

Kentucky Board of Education Special Meeting (Via Teleconference)
August 29, 2018

300 Sower Blvd., 5th Floor, Room 514, Frankfort, Kentucky 40601

MINUTES

The Kentucky Board of Education held a special meeting on August 29, 2018, in the State Board Room, Fifth Floor, 300 Building, 300 Sower Blvd., Frankfort, Kentucky. The board conducted the following business:

I. Call to Order

Chair Heiner welcomed everyone and called the Special meeting to order at 1:31 p.m.

Chair Heiner announced for everyone watching via live webcast that the agenda and board documents may be found on the Kentucky Department of Education's (KDE) website. Chair Heiner thanked the interpreters and individuals providing closed captioning for their services at the meeting. Chair Heiner stated that there is an overflow room in the common area just beyond Room 516.

II. Roll Call

Chair Heiner requested a roll call of the members. The following members were present: Rich Gimmel, Kathy Gornik, Hal Heiner, Gary Houchens, Milton Seymore, Amanda Stamper, Laura Timberlake, Joe Papalia (via live video conference) and Council on Postsecondary Education Vice-President Aaron Thompson serving for President Robert King.

The following members were absent: Ben Cundiff, Tracy Cusick and Alesa Johnson.

Chair Heiner stated there is a quorum.

Chair Heiner stated that the special meeting is a video teleconference meeting due to KBE member Joe Papalia joining the meeting via teleconference pursuant to KRS 61.826.

III. Pledge of Allegiance to American Flag

Chair Heiner led the members in The Pledge of Allegiance.

IV. Moment of Silence

Chair Heiner invited those in attendance to join him in a minute of silence, a time of reflection and consideration of the weighty items that come before the board.

V. Discussion and Action on Kentucky Department of Education v. Board of Education of Jefferson County, Kentucky Administrative Action No. 2018-01

Chair Heiner stated there was one item on the agenda today: discussion and action on the case styled Kentucky Department of Education versus the Board of Jefferson County (JCBE), Kentucky, Administrative Action 2018-1. He stated the matter was before KBE as a result of a request for a KRS Chapter 13B administrative hearing by JCBE following the Commissioner's recommendation pursuant to KRS 158.780, 158.785, and 703 KAR 3:205 that the Jefferson County School District be designated as a state managed school district. Chair Heiner invited representatives from the Kentucky Department of Education and the Jefferson County Board of Education to come to the table to discuss the settlement reached between them and their request that the pending administrative hearing be dismissed. Interim Commissioner Wayne Lewis represented the Kentucky Department of Education, and Superintendent Martin Polio and Board Chair Diane Porter represented JCBE.

Interim Commissioner Lewis provided an overview of the settlement agreement reached between KDE and JCBE. Interim Commissioner Lewis then requested KBE members to dismiss the action.

Board members were then provided an opportunity to ask questions regarding the settlement. Following several questions and comments, Chair Heiner stated there is a request by the parties, as a result of their settlement agreement, to dismiss the action of Kentucky Department of Education versus the Board of Education of Jefferson County, Kentucky, Administrative Action 2018-1. Chair Heiner stated that all KBE members had received a signed copy of the settlement agreement and the Recommended Order of Dismissal from the Hearing Officer.

Chair Heiner requested a motion to accept and adopt the Hearing Officer's Recommended Order of Dismissal with Prejudice.

With no additional discussion, a motion was made by Rich Gimmel and seconded by Vice Chair Milton Seymore to accept and adopt the Hearing Officer's Recommended Order of Dismissal with Prejudice, dismissing Kentucky Department of Education v. Board of Education of Jefferson County, Kentucky, Administrative Action 2018-1. The motion passed with a unanimous voice vote.

VI. Adjournment

Chair Heiner shared that the next meeting of the Kentucky Board of Education will be a special called meeting on September 5th at 8:30 a.m. in the Kentucky Board of Education Board Room.

Chair Heiner requested a motion to adjourn. Kathy Gornik moved to adjourn and Laura Timberlake seconded. The motion was passed with a unanimous voice vote. The meeting was adjourned at 2:10 p.m.