

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 Friday, October 20, 2017, beginning at 6:30 p.m. The meeting was held at the Nicholas County Board Office, 400 Old Main Drive, Summersville, WV 26651.

The purpose of the meeting will be to conduct a student disciplinary hearing, discussion of receiving information from Superintendent and legal counsel on, consideration of, and possible action on the following:

a. Potential courses of action in light of recent litigation, including timing and other considerations with respect to possible use and issuance of general obligation bonds to finance some or all of construction costs for any future projects (please note that this may require an Executive Session to have discussions with legal counsel of an attorney-client privileged nature); and,

b. Potential resolution authorizing and directing the Superintendent to develop, with the assistance of legal counsel, a potential general obligation bond call and order for future consideration by the Board at a future meeting (the time and place of which is to be determined later).

Along with personnel and finance.

**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. Expulsion Hearing
  - a. 6:30 p.m. 8<sup>th</sup> Grade SMS 201762007

\*started at 6:32 p.m.

Upon motion by Mr. Fred Amick, 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

Ms. Kristina Frame, Principal at SMS  
Mr. Charles Vest, Vice-Principal at SMS  
Ms. Tammi Gregory, Attendance Director  
Officer Eddie O'Dell, PRO Officer at SMS

Student, and Parents

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 7:11 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 #201762007 not be expelled and return to class on Monday, October 23, 2017.

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

3. Discussion of, receiving information from Superintendent and legal counsel on, consideration of, and possible action on the following:
  - a. Potential courses of action in light of recent litigation, including timing and other considerations with respect to possible use and issuance of general obligation bonds to finance some or all of construction costs for any future projects (please note that this may require an Executive Session to have discussions with legal counsel of an attorney-client privileged nature); and,
  - b. Potential resolution authorizing and directing the Superintendent to develop, with the assistance of legal counsel, a potential general obligation bond call and order for future consideration by the Board at a future meeting (the time and place of which is to be determined later).

A motion was made by Board President, Penix to direct the superintendent of Nicholas County Schools to get with Bond Counsel immediately to formulate a construction bond that consolidates all five (5) secondary schools in Nicholas County and to cover the cost for construction of all residual projects affected by such consolidation.

Mr. Fred Amick moved to uphold the motion, seconded by Mr. Darrell White the board unanimously agreed.

4. Personnel:

**Service:**

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Chasity Byrd                                      Employ in the position of Transportation/Instructional Aide II at Richwood High School effective Monday, October 23, 2017.

**Consent:**

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Permission to post and hire Bus Operators as required to transport children removed from their homes by DHHR to and from their school of origin as needed for the 2017-2018 school year, to be paid for with McKinney-Vento until exhausted, then with county funds.

Permission to post and hire as many After-School Tutors as needed at Cherry River Elementary to be paid for with 21<sup>st</sup> Century Grant and Title I funds.

Permission to post and hire four WV Gear Up Credit Recovery Tutors at Richwood High School to be paid for with federal Gear Up Grant funds.

Permission to change the start date of Sherry Sparks-Francisco from October 30 to November 2, 2017.

James A. Johnson asked to be absent on an as needed basis from his position as Teacher at Nicholas County High School using personal days, sick leave, and Family Medical Leave effectively immediately until the exhaustion of his leave or leave is no longer needed, whichever comes first.

Allen Hunter resigns from his position as Part Time Academic Interventionists for Gauley River Elementary effective immediately.

Kristian Frame requests to be absent from her position as Principal of Summersville Middle School on October 30 through November 3, 2017, using three personal days and two days of unpaid leave.

Upon motion by Mr. A.J. Rogers, second by Mr. Phil Berry, the board unanimously consented to approve the personnel as presented by Personnel Director, Melissa Adkins.

- 5. Finance:
  - a. Approval of Lexis Advance Subscription

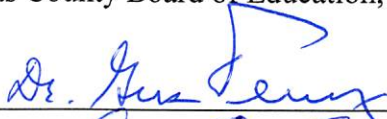
Upon motion by Mr. A.J. Rogers, seconded by Mr. Darrell White, the board unanimously consented to uphold the Superintendent's recommendation and approve finance as presented by Board Treasurer, Kevin Hess.

- 6. Adjournment:

Upon motion by, Mr. Phil Berry, seconded by Mr. A.J. Rogers, the board unanimously consented to adjourn this regular meeting of the Nicholas County Board of Education. The meeting adjourned at 10:45 p.m.

The next meeting will be a special meeting which will be held on Monday, October 30, 2017, beginning at 7:00 p.m. The purpose of the meeting will be to conduct a student disciplinary hearing, pending & future litigation, bus request, discussion/possible action on the bond, review and discussion following state board action, and the impact of the Supreme Court of Appeals of West Virginia WVBOE vs. Nicholas County BOE. The meeting will be held at the Nicholas County Board of Education, 400 Old Main Drive, Summersville, WV 26651.

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, 3, 4, or 5, as per the School Laws of WV 6-9A-4-9. \*