

Hamilton County Department of Education Board Meeting - Regular Session

April 19, 2018 5:30 PM
3074 Hickory Valley Road Chattanooga, TN 37421
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Chattanooga, TN 37421

Attendance Taken at 5:30 PM.

Mr. Joe Galloway:	Present
Dr. Steve Highlander:	Present
Mrs. Karitsa Jones:	Present
Mrs. Kathy Lennon:	Present
Mrs. Tiffanie Robinson:	Present
Mr. Joe Smith:	Present
Mr. David Testerman:	Present
Mrs. Rhonda Thurman:	Present
Mr. Joe Wingate:	Present

I. Roll Call

II. **Approval of the Agenda

approval of the agenda with the following amendments: Under Pledge to the Flag and Meditation change to: Kelvert Scruggs, Instructor at Tyner Academy. Under Item IX. Administrative Matters: move Item A. Approval of FY 2019 Budget for Presentation to County Commission; move Item B.3. Approval of Erlanger for District Wide High School Athletic Training Program; and Add Legal Retainer Agreement after the pledge and meditation and renumber remaining items. Under Item V. Exemplars of Excellence - Remove Item C. Recognition of Jump Rope for Heart Winners; Update Item D. Recognition of STEM Cart Teams Under Item VI. Delegations: remove B. Tron Wilder "Kindergarten Start Date Policy Under Item VIII. Approval of the Consent Agenda " C. Chief Business Officer " Add 6. Grant Acceptance Request " Camp Kindergarten (Funded by Smart City Venture Fund through the Community Foundation) Under Item X. Board Matters " Item A. Zero Tolerance Appeal " change to 2; Add Item C. School Safety Update passed with a motion by Mrs. Tiffanie Robinson and a second by Mrs. Kathy Lennon.

Mr. Joe Galloway:	Yes
Dr. Steve Highlander:	Yes
Mrs. Karitsa Jones:	Yes
Mrs. Kathy Lennon:	Yes
Mrs. Tiffanie Robinson:	Yes
Mr. Joe Smith:	Yes
Mr. David Testerman:	Yes

Mrs. Rhonda Thurman: Yes
Mr. Joe Wingate: Yes
Yes: 9, No: 0

III. Executive Session - No

IV. Pledge to the Flag and Meditation - Kelvert Scruggs, Instructor at Tyner Academy

V. Administrative Business Matters - Amended

A. **Approval of FY 2019 Budget for Presentation to County Commission - Don Hall/Christie Jordan and Dr. Bryan Johnson approval of the FY 2019 Budget for Presentation to the County Commission passed with a motion by Mr. Joe Galloway and a second by Mr. Joe Smith.

Mrs. Rhonda Thurman: No
Mr. Joe Galloway: Yes
Dr. Steve Highlander: Yes
Mrs. Karitsa Jones: Yes
Mrs. Kathy Lennon: Yes
Mrs. Tiffanie Robinson: Yes
Mr. Joe Smith: Yes
Mr. David Testerman: Yes
Mr. Joe Wingate: Yes
Yes: 8, No: 1

Mrs. Rhonda Thurman: No

B. **Approval of Erlanger for District Wide High School Athletic Training Program approval the District Wide Athletic Training Program to be provided by Erlanger Hospital Failed with a motion by Mr. Joe Smith and a second by Mr. Joe Wingate.

Mr. Joe Galloway: Abstain (Without Conflict)
Dr. Steve Highlander: Abstain (Without Conflict)
Mrs. Karitsa Jones: Abstain (Without Conflict)
Mrs. Kathy Lennon: Abstain (Without Conflict)
Mrs. Tiffanie Robinson: Abstain (Without Conflict)
Mr. David Testerman: Abstain (Without Conflict)
Mrs. Rhonda Thurman: Abstain (Without Conflict)
Mr. Joe Smith: Yes
Mr. Joe Wingate: Yes

Yes: 2, No: 0, Abstain (Without Conflict): 7

Mr. Joe Smith: Yes, Mr. Joe Wingate: Yes

approval to substitute Mrs. Thurman's motion for the main motion to approve the "trio" to provide the District Wide Athletic Training Program passed with a motion by Mrs. Rhonda Thurman and a second by Mr. David Testerman.

Mrs. Karitsa Jones: Abstain (With Conflict)
Mrs. Tiffanie Robinson: Abstain (With Conflict)
Mr. Joe Smith: No

Mr. Joe Wingate: No
Mr. Joe Galloway: Yes
Dr. Steve Highlander: Yes
Mrs. Kathy Lennon: Yes
Mr. David Testerman: Yes
Mrs. Rhonda Thurman: Yes

Yes: 5, No: 2, Abstain (With Conflict): 2

Mr. Joe Smith: No, Mr. Joe Wingate: No

approval of the substitute motion to award the contract to the "trio" or "conglomerate" to provide District Wide High School Athletic Training Programs Failed with a motion by Mrs. Rhonda Thurman and a second by Mr. David Testerman.

Mrs. Karitsa Jones: Abstain (With Conflict)

Mrs. Tiffanie Robinson: Abstain (With Conflict)

Mr. Joe Galloway: No

Mrs. Kathy Lennon: No

Mr. Joe Smith: No

Mr. Joe Wingate: No

Dr. Steve Highlander: Yes

Mr. David Testerman: Yes

Mrs. Rhonda Thurman: Yes

Yes: 3, No: 4, Abstain (With Conflict): 2

Dr. Steve Highlander: Yes, Mr. David Testerman: Yes, Mrs. Rhonda Thurman: Yes
approval of Erlanger for District Wide High School Athletic Training Program Failed with a motion by Mr. Joe Smith and a second by Mr. Joe Wingate.

Mrs. Karitsa Jones: Abstain (With Conflict)

Mrs. Tiffanie Robinson: Abstain (With Conflict)

Dr. Steve Highlander: No

Mr. David Testerman: No

Mrs. Rhonda Thurman: No

Mr. Joe Galloway: Yes

Mrs. Kathy Lennon: Yes

Mr. Joe Smith: Yes

Mr. Joe Wingate: Yes

Yes: 4, No: 3, Abstain (With Conflict): 2

Mr. Joe Galloway: Yes, Mrs. Kathy Lennon: Yes, Mr. Joe Smith: Yes, Mr. Joe Wingate: Yes

approval of all four groups to provide District Wide High School Athletic Training Programs Withdrawn with a motion by Mr. David Testerman.

approval to accept the committee recommendation of Erlanger for District Wide High School Athletic Training Program passed with a motion by Mr. Joe Wingate and a second by Mrs. Tiffanie Robinson.

Mr. Joe Galloway: Yes

Dr. Steve Highlander: Yes

Mrs. Karitsa Jones: Yes

Mrs. Kathy Lennon: Yes
Mrs. Tiffanie Robinson: Yes
Mr. Joe Smith: Yes
Mr. David Testerman: Yes
Mrs. Rhonda Thurman: Yes
Mr. Joe Wingate: Yes
Yes: 9, No: 0

There was a motion by Mr. Smith Seconded by Mr. Wingate.

Mrs. Jones recused herself from voting since she is an employee of Erlanger.

Mrs. Thurman began discussion asking about the difference in the cost from Erlanger and the group being referred to as the "Trio" or "conglomerate". Mrs. Thurman stated that this is very hard because Benchmark has been very good to the school system and they stepped up and did a lot of things nobody else would and she felt there is a lot to be said for loyalty along with the fact that some didn't get the RFP. Dr. McDade stated the RFP was placed online as well as the ones being sent out to those who requested. Based on all the things given to our schools and students for free Mrs. Thurman stated she was not sure the approximately \$25,000 difference was really that amount. Dr. Highlander clarified that the other entities could not cover all schools and asked Mr. Galloway if there were any major differences from the committee other than the \$25,000 difference. Mr. Galloway stated that he was not aware of any other major differences. Mr. Wingate asked for clarification of what the struggle was in regard to the recommendation. Mrs. Thurman explained that there was a \$5.00 different in the total for each student (\$30 by Erlanger and \$35 by the others) and with approximately 5,000 students that would be approximately \$25,000. Dr. McDade stated there were 3,553 this year. Mrs. Thurman continued discussion stating that with all the others (Sports Medicine) had given there might not really be a difference and she wasn't sure we could pay them for what they have done. Mrs. Thurman made a motion to instead of voting for Erlanger to give the bid to the "conglomerate". Chairman Highlander stated there was a motion on the floor and that whoever made the motion would have to amend it and asked Mr. Bennett for clarification. Attorney Bennett said she could do a substitute motion and if it was seconded then the Board could proceed from there. Chairman Highlander asked Mrs. Thurman if she was making a substitute motion. Mrs. Thurman stated she was making a substitute motion. Chairman Highlander asked if the Board would now vote for Erlanger or the "trio". Attorney Bennett stated that procedurally the Board would vote to substitute Mrs. Thurman's motion for the main motion and if that passed then the Board would have to vote on the main motion.

Mrs. Robinson stated she would recuse herself from the vote also since she has a business relationship more than one of these companies.

Attorney Bennett reminded the Board that in order to get anything passed, there would still have to be five votes even though two people had recused themselves.

Mrs. Jones asked if changing the motion to vote for the "trio" or "conglomerate" was defeating the purpose of the RFP. Attorney Bennett explained that the RFP was simply a request for

proposal. The RFP stated that the contract could be split so that allows flexibility. The final decision lies with the Board.

Mr. Wingate explained that many schools in the district had not had coverage for many years and even though those that worked with our schools have done many things for them but we still had schools that were not covered. The goal of this is to get coverage for everyone. Mr. Wingate recommended that the Board act in a responsible manner to cover every one not based on loyalty or based on a feel good story but what covers every one including the least of these.

Mr. Testerman asked to make a motion to accept all four bids and that we do what we intended to be doing and get our principals and coaches some authority to choose whom they wish to serve them. Mrs. Thurman seconded the motion.

Mrs. Jones asked if the Board was sure the companies want to divide the process. She continued discussion by saying you have to choose.

Dr. McDade explained that the RFP was written to be all inclusive and what we have right now is not working.

Mrs. Thurman stated that she has received calls from coaches giving their opinions and thoughts so it's not just her making the vote on her own.

Attorney Bennett stated that the two Board members who had recused themselves, at least Mrs. Jones, could legally vote on this matter. While she is an employee of Erlanger that gives an indirect conflict of interest not a direct. State law prohibits a direct conflict of interest where she would personally benefit for accepting the contract. If Mrs. Jones personal ethics allows her to vote on this as long as she discloses to the public, and she has, and she certifies she is casting her vote in the best interest of the school system, she may legally vote. Dr. Highlander asked if that applied to Mrs. Robinson as well. Attorney Bennett stated he did not know what Mrs. Robinson's interest is. Mrs. Robinson stated that it is a business relationship, they are a client. Mrs. Robinson stated she would not benefit directly from this contract. Attorney Bennett stated that it seems as though, at most, both individuals have an indirect conflict of interest. As long as the two of them disclose publically and certify that your vote is in the best interest of the system, you may legally vote.

Mrs. Jones and Mrs. Robinson both made disclosure statements.

VI. Board Matters Amended

approval of the legal retainer agreement with Bennett & DeCamp, PLLC passed with a motion by Mr. David Testerman and a second by Mr. Joe Smith.

Mr. Joe Galloway: Yes
Dr. Steve Highlander: Yes
Mrs. Karitsa Jones: Yes
Mrs. Kathy Lennon: Yes
Mrs. Tiffanie Robinson: Yes
Mr. Joe Smith: Yes
Mr. David Testerman: Yes
Mrs. Rhonda Thurman: Yes
Mr. Joe Wingate: Yes
Yes: 9, No: 0

A. **Proposed Legal Retainer Agreement

approval of the retainer proposal for the firm of Bennett and DeCamp, PLLC, Counselors at Law passed with a motion by Mr. David Testerman and a second by Mr. Joe Smith.

Mr. Joe Galloway: Yes
Dr. Steve Highlander: Yes
Mrs. Karitsa Jones: Yes
Mrs. Kathy Lennon: Yes
Mrs. Tiffanie Robinson: Yes
Mr. Joe Smith: Yes
Mr. David Testerman: Yes
Mrs. Rhonda Thurman: Yes
Mr. Joe Wingate: Yes
Yes: 9, No: 0

VII. Exemplars of Excellence

A. Teachers of the Year - Dr. Justin Robertson

B. Annual National School Library Month Recognition - Dr. Justin Robertson and Becky Covington

C. Removed from Agenda - Recognition of Jump Rope for Heart Winners - Dr. Neelie Parker

D. Recognition of STEM Cart Teams - Dr. Neelie Parker and Saunya Goss

E. Signal Mountain Middle/High School Mock Trial Team - Dr. Robert Sharpe

VIII. Delegations

A. Natalie Cook - UnifiEd - Apex Project

B. DID NOT ATTEND - Tron Wilder - Kindergarten Start Date Policy

C. Dan Liner, HCEA

IX. **Approval of the Minutes of the March 22, 2018 Quarterly Session

approval of the minutes of the March 22, 2018 Quarterly Session passed with a motion by Mr. Joe Galloway and a second by Mrs. Tiffanie Robinson.

Mr. Joe Smith: Absent

Mr. Joe Galloway: Yes

Dr. Steve Highlander: Yes

Mrs. Karitsa Jones: Yes

Mrs. Kathy Lennon: Yes

Mrs. Tiffanie Robinson: Yes

Mr. David Testerman: Yes

Mrs. Rhonda Thurman: Yes

Mr. Joe Wingate: Yes

Yes: 8, No: 0, Absent: 1

X. **Approval of the Consent Agenda

approval of the Consent Agenda after item VIII.C.5. Approval of School Fees was pulled by Mrs. Thurman passed with a motion by Mr. David Testerman and a second by Mr. Joe Galloway.

Mr. Joe Smith: Absent

Mr. Joe Galloway: Yes

Dr. Steve Highlander: Yes

Mrs. Karitsa Jones: Yes

Mrs. Kathy Lennon: Yes

Mrs. Tiffanie Robinson: Yes

Mr. David Testerman: Yes

Mrs. Rhonda Thurman: Yes

Mr. Joe Wingate: Yes

Yes: 8, No: 0, Absent: 1

add school fees back to the agenda and approve school fees passed with a motion by Dr. Steve Highlander and a second by Mr. Joe Galloway.

Mr. Joe Smith: Absent

Mr. David Testerman: No

Mrs. Rhonda Thurman: No

Mr. Joe Galloway: Yes

Dr. Steve Highlander: Yes

Mrs. Karitsa Jones: Yes

Mrs. Kathy Lennon: Yes
Mrs. Tiffanie Robinson: Yes
Mr. Joe Wingate: Yes
Yes: 6, No: 2, Absent: 1
Mr. David Testerman: No, Mrs. Rhonda Thurman: No

Mrs. Thurman began the discussion of school fees. She stated the amounts are all over the map. Some have \$10, some have \$75, some have \$80, some have \$100; Signal Mountain is \$100 and that's saying that everyone on Signal Mountain has a lot of money and that is not true and says that some of the students who go to Hardy Elementary - their parents can just afford \$10 and that is not the truth either. Mrs. Thurman stated she didn't like the fact that the amounts are all over the map. This is why she wanted more of the money to go to the schools so this could be stopped because when some parents put their kids in school, it costs them \$400. That should not be happening. She stated she knows they are not mandatory but the parents feel bad when they can't do it, its embarrassing when their parents can't do it and sometimes that makes us look like bullies and she doesn't like that. Mrs. Thurman stated she felt there should be some way to make them more fair or more uniform.

A. Executive Committee Report

B. Chief Schools Officer - Dr. Justin Robertson

1. Field Trips

- a. Dr. Robert Sharpe and Le Andrea Ware - Secondary Operations Directors (14)
- b. Karen Hollis and Dr. Neelie Parker, Elementary Operations Directors (1)
- c. John Maynard - Director of College, Career, and Technical Education (2)
- d. Garfield Adams, Director of Exceptional Education (2)

C. Chief Business Officer - Don Hall

1. Bids/Contracts

2. Conferences and Consultants

3. Financial Reports

4. Budget Amendments

- a. General Operating Amendments
- b. Federal Grants and Self-Funded Programs

5. Approval of School Fees

6. Grant Acceptance Request "Camp Kindergarten (Funded by Smart City Venture Fund through the Community Foundation)

D. Chief Operations Officer - Dr. Lee McDade

1. Bullying Compliance Report (through 3rd Quarter)
2. Board Policy 1.803 - Tobacco Free Schools - Second and Final Reading

XI. Administrative Business Matters

A. Chief Operations Officer - Dr. Lee McDade

1. Board Policy 3.501 - Wellness Policy - First Reading
2. ****Approval of Proposed Breakfast and Lunch Meal Price Increase for 2018-2019 SY for HCDE Employees and Visitors - Carolyn Childs**
approval of breakfast and lunch meal price increase for 2018-2019 SY for HCDE employees and visitors passed with a motion by Mr. Joe Galloway and a second by Mr. David Testerman.

Mr. Joe Smith: Absent
Mr. Joe Galloway: Yes
Dr. Steve Highlander: Yes
Mrs. Karitsa Jones: Yes
Mrs. Kathy Lennon: Yes
Mrs. Tiffanie Robinson: Yes
Mr. David Testerman: Yes
Mrs. Rhonda Thurman: Yes
Mr. Joe Wingate: Yes
Yes: 8, No: 0, Absent: 1

3. **MOVED TO TOP OF AGENDA - Approval of Erlanger for District Wide High School Athletic Training Program**

4. ****Approval of 2018-2019 Tuition Rates**
approval of 2018-2019 tuition rates passed with a motion by Mr. David Testerman and a second by Mr. Joe Galloway.

Mr. Joe Smith: Absent
Mr. Joe Galloway: Yes
Dr. Steve Highlander: Yes
Mrs. Karitsa Jones: Yes
Mrs. Kathy Lennon: Yes
Mrs. Tiffanie Robinson: Yes
Mr. David Testerman: Yes
Mrs. Rhonda Thurman: Yes
Mr. Joe Wingate: Yes
Yes: 8, No: 0, Absent: 1

5. ****Old East Brainerd Elementary Time Extension - Justin Witt**
approval of old East Brainerd Elementary time Extension passed with a motion by Mr. David Testerman and a second by Mr. Joe Galloway.

Mr. Joe Smith: Absent
Mr. Joe Galloway: Yes

Dr. Steve Highlander: Yes
Mrs. Karitsa Jones: Yes
Mrs. Kathy Lennon: Yes
Mrs. Tiffanie Robinson: Yes
Mr. David Testerman: Yes
Mrs. Rhonda Thurman: Yes
Mr. Joe Wingate: Yes
Yes: 8, No: 0, Absent: 1

- B. ****Textbook Adoption of Instructional Resources - Dr. Justin Robertson**
approval of textbook adoption of instructional resources passed with a motion by Mr. David Testerman and a second by Mr. Joe Galloway.

Mr. Joe Smith: Absent
Mr. Joe Galloway: Yes
Dr. Steve Highlander: Yes
Mrs. Karitsa Jones: Yes
Mrs. Kathy Lennon: Yes
Mrs. Tiffanie Robinson: Yes
Mr. David Testerman: Yes
Mrs. Rhonda Thurman: Yes
Mr. Joe Wingate: Yes
Yes: 8, No: 0, Absent: 1

C. Exceptional Education - Garfield Adams

1. ****Approval of MOU with Blue Cross Blue Shield for Project SEARCH**
approval of MOU with Blue Cross Blue Shield for Project SEARCH passed with a motion by Mr. Joe Galloway and a second by Mr. David Testerman.

Mr. Joe Smith: Absent
Mr. Joe Galloway: Yes
Dr. Steve Highlander: Yes
Mrs. Karitsa Jones: Yes
Mrs. Kathy Lennon: Yes
Mrs. Tiffanie Robinson: Yes
Mr. David Testerman: Yes
Mrs. Rhonda Thurman: Yes
Mr. Joe Wingate: Yes
Yes: 8, No: 0, Absent: 1

2. ****Stellar Therapy Amendment**
approval of the Stellar Therapy Amendment passed with a motion by Mr. Joe Galloway and a second by Mrs. Kathy Lennon.

Mr. Joe Smith: Absent
Mr. Joe Galloway: Yes
Dr. Steve Highlander: Yes

Mrs. Karitsa Jones: Yes
Mrs. Kathy Lennon: Yes
Mrs. Tiffanie Robinson: Yes
Mr. David Testerman: Yes
Mrs. Rhonda Thurman: Yes
Mr. Joe Wingate: Yes
Yes: 8, No: 0, Absent: 1

XII. Board Matters

A. **Zero Tolerance Appeal - Dr. Lee McDade (2)

approval of the administration's recommendation to deny the zero tolerance appeal for a young lady (Case 1) passed with a motion by Mr. David Testerman and a second by Mr. Joe Galloway.

Mr. Joe Smith: Absent
Mr. Joe Galloway: Yes
Dr. Steve Highlander: Yes
Mrs. Karitsa Jones: Yes
Mrs. Kathy Lennon: Yes
Mrs. Tiffanie Robinson: Yes
Mr. David Testerman: Yes
Mrs. Rhonda Thurman: Yes
Mr. Joe Wingate: Yes

Yes: 8, No: 0, Absent: 1

approval of the administration's recommendation to deny the zero tolerance appeal for a senior student (Case 2) passed with a motion by Mr. David Testerman and a second by Mr. Joe Galloway.

Mr. Joe Smith: Absent
Mr. Joe Galloway: Yes
Dr. Steve Highlander: Yes
Mrs. Karitsa Jones: Yes
Mrs. Kathy Lennon: Yes
Mrs. Tiffanie Robinson: Yes
Mr. David Testerman: Yes
Mrs. Rhonda Thurman: Yes
Mr. Joe Wingate: Yes

Yes: 8, No: 0, Absent: 1

B. **Schedule of Sessions 2018-2019

approval of the schedule of sessions for the 2018-2019 school year passed with a motion by Mr. David Testerman and a second by Mr. Joe Galloway.

Mr. Joe Smith: Absent
Mr. Joe Galloway: Yes
Dr. Steve Highlander: Yes
Mrs. Karitsa Jones: Yes

Mrs. Kathy Lennon: Yes
Mrs. Tiffanie Robinson: Yes
Mr. David Testerman: Yes
Mrs. Rhonda Thurman: Yes
Mr. Joe Wingate: Yes
Yes: 8, No: 0, Absent: 1

C. School Safety Update Several of the Board members spoke regarding safety meetings they had attended including the Safety Summit presented by TSBA.

XIII. Information Only

A. Legal Services Report

XIV. Events/Announcements

XV. Adjournment The meeting was adjourned at 7:24 p.m.

Chairperson

Date

Superintendent

Date