

**RECORD OF BOARD PROCEEDINGS
(MINUTES)
Closed Session and Regular Board Meeting
July 23, 2007**

The Fayette County Board of Education met at 701 East Main Street, Lexington, KY at 6:00 p.m. on the 23rd day of July 2007, with the following members present: (1) Larry Conner, (2) Becky Sagan, (3) John Price, (4) Melissa Bacon, and (5) Amanda Ferguson

Staff Members Present for Regular Meeting

Mary Browning, Mike Burke, Carmen Coleman, Michael Ernst, Fabio Zuluaga, Brenda Allen, Lisa Deffendall, Melodee Parker, Rodney Jackson, Scott Hawkins

A. Call to Order

Larry Conner, Chair called the Regular Board Meeting to order at 6:01 p.m.

B. Roll Call

Larry Conner, Becky Sagan, John Price, Melissa Bacon, and Amanda Ferguson

C. Extended Welcome to Guests

Larry Conner, Chair, welcomed the guests and attendees to the meeting.

D. Moment of Silence

E. Pledge of Allegiance, Mission Statement

Melissa Bacon led the pledge and read the Board Mission Statement.

F. Approval of Agenda

*A motion was made by Becky Sagan and seconded by John Price, to approve the agenda with the addition of an addendum, **J.2 Actions for Post Approval and Claims**. The motion carried with a vote of 5 to 0.*

A motion was made by Becky Sagan and seconded by John Price to approve the addendum as part of the agenda. The motion carried with a vote of 5 to 0.

G. Introductions, Student Performances, Recognitions and Proclamations:

1. Recognitions

a. Griffin Davis, 2007 Youth Leader of the Year

Griffin Davis, a junior at Paul Laurence Dunbar High School, was named the 2007 Youth Leader of the Year at the Youth Salute ceremony which is conducted annually by the Central Kentucky Council on Youth Leadership. Griffin received a \$500 scholarship and an all-expense paid trip to attend the National Council on Youth Leadership Conference held in St. Louis in October. Students in Youth Salute must be nominated by their high school counselors, teachers, principals and other community leaders to participate. Nominees must also have a 3.0 grade point average and have been elected to at

least two leadership positions in a school, religious, or community sponsored organization during the last two years.

b. Jak Simanek, State Middle School Gear Up Winner

Jake Simanek who was an eighth grader at Leestown Middle School last year and will be a freshman at Henry Clay High School in the fall, won top honors in a competition through GEAR UP Kentucky which was sponsored by the National Foundation for Teaching Entrepreneurs, called “NIFTY” for short. As part of the competition, Jake had to write a very thorough and detailed business plan, which covered all aspects of his idea, including designing business cards, identifying who his competition was, figuring out how to mass produce the cookies and how to market them

c. Veterans Park Elementary, National PTA Parent Involvement School of Excellence

Veterans Park Elementary was certified as a Parent Involvement School of Excellence by the National Parent Teacher Association. Veterans Park is one of 15 schools in the state and the second school in Fayette County to earn this honor. To earn this distinction, the school was evaluated on how well parents were involved in communication, parenting, student learning, volunteering, school decision making and community collaboration.

H. Reports and Communications

A. Superintendent’s Reports

a. International Baccalaureate Programme: Tates Creek High School.

Sam Meaux – Introduced Terri Harper, IB Coordinator and Patti Palmer, Extended Essay and Coordinator.

- Anxious for school to begin with the IB Programme.
- IB Programme process started in the 2002/2003 school year with the SLC grant.
- Needs assessment taken to identify needs to be addressed
- Pride at TCHS for being a comprehensive high school.
- Had to be realistic about some issues due to the change in demographics.
- No entrance requirement – rely on learner profile.
- Not a program for students who do not have a strong work ethic.
- Program helps students who do not realize that they can be successful, to be successful.
- Goal is not to raise the bar on a few students, but all students.

Terri Harper – Thanked Sam Meaux for being the leader of the village. The entire TCHS community, staff, teachers, students, administrators, have played a big role in bringing the IB Program to TCHS. A power point program was shown to give an overview of the program. (Hard copy of power point attached with permanent minutes.

The International Baccalaureate Organization aims to develop inquiring, knowledgeable and caring young people who will help to create a better world. It is a challenging program of international education and rigorous assessment. The expectations of the IB Programme at TCHS are the same as any other school with the IB Programme. TCHS is the fifth school in the state to have an IB Programme. The IB Programme is not just about preparation, but it is about success. The majority of research shows the IB Programme has a positive impact on the academic climate of a school which reaches far beyond the students enrolled in the IB Diploma Programme.

Melissa Bacon – One of the first things I did as a Board member was to visit TCHS when the selection committee was there. I thought that we were interviewing the selection committee, but they were interviewing us. Though I wasn't much help I did leave with the excitement that you have for this program. Appreciation was expressed for all the hard work and stated that the excitement is contagious.

Becky Sagan – Expressed her excitement for the program and stated how she has seen a shift from teachers thinking that they were an AP teacher to WOW, IB is really the way to go. It is a very well thought out programme that has been bought into by the community. Expressed that she is excited about August coming so the program can get underway.

John Price – Appreciate what has been done – raising the bar for all students and that the goal is to be reflective of the diversity of the students in the building. Looking forward to the results.

Larry Conner – The certification process was very rigorous and detailed. There was an individual from Canada and one from France who grilled parents, teachers, administrators, and Board members. With the leadership of the great teachers at TCHS and Sam Meaux, this program will be successful and is a great opportunity for kids in our community. Great things are going to happen.

Becky Sagan – Is it too late to apply?

Terri Harper – No. Open to talking to students who are still interested in applying this year.

Stu Silberman – Thanked everyone. The IB program is the strongest curriculum in the world. Kids across the world are taking the exact assessments. It is a renowned program that has consistency and high rigor. This is the way to go to get a top level education. The piece that is so critical, is that you have put into place support systems. The IB program is so rigorous and strong that there is a high attrition rate and the support systems are needed. Thanked the Board members for their support of the program - the Board was able to provide the salary for the coordinator position and has also agreed to provide for the additional dues.

- b. **Support Services Position Control Document** – No Discussion
- c. **Monthly Construction Report – Written Report** – No discussion

2. **Remarks by Citizens**

Betty Rhodes, FCEA, spoke in regard to the Superintendent's excellent evaluation and his work with the Fayette County Education Association.

I. **Approval of Routine Matters**

1. *Approval of Agenda Planning Meeting Minutes of June 11, 2007*
2. *Approval of Special Meeting of the Board of Education Minutes of June 13, 2007*
3. *Approval of Special Meeting of the Board of Education Minutes of June 20, 2007*
4. *Approval of Regular Board Meeting Minutes of June 25, 2007*
5. *Approval of Special Meeting of the Board of Education Minutes of July 11, 2007*

A motion was made by Melissa Bacon and seconded by Amanda Ferguson, to approve the minutes. The motion carried with a vote of 5 to 0.

J. **Approval of Consent Items**

John Price – Requested that he be recused from J.6 Approval of Liability Insurance Participation Agreement with KISBIT, because he serves as a member of the KISBIT Board.

Larry Conner – So ordered.

06188

- a. *A motion was made by Becky Sagan and seconded by Melissa Bacon, to receive the information items and approve the 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. **Actions for Post Approval and Claims**
3. **Special and Other Leave of Absences**
4. **Requests from Principals for Extended Trips**
5. **Professional Leave by District Personnel**
6. **Approval of Liability Insurance Participation Agreement**
7. **Approval of Treasurer and Public Employee Bonds**
8. **Approval of Early Start Contracts for 2007-2008**
9. **School-wide Fundraising Projects**

K. Approval of Action Items

10. **Approval of a Proposed Change Order (No. Seven) to the Contract for the New Construction at Bryan Station High School BG 03-415**
Stu Silberman – Items 10, 11 and 12 were reviewed at the Planning Meeting with the architect in attendance.

A motion was made by John Price and seconded by Melissa Bacon, to approve the proposed deductive Change Order No. Seven from the contract with D.W. Wilburn, Inc., for the new construction at Bryan Station High School in the amount of \$140,239.39 in favor of purchasing various materials via direct purchase orders for a net construction cost change of zero, subject to the approval of the Kentucky Department of Education, Division of Facilities Management, per the provisions of 702KAR4:160. The motion carried with a vote of 5 to 0.

11. **Approval of a Proposed Change Order (No. One) to the contract for the New Construction at Liberty Elementary School BG 06-045**
Becky Sagan – Talked extensively with the architect at the Planning Meeting. The architect was asked if we were doing enough preparation at the beginning of these sites so that we don't have these surprises. We are following the guidelines and standard procedures and when you start digging sometimes you find things that there was no way to know was there until you start digging. These issues have to be taken care of because you can't build a school on ground that is not suitable.

A motion was made by Becky Sagan and seconded by Amanda Ferguson to approve the proposed additive Change Order No. One to the contract with D.W. Wilburn, Inc., for the new construction at Liberty Elementary School in the amount of \$35,232.55, with an equivalent transfer of funds from Object Code 0840 to 0450, and a corresponding transfer of \$2,232.49 for design consultant fees from Object Code 0840 to 0336, subject to the approval of the Kentucky Department of Education, Division of Facilities Management, per the provisions of 702KAR4:160. The motion carried with a vote of 5 to 0.

12. **Approval of a Proposed Change Order (No. One) to the Contract for the New Construction at William Wells Brown Elementary School BG 06-035**

A motion was made by Melissa Bacon and seconded by John Price, to approve the proposed additive Change Order No. One to the contract with Alliance Corporation, for the new construction at William Wells Brown Elementary School in the amount of \$32,260.00, with an equivalent transfer of funds from Object Code 0840 to 0450, and a corresponding transfer of \$1,677.52 for design consultant fees from

Object Code 0840 to 0336, subject to the approval off the Kentucky Department of Education, Division of facilities Management, per the provisions of 702KAR4:160. The motion carried with a vote of 5 to 0.

Stu Silberman – A couple of years ago the Board asked if we could have the architect for the project and the company representative come before the board when there is a change order so that there is an accountability piece built in. Feels that this has kept change orders down and gives us a good understanding of the change order.

13. Evaluation of Superintendent and Contract Amendment

Larry Conner – Thanked Betty Rhodes for her comments which were right on target and reflective of the comments from the Board members concerning Stu’s performance. We are very satisfied and some ways blessed to have a leader of the caliber of Stu Silberman in this community. We feel that our scores will skyrocket in the near future.

- The superintendent is evaluated in eight general areas, including leadership, management, policy and governance, communication, board relations, community relations, district goals and planning and professional standards. Each general category includes multiple performance indicators – as many as 20 in each.
- He is also graded on specific performance objectives set by the school board annually.
- In each area, individual school board members rate the Superintendent as novice, apprentice, proficient or distinguished (numerically on a scale of 1-4).
- High and low scores are thrown out.
- Stu received all distinguished grades on his evaluation.
- The board is extremely pleased with the progress being made in Fayette County under Stu’s leadership.
- Stu’s performance has been exemplary.
- Stu has done an outstanding job in all the areas included in this evaluation instrument. He has assembled a great leadership team and continues to find ways to improve student achievement. He is focused, engaged and collaborative in his efforts to improve district operations.

Becky Sagan – As a Board, through our goals and guidelines from state law, we provide resources, we set policies, and we hire and evaluate the Superintendent which is part of our charge as a school Board. In many of the meetings we have had with Stu on his evaluation, we talked about accountability. The evaluation of Stu is our accountability as a Board for the goals and objectives we have set. We don’t go into the schools and evaluate, we don’t hold teachers accountable, this is not our job. Our job is to hold the Superintendent accountable and set objectives that are important to the community and important to us. We have specific objectives each year for Stu to meet and they center on student achievement and making all of our schools equitable just as I have been saying for years and along with many other people. It shouldn’t matter where you live or what school you attend, every child deserves the same high level of education. We hold Stu accountable for this. I am very pleased with his evaluation and thankful that he is our leader. We have made great gains in three years. We are not where we want to be and we know this, but we have a leader in place who is willing to listen to the objectives that we have and those objectives are for all children and to work with the Board, all staff, and the community, to make sure all students have what they need to be successful. She personally thanked Stu for being here. I have been at events with Stu and people have come up and tried to recruit him. He is a gifted leader and we are very lucky to have him and I am looking forward to many more years of working on objectives to meet our goals of making all students high level learners.

John Price – Stated that he felt that Stu is the person who is the fine tuner in the district. The Board gives him broad objectives, fairly specific, but fairly broad also and Stu finds a way to get our objectives to the school level, to the classroom, and to the student level. Over time it has been very obvious the way that he has fine tuned the way we do things in our district for the benefit of our students. I look forward to his continued fine tuning.

Melissa Bacon – From a parent’s aspect I know that before Stu came to the district there was not much confidence in what was happening here and since he has gotten here there is an extreme level of trust. From a Board member’s perspective, Stu has brought with him his leadership team and this team is cohesive and it carries on down to his staff and he has assembled a great staff. As long as I am here you are not going anywhere.

Amanda Ferguson – Stated that the evaluation document is a thorough document. There are eight different areas with many different items in these areas and yet Stu still exceeded our expectations and our goals and it shows that he is not just talented in one or two areas, but all areas. Also reiterated what Becky Sagan said about others wanting to recruit him and this shows what a strong leader he is. Feels that we are blessed to have Stu in Fayette County.

Larry Conner – Leaders are constantly being evaluated and it is not just a one shot deal. Stu is evaluated every day by the Board, the community, teachers, administrators and students. In all the areas of the evaluation he feels that there is no one that wouldn’t rate Stu Silberman as a distinguished, outstanding leader in the field of education. I have been in this field for 20+ years and have had opportunities to meet many Superintendents and I find no greater leader and we are glad that you are a man of your word. Thank you for a great evaluation and we look forward to many more great evaluations in years to come.

Stu Silberman – Thanked the Board members and also Betty Rhodes for their comments. With the confidence and affirmation in what we are doing in our district, everyone knows that the rubber hits the road with our teachers in the classroom. Your confidence and affirmation allows us to take the next steps

Larry Conner - The next order of business relates to the revision of our contract with our Superintendent. It is helpful to understand the structure of the Superintendent’s contract and it is helpful to understand the climate in which the contract was written 3 ½ years ago.

When Stu was hired in 2004, Fayette County had been through unprecedented superintendent turnover. (He was the fifth superintendent in three years.) This contract was developed on the heels of Ken James’ departure less than a year into his contract and the board was disappointed in the progress that was being made. (Their trust had been violated and things Ken James had been directed to do had not been done.) There was a lot of mistrust within the school system and also out in the community and the board members at the time felt strongly that they needed to hold the next superintendent more closely accountable to the goals and objectives they outlined for the district. The thinking at the time was that in order to attract a quality superintendent, with all of the turnover that we experienced, the salary for the Fayette County Public Schools Superintendent’s post should be roughly \$200,000. The school Board decided to split that salary – making the base pay \$180,000 and tying another \$20,000 to performance incentives. In essence, the incoming Superintendent would have to be willing to give up \$20,000 of his or her salary and agree to earn that portion back based on meeting the objective criteria set by the school Board each year.

When Stu was hired in 2004, he agreed to give up 10 percent of his salary in order to earn it back. While Stu has earned back his salary during the contract period, this contract prevented our Superintendent from earning full salary credit under the Kentucky Teacher Retirement System. The Retirement System does not count incentive pay as part of credible contributions for retirement purposes. Therefore the Superintendent has lost \$20,000 in retirement benefits each year. While this process was necessary in 2004, the current school Board feels that we no longer need to structure the Superintendent’s contract this way. Instead the Superintendent will simply earn a salary and receive the same raises as other certified employees in the district.

In his three years with the district, Stu has proven himself to be an exemplary leader. He has proven himself to the Board, district employees and the community. He has the experience, ability and the leadership to truly make Fayette County a lighthouse district. When you look at our test scores and our culture and climate, this district is making significant progress on all of the goals set by the school Board. The gains being made in Fayette County under Stu's leadership are being noted across the state and one testament to his leadership is the aggressive recruitment he has received for the State Commissioner's post.

Aside from the very public recruitment for the Commissioner's post, Stu is approached several times a month by school districts from across the nation to come work for them in a leadership position. Amending this contract will show him in a very concrete way that we as a Board are committed to him, to his leadership and do not want him to suffer in any way due to the contractual arrangement that currently exists. We want to identify some notable gains that this district has made under the leadership of Stu Silberman.

- **Finance and Budgeting** -- The district has gone from annual budget cuts to a biennial spending plan that provides stability and a more responsible use of taxpayer dollars.
- **Stability in student assignment** -- Parents no longer have to worry about constant re-districting. The student continuation plan provides a way to address over-crowding without constantly redrawing school boundaries.
- **Communications** -- Once cited as problematic, it was a weakened area in the district. Now our Communications Department has received state and national awards.
- **Operations** -- Previously there were problems with facilities planning, transportation issues, past due bills, technologies outdated, maintenance and human resources used to plague the district. Now those areas are becoming non-events, and people in the schools no longer have to take time to deal with non-instructional issues.
- **2020 Vision** -- Unprecedented community input involved thousands of people and led to a strong plan to provide a world-class education for all students and we are moving forward toward implementation.
 - **District office** -- The district office has been decentralized. The culture and climate is at an all time high. Student achievement for all kids, kids in high achieving levels as well as kids in low achieving level, all kids are learning at higher level. In short, this Superintendent has been a great leader for this district and therefore the chair will entertain a motion to accept the Superintendent's performance evaluation and amended contract as conducted on July 11, 2007.

A motion was made by Becky Sagan and seconded by Melissa Bacon, to accept the Superintendent's performance evaluation and amended contract as conducted on July 11, 2007. The motion carried with a vote of 5 to 0.

Stu Silberman -- Thanked the Board and stated that he could not pass up the opportunity to say that the work that comes out of him is the work that happens in our classrooms, it's the work of our leaders in the buildings, it's the work of our staff here, and with everyone having one common vision of making decisions about what's best for kids. The good things that are happening and the positive movement that is taking place in the district, goes down to every support staff person in this district -- all the way up and down the line. It starts at the Board table and filters right down to the classrooms, and the work is being carried out every day by great people here. He thanked everyone for their hard work and stated that he was looking forward to the upcoming year.

06192

L. Informational Items

1. Personnel Changes – No discussion
2. Board Policy Review – 1st Reading
3. Update #30 – Board Policy Revisions – 1st Reading

Stu Silberman – This is actually a first reading. The Board Attorney reviewed all of these policies at the last Board meeting and based on input from the last meeting have made some adjustments. We will again review these at the August Planning meeting and the second and final reading will occur at the August Regular Board.

Brenda Allen – One clarification from the last meeting regarding page 151–152 on Professional Development. The question from the last meeting was how would we deal with docking the pay of an individual who did not get the required PD hours. Upon talking with KSBA, we have found that this policy deals with PD days. When there is a scheduled PD day and an individual does not use some type of leave, then they would miss a day without pay. Basically the policy says that they need to be on some type of leave or otherwise they are absent without appropriate leave.

Stu Silberman – Thinks that at the last meeting we were getting this policy mixed up with the Administrator’s Eila credits and this policy is actually for teachers when PD is scheduled. In the last three years we have not had to dock pay - teachers are completing their PD.

Brenda Allen – Regarding the policy that Betty Rhodes spoke of, page 135, The Sick Bank Leave, this did not appear on the agenda for the Planning Meeting – research on this policy was still being conducted. This policy sets a drop dead date of January 2008 for employees to enroll in this program and it will phase out over time as individuals apply and are granted days from the Sick Bank. This leaves the days available for those who need to apply and does not cause a detriment to those who have applied. This gives ample notice for new employees.

Stu Silberman - Thanked Betty Rhodes for her input.

Becky Sagan – Regarding policy 03.1161, Paraprofessionals in Athletics – Policy states that in order for a person to be eligible for a paraprofessional position in an athletic program, they have to hold a provisional or standard teaching certificate or have completed a minimum of 64 semester hours of college credit. It was questioning if this is our policy or are we required to have these requirements by another agency. Understand that these are not imposed by us.

Stu Silberman – Correct. This is a KHSAA guideline that has also been imposed by KDE. We had questions regarding this and went to the State Board to see if this could be changed and it was not. As long as this is in place, we will follow the ruling.

M. Oral Communications

1. **Public Comments** – None
2. **Board Requests** – None

Becky Sagan – In the 2020 vision, one of the recommendations was to have an International Baccalaureate Program. Pleased that once again we are doing what the 2020 Vision has asked us to do and we are implementing things like expanding our children’s view of the world through the IB Program.

Larry Conner - In regard to participation in the KBMC Program, a program designed to attract minority vendors and contractors, could we have an analysis of how successful this has been?

Stu Silberman – Mary Browning will check into.

3. Other Business

- a. **Board
Discussion of Board Work**

b. Staff**N. Motion Making Agenda Part of the Official Board Minutes**

A motion was made by John Price seconded by Melissa Bacon, to make the agenda dated July 23, 2007, 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.

Closed Session

A motion was made by Melissa Bacon and seconded by Becky Sagan, to go into closed session at 7:25 p.m. to discuss proposed or pending litigation pursuant to KRS 61.810(1)(c) and personnel pursuant to KRS 61.810(1)(f). The motion carried with a vote of 5 to 0.

Open Session

A motion was made by Becky Sagan and seconded by John Price, to reconvene in open session. The motion carried with a vote of 5 to 0.

Closed Session

A motion was made by Becky Sagan and seconded by John Price, to go into closed session at 7:26 p.m. to discuss proposed or pending litigation pursuant to KRS 61.810(1)(c), personnel pursuant to KRS 61.810(1)(f) and 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.

Open Session

A motion was made by John Price and seconded by Amanda Ferguson, to reconvene in open session. The motion carried with a vote of 5 to 0.

Adjournment

A motion was made by Amanda Ferguson and seconded by Melissa Bacon to adjourn the meeting at 9:39 p.m. The motion carried with a vote of 5 to 0.

 CHAIR

 SECRETARY