

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 regular session on Tuesday, September 5, 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 was to conduct routine business.

**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 10<sup>th</sup> Grade RHS 201762003

\*started at 6:36 p.m.

Upon motion by Mr. Phil Berry, seconded by Mr. Fred Amick, 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. Tammi Gregory, Attendance Director

Student and Mother

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 7:18 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 #201762003 be expelled for one calendar year and assigned to attend the Nicholas County Alternative Learning Center, it is recommended that the student continue counseling. The student shall not be permitted on school property without written permission from the superintendent. A review of the student's education placement will be conducted upon petition by the student before the beginning of the second semester of the 2017 – 2018 school year and / or based on the students' goals.

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

3. ~~Approve minutes from August 7, 14, 21 and 29, 2017~~  
Tabled until the September 19, 2017 meeting.
4. Discussion / Delegation:
  - a. ~~Candace Carr~~ parent called and removed name from agenda.
  - b. Brian Sparks with WVU Extension Agent  
Mr. Sparks came before the board to ask that all 3<sup>rd</sup> grade students be approved to attend the annual Progressive Farm Safety Day at Veterans Memorial Park, Sept. 27, 2017.
  - c. First Reading of the Sick Leave Bank Policy  
Mr. Hess explained the updated sick leave BANK policy. The only change made is adding (Employees are required to use all available absence leave days available before petitioning for days from the Sick Bank. This includes: Sick, Personal, Vacation, and OS days). The only other change was removing the (or a badly broken leg) from the policy.
  - d. First Reading of the Directed Sick Leave Donation Policy  
Mr. Hess explained that the same changes or wording had been added to the DONATION policy, (Employees are required to use all available absence leave days available before petitioning for days from the Sick Bank. This includes: Sick, Personal, Vacation, and OS days).
  - e. Land Option Agreement ~ under review by legal counsel.

\*started at 7:32 p.m. Upon motion from Mr. Fred Amick, second by Mr. Phil Berry, the board unanimously consented to close the regular session and go into executive session as indicated under Item 1, as per the School Laws of WV§ 6-9A-B-12, "To discuss any matter which, by express provision of federal law or state statute or rule of court is rendered confidential, or which is not considered a public record within the meaning of the freedom of information act as set forth in article one, chapter twenty-nine-b of this code".

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

Conference with: Ms. Rebecca Tinder, and Mr. Ken Webb, of Bowles Rice Law Firm.

Mr. Phil Berry moved to close the executive session and return to regular session. The motion was seconded Mr. Fred Amick, and carried unanimously. \*ended at 7:47 p.m.

No action was taken.

Board President, Dr. Gus Penix explained that Judge Bloom had ruled today in the State Board lawsuit. The State Board of Education asked for a Stay in his previous ruling; however, Judge Bloom gave the State Board of Education until Friday, September 8, 2017 by 4 p.m. to either approve Nicholas County Schools CEFP changes or pay \$130 million-dollar bond to cover the FEMA funding the county could possibly lose.

- f. Enrollment Totals ~ Mr. Hanshaw asked that the numbers be presented at the next meeting, after the first month enrollment reports have been completed.
  - g. Pending & Future Litigation ~ no action at this
5. Information / Action items:
- a. First Reading of the Sick Leave Bank Policy ~ out for 20-day review
  - b. First Reading of the Directed Sick Leave Donation Policy ~ out for 20-day review
  - c. Embedded Credit Policy IGEC Update
  - d. Approval for all 5<sup>th</sup> grade students to attend the 6<sup>th</sup> annual Nicholas County Water Festival ~ Sept. 12, 2017 at Carnifex Ferry State Park ~ 9 am – 1pm
  - e. Approval for all 3<sup>rd</sup> grade students to attend the annual Progressive Farm Safety Day at Veterans Memorial Park, Sept. 27, 2017. ~ Brian Sparks
  - f. Approval of Pre-K meal contract with Friends-R-Fun
  - g. Land Option Agreement~ under review by legal counsel.
  - h. Pending & Future Litigation ~ no action taken

Upon motion by Mr. Fred Amick, seconded by Mr. A.J. Rogers, the board unanimously consented to approve action items a, b, c, d, e, and f as presented.

- 6. Consent items:
  - a. Bus Requests:

<b><u>CHERRY RIVER ELEMENTARY SCHOOL</u></b>						
10/06/17	FRIDAY	NEW HOPE, WV Community Building	FIELD TRIP	1 Return	30	7:45 AM 1:00 PM
<b><u>MT. NEBO ELEMENTARY SCHOOL</u></b>						
09/26/17	TUESDAY	MT. NEBO, WV Dr. Foley's Office	FIELD TRIP	1 Return	25	11:15 AM 2:00 PM
<b><u>NICHOLAS COUNTY HIGH SCHOOL</u></b>						
09/21/17	THURSDAY	MORGANTOWN, WV WVU	FIELD TRIP	1 Return	52	8:00 AM 5:30 PM
09/27/17	WEDNESDAY	FAIRMONT, WV Fairmont State University	FIELD TRIP	1 Return	42	8:00 AM 3:00 PM
10/05/17	THURSDAY	HUNTINGTON, WV Marshall University/Bridge Valley	FIELD TRIP	1 Return	42	8:00 AM 5:30 PM
10/26/17	THURSDAY	BECKLEY, WV WVU Tech	FIELD TRIP	1 Return	52	8:00 AM 3:00 PM
09/01/17	FRIDAY	SHADY SPRINGS HIGH	BAND - GAME	2	65	5:00 PM
09/15/17	FRIDAY	ROANE COUNTY HIGH	BAND - GAME	2	65	4:30 PM
09/30/17	SATURDAY	POCA HS/HURRICANE HS	BAND COMPETITION	2	65	2:00 PM
10/06/17	FRIDAY	BRAXTON COUNTY HIGH	BAND - GAME	2	65	5:45 PM
10/07/17	SATURDAY	RIPLEY HIGH	BAND COMPETITION	2	65	TBA
10/21/17	SATURDAY	MARSHALL UNIV. STADIUM	TRI-STATE MARCHING BAND	2	65	TBA
10/28/17	SATURDAY	PARKERSBURG HIGH	BAND COMPETITION	2	65	TBA
TBA	TBA	POSSIBLE FOOTBALL PLAYOFF GAMES	BAND - GAME	2	65	TBA
<b><u>NICHOLAS COUNTY CAREER AND TECHNICAL CENTER</u></b>						
10/3-4/17	TUES/WED	MORGANTOWN, WV Waterfront Hotel	PRO-START	1 Return	16	3:30 PM 5:30 PM

- b. NCCTC ~ Charleston, WV ~ Sept. 10-12, 2017 ~ Leased Vehicle (Ins. Provided), Miranda Kessler and Alicia Milanese as chaperones
- c. Student Transfer

Upon motion by Mr. Phil Berry, seconded by Mr. Darrell White, the board unanimously consented to uphold the Superintendent’s recommendations and approved consent items as presented.

7. Finance

- a. Payment of current invoices
- b. Transfers and Supplements
- c. Bids:
  - 1. SMS Photography ~ Color Wheel Graphics
- d. Contracts:
  - 1. RHS ~ Appalachian Office Products
- e. Use of Facilities ~ PCE ~ X- Quisite Twirl-n-Dance Team
- f. Surplus Property ~ PCE and Glade Creek Elem.
- g. Miscellaneous ~ Lumos Easement

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

8. Personnel

- a. Regular Personnel Agenda

**Professional:**

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|---|--|
| Peggy Benton<br>Carolyn Hammons<br>Lindsay Hogan<br>Mary Ann Kiser<br>Cassie O’Dell | Employ in the position of Substitute Techer for Nicholas County Schools (JP#: P08-13) effective upon completion of all RESA 4 and WVDE requirements.                               |
| John Guerini  | Employ in the position of Social Studies Teacher at Richwood High School (JP#: P08-19) effective TBD.  |
| Amber Hart  | Employ in the position of 3 <sup>rd</sup> Grade Teacher at Birch River Elementary School (JP#: P08—23) effective TBD.  |
| Meredith Hoover   | Employ in the position of Robotics Instructor – Itinerant at Summersville Elementary School and other Elementary and Middle Schools as assigned (JP#: P08-24) effective 9.13.2017. |

**Professional Extra-Curricular:**

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|--------------|---|
| Elaine Ellis | Employ in the position of Title I Elementary Counselor at Cherry River Elementary School (JP#: PXC08-17) effective 9.06.2017. |
|--------------|---|

- Jerry Skidmore      Employ in the position of Assistant Football Coach at Nicholas County High School (JP#: PXC08-18) effective 9.06.2017.
- Sonja Craft          Employ in the position of one of five Part-Time Title I Academic Intervention Specialists at Gauley River Elementary School (JP#: PXC08-20) effective TBD.
- Allen Hunter        Employ in the position of one of five Part-Time Title I Academic Intervention Specialists at Gauley River Elementary School (JP#: PXC08-20) effective TBD.
- Heather Miller      Employ in the position of one of five Part-Time Title I Academic Intervention Specialists at Gauley River Elementary School (JP#: PXC08-20) effective TBD.
- Sherry Ward         Employ in the position of one of five Part-Time Title I Academic Intervention Specialists at Gauley River Elementary School (JP#: PXC08-20) effective TBD.
- Aime Thomas        Employ in the position of Part-Time Title V Academic Intervention Specialist at Summersville Elementary School (JP#: PXC08-22) effective 9.06.2017.
- Louise Molnar      Employ in the position of Part-Time Grade Level Campaign Intervention Specialist (Pre-K – 3 rd Grade) at Summersville Elementary School (JP#: PXC08-23) effective 9.06.2017.

**Service:**

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- Kimberly Spencer    Employ in the position of Substitute Custodian for Nicholas County Schools (JP#: S08-03) effective 9.06.2017.
- Kimberly Spencer    Employ in the position of Substitute Cook for Nicholas County Schools (JP#: S08-04) effective 9.06.2017.
- Jennings Brown     Employ in the position of Long Term Substitute – Bus Operator – Bus# 115 for Nicholas County Schools (JP#: S08-07) effective 9.06.2017.

**Consent:**

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- Jody McCutcheon    Requests a leave of absence from her position of Custodian III at Nicholas County High School beginning Monday 10.09.2017 and continuing through Friday 10.13.2017. She request to claim three (3) days as personal leave and two (2) days as leave without pay.
- Pat Radcliff         Requests a leave of absence from her position of Custodian III at Cherry River Elementary School to care for an ill family member beginning Friday, 9.01.2017 and continuing through Friday, 9.15.2017. FMLA documents pending.

- The date on the 8.29.2017 personnel agenda was erroneously reported as 9.05.2017. Please allow the same agenda to be published and entered in to record with correct date of 8.29.2017.
- Request permission to revise the 8.07.2017 request to post for and hire positions in support of a new Save the Children grant, Title I, and 21<sup>st</sup> Century money for Cherry River Elementary School to a request to post for and hire ten (10) after-school program tutors.
- Request permission to post for and hire the following positions in support of the 21<sup>st</sup> Century Community Learning Center Grant – Project SPLASH for Richwood Middle School.

One (1) Project Site Coordinator  
One (1) Homework Help Teacher  
One (1) Enrichment Activities Instructor  
Lifestyles Instructor

One (1) Project ELA Tutor  
One (1) Project Math Tutor/STEM Instructor  
One (1) Positive Youth Behaviors/Healthy

- Request permission to post for and hire the following positions in support of the 21<sup>st</sup> Century Community Learning Center Grant – Project SUCCESS for Nicholas County High School.

One (1) Project Site Coordinator  
One (1) Homework Help Teacher

One (1) Project ELA Tutor/Enrichment Instructor  
One (1) Project Math Tutor/STEM Instructor

One (1) Positive Youth Behaviors/Healthy Lifestyles Instructor

- Request permission to post for and hire the following positions funded by Title II and Title V money.

One (1) Academic Intervention Specialist at Glade Creek Elementary School  
One (1) Academic Intervention Specialist at Mt. Nebo Elementary School  
One (1) Academic Intervention Specialist at Panther Creek Elementary School

Upon motion by Mr. Darrell White, second by Mr. Phil Berry, the board consented to approve the personnel as presented by Personnel Director, Ernie Jarvis.

9. Reports:

a. State Board of Education ~ Mr. A.J. Rogers

Mr. Rogers gave a brief report on the State Board meeting; Dr. Payne along with a conference call with Dr. Linda Hamons explained the new ESA Plan this plan will go into effect in September, after that the board went into executive session to discuss the pending litigation with Nicholas County which lasted about an hour. When they came out Dr. Payne announced the motion to appeal the Supreme Court’s decision.

On August 30<sup>th</sup> Mr. Rogers attended the State School Board Association meeting in Parkersburg. Among the discussions were House Bill 2711 and the decision to amend policy #4110, this will make the three (3) day unexcused absence letter optional, also amended was policy # 4373. Mr. Rogers explained that due to the recently closed RESA’s, the new Educational School Cooperative (ESC) has been developed. Mr. Rogers was placed on a committee to put together a needs assessment. This will include the essential services that can’t be lost like the substitute calling system, WVEIS assistance, technology and several other services.

10. Superintendent’s Information:

Dr. Burge-Tetrick updated the board on the digitization of records, making several changes and cleaning up around the board office, may possibly need to have another auction instead of piling up and waiting until Summer. She also discussed having a sex offender policy in order to give direction to principals and other school staff. They are not permitted on school property at any time not even for an IEP meeting, those such

meetings that require a parent or parents' attendance will need to be held here at the central office or at an agreed off campus site.

11. Items for Future Agendas:

- \*Update on the demolition of RMS, RHS, and the Fenwick Bus Garage.
- \*Mrs. Melissa Adkins, J.D. ~ update on policy BF-School Board Policy-Development-Adoption-Dissemination.
- \*Update from ESG ~ (Oct. 2, 2017 meeting)
- \*Update on the Glade Creek Property

12. Next Meeting Date:

~~\*September 18, 2017~~ at Nicholas County Board of Education Office ~**Rescheduled for September 19, 2017** due to the Teacher of The Year Awards in Charleston on 9/18/17.


Upon motion by, Mr. Fred Amick, seconded by Mr. Phil Berry, the board unanimously consented to moving the September 18<sup>th</sup> meeting to Tuesday, September 19, 2017.

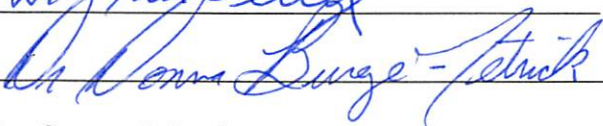
- \*October 2, 2017 at Nicholas County Board of Education Office
- \*October 16, 2017 at Nicholas County Board of Education Office

13. Adjournment

Upon motion by, Mr. Fred Amick, 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 9:05 p.m.

The next meeting will be a special work session which will be held on Thursday, September 14, 2017, beginning at 7:00 p.m. for the purpose of discussing the strategic plans, school and county accountability improvement plans, student enrollment, test scores, personnel and pending litigation. 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, 5, 6, 7, 8, 9, or 10, as per the School Laws of WV 6-9A-4-9. \*