



## Board of Education

### Minutes

#### The Board of Education

A Regular School Board Meeting of the Board of Education of Fort Smith Public Schools was held Monday, January 25, 2021, beginning at 5:30 PM in the Service Center, Bldg B., 3205 Jenny Lind Road, and virtually per CDC guidelines.

Mr. Hanesworth, president, called the meeting to order. Other board members present were Ms. Susan McFerran, Ms. Talicia Richardson, Mr. Dalton Person, Ms. Yvonne Keaton-Martin, Ms. Dee Blackwell and Mr. Wade Gilkey. Dr. Terry Morawski, Superintendent, Mr. Martin Mahan, Deputy Superintendent, Ms. Sherri Penix, Assistant Superintendent of Human Resources and Campus Support, Mr. Charles Warren, Chief Financial Officer, Mr. Darian Layes, Executive Director of Student Services, Mr. Vance Gregory, Executive Director of Technology, Ms. Zena Featherston Marshall, Executive Director of Communication and Community Partnerships, and Ms. Nadine Brooks, Secretary to the Superintendent were also present.

A moment of silence was followed by the pledge of allegiance.

### RECOGNITIONS

Ms. Featherston Marshall presented the following recognitions for January.

#### January Star Awards

Consuelo Aguilar, Howard Elementary School  
Nimsy Aldaco Fairview Elementary School  
Jeannie Chanmanivong Euper Lane Elementary  
Maritza Delgado, Carnall Elementary School  
Harper Edwards, Woods Elementary School  
Jacob Gallardo Acosta, Pike Elementary School  
Kenzie Haynes, Barling Elementary School  
Chloee Limon, Beard Elementary School  
Jacqueline Montoya, Tilles Elementary School  
Aaron Vargas, Sunnymede Elementary School

#### Other Recognitions

Tracy Newhart, was featured by Lindamood-Bell 'Leaders in Literacy' webinar series. This series features educators sharing their insights on student achievement and successful school improvement. This month's Leaders in Literacy webinar features Tracy Newhart, FSPS K-12 Literacy Coordinator discussing the implementation of Lindamood-Bell evidence based instruction in Kindergarten through second grade classrooms.

Board member Talicia Richardson received the Master Board Member Award by the Arkansas School Board Association. This award is presented to a board member receiving 50 or more hours of continuing education credit.

January is Board Member Recognition month. Board members were recognized with a video from FSPS students thanking them for their service. Board members also received an umbrella with the FSPS logo on it as a token of appreciation.

### **CITIZENS PARTICIPATION**

There was no one present for Citizens Participation

### **SUPERINTENDENT'S REPORT**

Dr. Morawski reported that Mr. Mahan will provide a COVID Update later on the agenda.

Dr. Morawski reported that the COVID vaccination clinic provided by Mercy was organized and very much appreciated. 400 vaccinations were given out on Friday, January 22. This represents about 20% of the District staff. Dr. Morawski expressed thanks to the District administrators and Mercy that organized this vaccination clinic. Talks are ongoing with pharmacies and other health agencies to offer more doses to employees as the vaccine becomes available.

Dr. Morawski reported that 16.9 million dollars in ESSR federal funds have become available and are accessible for reimbursement through the Arkansas Department of Education.

### **CONSENT AGENDA**

The consent agenda included: December 14, and January 11 Minutes, December Financial Report, January Professional Staff Recommendations, January Student Services Report and approval of required annual board hours. Ms. McFerran made a motion, seconded by Ms. Richardson, to approve the consent agenda as presented. The vote passed 7/0.

### **CONSIDER APPROVAL OF THE 2019/2020 AUDIT REPORT**

Mr. Warren reported that Marc Lux, the lead auditor with Przybysz & Associates, CPAs reviewed the completed 2019-2020 regulatory audit report with the Board at the January 11 Work Session. He noted that Mr. Lux had reviewed the report in detail and answered questions from board members. Board members had no further questions. The administration's recommendation was to consider the audit report for approval. Mr. Gilkey made a motion, seconded by Ms. Blackwell, to approve the 2019-2020 Regulatory Audit Report as presented by Mr. Lux. The vote passed 7/0.

**CONSIDER ADOPTING UPDATES FOR LICENSED AND CLASSIFIED PERSONNEL POLICY CHANGES FOR FIRST READING**

Dr. Morawski reported that Ms. Penix would present the Personnel Policy Changes to Sections 3 and 8 for first reading. Mr. Marshall Ney was available by zoom if board members had any questions. Ms. Penix highlighted changes to the grievance policy and sexual harassment policy. Ms. Penix reported that the other policies had only minor grammatical changes. Ms. Penix noted that some of these changes would become effective after second reading. Others would become effective as of July 1, 2021. These changes were presented to the Licensed and Classified personnel committees for their review and both committees approved changes. Mr. Gilkey made a motion, seconded by Ms. McFerran, to approve the first reading of the revisions to the Licensed and Classified Board Personnel Policies Section 3 and 8 for first reading, to become effective upon the dates stated by the administration. The vote passed 7/0.

**CONSIDER ADOPTING STUDENT RELATED POLICY CHANGES FOR FIRST READING - SECTION 4**

Mr. Layes reported that the District's policies for students were updated to reflect modifications recommended by the Arkansas School Board Association in their Model Policies. Mr. Layes reported that both final and redlined versions of the policies were provided to enable the Board to see the specific changes that were being proposed. Mr. Layes reported that the District's Certified Personnel Policy Committee has reviewed those policy changes involving student discipline as well as the District's attorney. Mr. Layes noted that the majority of the policies added legal references. He noted that the policy with the most changes was an update to 4.14 Student Media. Mr. Layes noted that any necessary revisions to the student handbook would follow this adoption.

Ms. Richardson made a motion, seconded by Mr. Gilkey, to approve the first reading of the Board Student Policy Changes to Section 4 for first reading. The vote passed 7/0.

**CONSIDER APPROVAL OF CONSTRUCTION MANAGER AT RISK FOR ACCESS AND SECURITY UPGRADES PHASE 2, PACKAGE C FOR BEARD, EUPER LANE, AND TRUSTY ELEMENTARY SCHOOLS**

**(Dr. Morawski noted correction to Mr. Watts presentation that Trusty Elementary was included in this package not Tilles Elementary as stated by Mr. Watts)**

Mr. Mahan reported that Mr. George Watts, HPM, would present recommendations for approval of construction manager at risk for access and security upgrades Phase 2, Package C for Beard, Euper Lane and Trusty Elementary Schools. Mr. Watts reviewed the timeline of qualifications and publication dates, seven submittals received, six candidates interviewed and recommendations presented to District Leadership. The probably cost of construction is \$1,025,000 for the three campuses. Mr. Watts presented Beshears Construction with a score of

91.6. Mr. Watts noted successful previous construction projects that Beshears had completed with Fort Smith Public Schools.

Mr. Person expressed concern that scores were not presented for all candidates. He noted that he was not concerned with Beshears reputation but past procedure has been to present all candidates scores. He preferred to list all for transparency.

Ms. Richardson stated that although not policy she would prefer that this be consistent with previous submittals for approval.

Dr. Morawski confirmed that it is not policy but practice and recommendation of the board and administration to provide all scores.

Mr. Hanesworth asked that going forward all scores be presented to the board as this has been the practice. Mr. Watts stated that he understood and made note of this request.

Ms. McFerran made a motion, seconded by Mr. Gilkey, to award the construction manager at risk for access and security upgrades Phase 2, Package C for Beard, Euper Lane and Trusty Elementary Schools projects to the most qualified contractor and thereafter to proceed with the execution of a construction contract with the most qualified contractor in a form approved by legal counsel. The vote passed 6/1 with Mr. Person opposing.

#### **CONSIDER APPROVAL OF CONSULTANTS FOR BUILDING COMMISSIONING SERVICES**

Mr. Watts presented the recommendation of consultants for building commissioning services. He reviewed the timeline for request of qualifications published, attendance of four candidates at pre-submittal meeting and stated that submittals were received from that same group of four candidates, tabulation of scores and recommendation to District leadership. Mr. Watts reviewed and explained indefinite delivery/ indefinite quality procurement/delivery method. Mr. Watts stated that the recommendation made to District Leadership is to approve all four that submitted responses to the Request for Qualifications. These are: Pinnacle, Fayetteville, AR; EcoSense, Greenwood, AR; Entegrity, Little Rock, AR; and McInstry, Little Rock, AR to be assigned to projects on a "best fit" basis.

Mr. Person asked for clarification about the scope of the work from these four groups. Mr. Watts stated the role of the commission is to review work completed to projects. He noted that studies have shown that commercial projects commissioned by these services provide longevity of equipment and energy savings that are much more advantageous to the owner.

Mr. Person stated that again his position would be to vote against approval based on not being able to view all scores.

Ms. Richardson asked financially what the administration's responsibility is if it was determined that work was not satisfactory? Mr. Watts stated that this service is already built into the

budget for each campus and that the district would not be out additional expenses. The commissioning agency would report their findings to HPM who would go to the contractor and state what was not satisfactory and that the contractor would not be paid retainage until that work was satisfactory.

Ms. Blackwell asked if this was a one-time service. Mr. Watts stated that this was a one-time service but the District could extend the contracts if the District chose to.

Dr. Morawski added that in his opinion from prior experience if a contractor walks away from some of these large systems and have issues, without this step, the District could be stuck trying to make repairs when the building should be operational on day one of opening. Dr. Morawski stated as an owner, he feels it is a necessary step. Mr. Hanesworth stated that it is an audit of work performed.

Dr. Morawski asked if Mr. Watts' opinion is that all four of these firms are qualified to do the work. Mr. Watts stated all were qualified.

Ms. McFerran made a motion, seconded by Ms. Richardson, to award the Building Commissioning Services contracts to the most qualified Consultants and thereafter to proceed with the execution of contracts with the most qualified contractors in a form approved by legal counsel. The vote passed 5/2 with Mr. Person and Mr. Gilkey opposing.

#### **PRESENTATION – COVID VACCINE AND VIRTUAL OPTION UPDATE**

Mr. Mahan reported the District's action steps by highlighting meetings concerning guidelines, daily leadership meetings, weekly meetings with county and city officials, ongoing discussions with local pharmacies and hospitals. He reported on the digital option days planned on January 15 and 19. He provided the enrollment numbers for both dates. He reviewed COVID transmission rates and staffing issues. He also shared Binax Asymptomatic Testing Data.

#### **BOARD MEMBERS FORUM**

Mr. Hanesworth asked for an update on the #OnTrack program at the next meeting.

Ms. Richardson stated that several had received a blanket email asking about festivities students had been able to do in the past. She asked that the administration look at how to virtually recognize students.

Dr. Morawski stated that administrators were working on this.

Ms. Richardson referenced the initiatives that Dr. McDonald and Dr. Jones presented last summer in regards to equity for all students. She noted that House Bill 1231 and House Bill 1218 were on the floor this week and could impact education. She stated that the District has

some phenomenal teachers and her hope is that they continue to teach with respect to all students without violating any law that shows value for all students.

**ADJOURN**

There was no further business and the meeting adjourned at 6:40 p.m.

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Bill Hanesworth, President

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Dee Blackwell, Secretary