

State of West Virginia\_

County of Nicholas to wit:

The Nicholas County Board of Education of the County of Nicholas, West Virginia met in a special session on Wednesday, February 28, 2018, beginning at 6:00 p.m. The meeting was held at the Nicholas County Board Office, 400 Old Main Dr., Summersville, WV 26651. The purpose of the meeting will be to conduct (2) two student disciplinary hearings, and update on the mediation.

**Educating and Preparing Students for Success After High School**

Present for the meeting were:

- Dr. Gus Penix, President
- Mr. Fred Amick, Vice-President
- Mr. Phil Berry, Member
- Mr. Darrell White, Member
- Mr. A.J. Rogers, Member

Dr. Donna Burge-Tetrick, Superintendent

1. Call to Order along with a moment of silent reflection:  
The meeting was called to order by Board President, Dr. Gus Penix.
2. Student Disciplinary Hearings:
  - a. 6:00 p.m. RHS

\*started at 6:03 p.m.

Upon motion by Mr. Phil Berry, seconded by Mr. A.J. Rogers, the board unanimously consented to close the regular session and go into executive session as indicated under Item 3, as per the School Laws of WV 6-9A-4, "The disciplining, suspension or expulsion of any student in any public school or public college or university, unless such student requests an open meeting."

Present for the meeting were:

- Dr. Gus Penix, President
- Mr. Fred Amick, Vice-President
- Mr. Phil Berry, Member
- Mr. Darrell White, Member
- Mr. A.J. Rogers, Member

Dr. Donna Burge-Tetrick, Superintendent

Mr. Scott Williams, Principal at RHS  
Ms. Kathy Sibbett, Special Education Director  
Ms. Tammi Gregory, Attendance Director  
Officer Eddie O'Dell, PRO Officer at SMS

Student, and Mother ~ via conference call

Upon motion by Mr. A.J. Rogers, seconded by Mr. Darrell White, the board unanimously consented to close the executive session and return to regular session. \*ended at 7:16 p.m.

Superintendent Burge-Tetrick stated that after review of the infractions, current information and school records of the student the Nicholas County Board of Education agreed to the following action.

It is recommended that student #201762014 be expelled for one calendar year and assigned to the Alternative Learning Center program after a risk assessment is completed. The student shall not be permitted on school property without written permission from the superintendent. A review of the student's educational placement will be conducted after reviewing the counselors reports from FMRS. An additional review will occur before the beginning of the second semester of the 2018 – 2019 school year.

Mr. Fred Amick moved to uphold the Superintendent's recommendation. The motion was seconded by Mr. Phil Berry and carried unanimously.

b. 6:30 p.m. RMS

\*started at 7:18 p.m.

Upon motion by Mr. Darrell White, seconded by Mr. Phil Berry, the board unanimously consented to close the regular session and go into executive session as indicated under Item 3, as per the School Laws of WV 6-9A-4, "The disciplining, suspension or expulsion of any student in any public school or public college or university, unless such student requests an open meeting."

Present for the meeting were:

Dr. Gus Penix, President  
Mr. Fred Amick, Vice-President  
Mr. Phil Berry, Member  
Mr. Darrell White, Member  
Mr. A.J. Rogers, Member

Dr. Donna Burge-Tetrick, Superintendent

Mr. Gene Collins, Principal at RMS  
Ms. Kathy Sibbett, Special Education Director  
Ms. Tammi Gregory, Attendance Director  
Officer Eddie O'Dell, PRO Officer at SMS

Student, Parents, and PK Milam (council)

Upon motion by Mr. Darrell White, seconded by Mr. A.J. Rogers, the board unanimously consented to close the executive session and return to regular session. \*ended at 8:09 p.m.

Superintendent Burge-Tetrick stated that after review of the infractions, current information and school records of the student the Nicholas County Board of Education agreed to the following action.

It is recommended that student #201762015 **not** be expelled.

Mr. Fred Amick moved to uphold the Superintendent's recommendation. The motion was seconded by Mr. Phil Berry and carried unanimously.

Board President, Penix asked to have a five-minute recess beginning at 8:09 p.m.

3. Superintendents Info/Board Comments/Concerns/Information:

President Penix updated the public on the meeting from Tuesday, February 27, 2018 at the State Dept. of Education. Each board was to delegate three people to represent their boards at the mediation meetings. The three from the State Board of Education is: Dr. Paine, Mr. Perry, and Mr. Campbell. The three from NCBOE are: Dr. Tetrick, Dr. Penix and Mr. Amick.

a. Mediation Update:

"The NCBOE will convene an executive session to hear updates regarding the ongoing mediation process sponsored by Governor Jim Justice and conducted by Consensus Building Institute. During the executive session, no decisions will be made, and no deliberations will occur. At the conclusion of the mediation process and prior to any vote of the Nicholas County Board of Education, a full discussion will be held in public session." statutory citation – W. Va. Code §6-9A-4(b)(9) and (12).

No action will be taken.

started at 8:26 p.m.

Mr. A.J. Rogers, moved to close the regular session and go into executive session as indicated under Item 2, as per the School Laws of W. Va. Code §6-9A-4(b)(9) and (12) "The appointment, employment, retirement, promotion, demotion, disciplining, resignation, discharge, dismissal or compensation of any public officer or employee, or

other personnel matters, or for the purpose of conducting a hearing on a complaint against a public officer or employee, unless such public officer or employee requests an open meeting.” The motion was seconded by Mr. Darrell White and carried unanimously.

Present for the meeting were:

- Dr. Gus Penix, President
- Mr. Fred Amick, Vice-President
- Mr. Phil Berry, Member
- Mr. Darrell White, Member
- Mr. A.J. Rogers, Member

Dr. Donna Burge-Tetrick, Superintendent

Ms. Melissa Adkins, J.D., Personnel Director & Human Rights Officer

Mr. Darrell White moved to close the executive session and return to regular session. The motion was seconded by Mr. A.J. Rogers and carried unanimously. \*ended at 9:58 p.m.

There was no Action taken during the Executive Session and there is no Action to be taken as a result of the Executive Session. The mediation process is in its beginning stage with future meetings planned between the WVBE and the NCBOE. As it states in tonight’s agenda, “a full discussion will be held in public session – at the conclusion of the mediation process – prior to any vote by the Nicholas County BOE.”

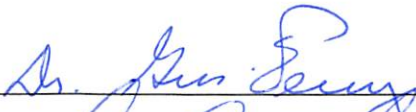
No action was taken.

4.. Adjournment:

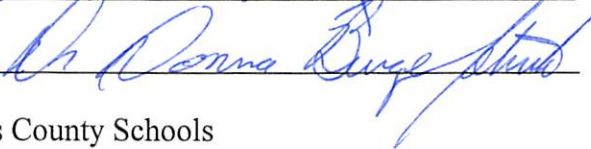
Upon motion by, Mr. A.J. Rogers, seconded by Mr. Darrell White, the board unanimously consented to adjourn this regular meeting of the Nicholas County Board of Education. The meeting adjourned at 9:59 p.m.

The next meeting will be a regular meeting which will be held on Monday, March 5, 2018, beginning at 7:00 p.m. The purpose of the meeting will be to conduct routine business. The meeting will be held at the Zela Elementary, 165 Country Road, Summersville, WV 26651. \*In case the work stoppage continues, the meeting will be held at the NCBOE.

Dr. Gus Penix, President NCBOE



Dr. Donna Burge-Tetrick, Superintendent



Kim Belletto, Recording Secretary Nicholas County Schools

An executive session could be called for Item 2, and 3 as per the School Laws of WV 6-9A-4-9 and (12) \*