote of 5 to 0.

A motion was made by Mr. Price and seconded by Dr. Hyndman, to go into open session at 11:54 p.m. The motion carried with a vote of 5 to 0.

P. Adjournment

A motion was made by Mr. Price and seconded by Mrs. Lousignont, to adjourn the meeting at 11:55 p.m. The motion carried with a vote of 5 to 0.

CHAIR

SECRETARY