

STATE OF WEST VIRGINIA
 COUNTY OF FAYETTE, TO-WIT:

The Board of Education of the County of Fayette, West Virginia, met in regular session at 6:00 p.m. on Monday, May 19, 2008, in the George M. Edwards Conference Room of the Board of Education Office, 111 Fayette Avenue, Fayetteville, West Virginia. Those present were:

Peggy Farmer	President
Steve Bush	Vice-President
David Arritt	
Leon Newman	
James Workman	Members
Chris A. Perkins	Superintendent
Serena Starcher	Associate Superintendent
Jean Cavalier	Director of Operations/Public Relations/Child Nutrition
Mary Ann Freeman	Director of Federal Programs
Annette Hughart	Chief School Finance Official/Treasurer
Anna Kincaid-Cline	Director of Secondary Schools and Vocational
Bryan Parsons	Director of Personnel and Safety
Margaret Pennington	Director of Elementary Schools/Assessment/School Improvement
Benjamin Pettry	Director of Technology
Nancy Price	Director of Special Education
Joyce Lambert	Executive Secretary

CALL TO ORDER:

Ms. Farmer called the meeting to order following which Mr. Newman led the Pledge of Allegiance. Ms. Farmer noted that all five Board members were present.

APPROVAL OF AGENDA:

Ms. Farmer announced the following changes to the meeting agenda:

- *Strike* Public Comment speaker Danny Webb (Agenda Item IV) and Executive Session for Discussion of Personnel Matter (Agenda Item XI).
- *Add* Public Comment speakers Regina Redden, Debbie Elmore, Ben Barkey, and Marion Burdette.
- *Strike* Agenda Item VI.B.3 (Final Reading of Policy B-3: Out-of-State Educational Meetings).
- *Strike* Terri Dodd's Service Transfer from Personnel Changes sheet.

Mr. Arritt remarked that the meeting should be numbered as Meeting No. 56 and not 55, since a quorum of the Board met at the Fayette County Courthouse on Friday, May 16, 2008, as required by State Code, to canvass the special levy election. Thereupon, **it was moved by Mr. Arritt and seconded by Mr. Workman to change the meeting number to 56 instead of 55.** On call for discussion, Superintendent Perkins said he was not certain that a quorum of the Board being present at the Courthouse to canvass the levy election could be declared an official Board meeting but that he would check further into the matter. Ms. Farmer indicated that she **On call for the question, the motion to change the meeting number to 56 and to pay any eligible Board members for their attendance carried 4 to 1, Ms. Farmer voting No.**

It was then moved by Mr. Workman, seconded by Mr. Bush and carried 5 to 0 to approve the meeting agenda as amended.

RECOGNITIONS:

Fayette Institute of Technology – WV Skills USA State Competition Winners – Anna Kincaid-Cline, Director of Secondary Schools/Vocational recognized the following WV Skills USA State Competition winners:

1. *Jacob Crist (Midland Trail High)* – Residential Wiring – 1st Place – Gold Medal
2. *Lloyd Kincaid (Oak Hill High)* – Building Construction – 3rd Place – Bronze Medal
3. *David Carte (Oak Hill High)* – Automotive Technology (Secondary Division) – 2nd Place – Silver Medal
4. *Jeff Workman* – Automotive Technology (Post-Secondary) – 3rd Place – Bronze Medal

Also present was F.I.T. Principal Barry Crist, who commented briefly regarding the value and importance of the courses of study and of the competition.

Jacob Crist will represent the state of West Virginia in the national competition.

Fayette County's Golden Horseshoe Winners – Mary Ann Freeman, Director of Federal Programs, awarded certificates to the county's top five county scorers on the Golden Horseshoe test. The following students, along with others from throughout the state, were made part of an elite society of Knights and Ladies of the Golden Horseshoe at a ceremony in Charleston, WV, on May 9, 2008.

1. *Daniel A. McGuire – Meadow Bridge High*
2. *James P. Kincaid – Meadow Bridge High*
3. *Jessica Loren Dempsey – Ansted Middle*
4. *Sam Gregory Casto – Fayetteville High*
5. *Nicholas A. Rookstool – Meadow Bridge High*

PUBLIC COMMENTS:

Regina Redden – Ms. Redden, the parent of a Kindergarten student at Fayetteville Elementary, apprised the Board of her concerns regarding playground accessibility and the lack of playground equipment for students in grades K-1 at Fayetteville Elementary. Superintendent Perkins informed Ms. Redden and members of the Board that it had been planned to install the playground equipment during Spring Break but other needs arose. He noted that the area will have to be excavated using heavy equipment and that the work will need to be done after school hours. Mr. Perkins indicated that he would do his best to expedite the work.

Debbie Elmore, AFT – Ms. Elmore, speaking on behalf of Fayette County AFT, expressed concern about the proposed addition of Board members to section 2.3 of county policy A-11 as a category of persons having access to personnel files. Commenting that employee organizations could see no reason why the Board needs access, she asked that subsection (d), added by action of the Board at the May 5, 2008, meeting, be removed. Ms. Elmore also commented regarding Policy B-50, Assignment, Salary Supplement and Employment Term of Coaches, that some of the pay schedules have not been changed for several years and that Fayette County is lagging behind surrounding counties.

Ben Barkey, WVEA – Regarding policy A-11, Personnel File Confidentiality, Mr. Barkey recommended that the Board avoid possible legal issues by removing itself from the list of persons having access to personnel files. He recommended that the Board rely on administrative staff to provide information it may need when action to hire or fire has to be taken. Mr. Barkey also expressed concern regarding employee morale, saying there may be attempts to undermine the hiring and firing process by individuals directly contacting board members in order to build up a file against an employee. He opined that Board members should be kept aware of everything going on in the system through interaction with its administrative staff and that such interaction should always be kept on a high plane. Thereby, he said, the Board can address O.E.P.A. concerns and the county may avoid issues that could result in a state takeover.

Marion Burdette – Ms. Burdette, a community member/parent, asked why Rosedale was not included in the Oak Hill area elementary school closures and reconfiguration. Superintendent Perkins informed her that the committee involved in the decision at that time looked at student enrollment and age of facilities and felt that a Pre-K to Grade 4 student population of over 1,000 children would create too large a facility and that Rosedale could be considered as part of future facility planning.

CONSENT ITEMS:

- A. *Minutes* –
1. April 24, 2008, Special Meeting
 2. April 28, 2008, Special Meeting
 3. May 1, 2008, Special Meeting
 4. May 5, 2008, Regular Meeting
- B. *Development of 2010-2020 Comprehensive Education Facilities Plan* – Permission was requested to seek proposals from qualified consultants or firms for the development of the 2010-2020 Comprehensive Education Facilities Plan.
- C. *Updates to Comprehensive Education Facilities Plan* – Approval was requested to amend the CEFP to reflect updates to the School Building Authority (SBA) Building Program Utilization Worksheets and floor plans. (See attached pages.)
- D. *2008-2009 Central Office Work Schedule, Board Meeting Dates, and Regional LSIC Meetings* – Approval was requested for the Work Schedule and Board Meetings on the attached sheets.
- E. *Oak Hill High School Wrestling Camp* – Approval was requested by Principal Tim Payton and Coach Joel Harris for the Oak Hill High School Wrestling Team to hold a wrestling camp at Collins Middle School Gym the week of June 16-19, 2008. A participation fee of \$150.00 will be charged per wrestler to pay for instruction. If approved, the following guidelines would apply:
1. The Wrestling Camp Director will receive no more than a teacher's daily rate of pay including coach's supplement.
 2. The sponsoring agency is responsible for liability insurance for participants. Proof of insurance will be presented prior to the start of the camp. If this is not done, any liability issues will be the sole responsibility of the camp director and the school.
 3. A financial statement must be submitted to the Building Principal and to the Superintendent at the end of the camp. This is in accordance with State Accounting Practices and Procedures.

It was moved by Mr. Bush and seconded by Mr. Workman to approve Consent Items. On call for discussion, *Mr. Arritt* asked that Consent Items B and C, which relate to changes to the Comprehensive Education Facilities Plan, be removed from the agenda for consideration at a later date. Noting that significant and perhaps unwise decisions have been made in the past in a flurry of Board actions taken just before a change in the makeup of the Board, Mr. Arritt said it is a bad time to embark on changes to the CEFP for 2010 – 2020. He also opined that the Superintendent and Associate Superintendent are capable of working on the CEFP and that hiring an outside consultant is unnecessary. Thereupon, **it was moved by Mr. Arritt and seconded by Mr. Newman to postpone consideration of Consent Items B and C until the new Board is seated in July.**

Regarding Consent Item B, *Mr. Perkins* told Board members that Dr. Mark Manchin of the School Building Authority had advised counties to begin working toward development of their 2010-2020 CEFP now since the work can take as much as 1 to 1 ½ years to complete. Dr. Manchin also urged school systems to contact a consultant as soon as possible because the limited number of firms available will be restricted in the number of counties they can represent. Superintendent Perkins also told Board members that in his meetings with Dr. Kenna Seal, Bill Elswick and Joe Evans, they felt very strongly that one of the things Fayette County has been charged to do is to review and amend its CEFP to determine how many schools the county can

efficiently operate. Mr. Perkins also noted that work sessions this summer to get community input and involvement will also be necessary. Therefore, he said, it is very crucial to get the process moving. He noted that the new board will obviously be involved but that steps must be taken now to acquire services from qualified consultants having professional architects to review maps and look at capacities, etc.

Regarding Consent Item C, *Superintendent Perkins* noted that the State Board of Education indicated at its December 2007 meeting that, in accordance with the O.E.P.A. report, Fayette County is to make sure of the accuracy of the numbers in the current CEFP and is to submit updates from January to May or early June to be presented to the State Board. Consent Item C, he said, is an effort to comply with that directive and, if not addressed, may be viewed as a noncompliance. Mr. Perkins pointed out that the Board is being asked to approve updates to utilization data.

Mr. Newman remarked that the CEFP is a long-range plan but that the Board must not lose sight of the needs we have in the county right now. "The county is suffering at present," he said, "and we need to make sure that we do something in the next year." He expressed concern that much of what was a part of the prior 10-year plan never came to fruition.

Mr. Perkins assured Board members that their acting to proceed with development of the 2010-2020 CEFP will not preclude ongoing efforts for funding and support for the immediate needs of the county.

Mr. Arritt questioned the accuracy of some of the facilities data that becomes part of the CEFP, noting that figures showed the need for additional space at Mt. Hope High School when the school was reconfigured but recent figures indicate that the building is only at 54.89% of capacity. He opined that planning needs to be done with input from the Board that is in effect at the time of proposed facility changes.

On call for the question, the motion to amend the meeting agenda to delete Consent Items B and C for consideration at a later time failed with a vote of 2 to 3, Bush, Farmer and Workman voting No. On call for the question on the original motion to approve Consent Items A through E, the motion carried with a vote of 3 to 2, Mr. Arritt and Mr. Newman voting No.

POLICY DEVELOPMENT AND REVIEW:

First Reading – Policy A-15: Tax Sheltered Annuities – **It was moved by Mr. Workman, seconded by Mr. Bush and carried 5 to 0 to place Policy A-15 out for first reading.**

First Reading – Policy A-17: Travel Reimbursement Allowance – **It was moved by Mr. Workman and seconded by Mr. Bush to place Policy A-17 out for first reading.** On call for discussion, *Mr. Arritt* remarked that the agenda was overloaded with policies for the Board to read and opined that it would make better sense to wait for the new Board to be seated to review the policies.

Thereupon, **it was moved by Mr. Arritt and seconded by Mr. Newman to table the remaining nine (9) policies listed for first reading until after the new Board goes into effect.** On call for discussion, *Mr. Perkins* expressed his appreciation for the Board's patience and diligence in taking action on the many policies that have come under review. He commented that the reason for the Administration's aggressive approach is that one of the O.E.P.A. report's findings was relevant to the county's outdated policies. Superintendent Perkins also noted that most of the changes have been for updates or formatting for consistency and projected that there will be very few policies that will need to come before the Board in the future. **On call for the question, the motion to table the policies on first reading, with the exception of Policy A-15, failed to carry, the vote being 2 to 3, Bush, Farmer and Workman voting No.**

On call for the question on the original motion to approve the first reading of Policy A-17: Travel Reimbursement Allowance, the motion carried with a vote of 3 to 2, Mr. Arritt and Mr. Newman voting No. Mr. Arritt opined that the per diem figures set by the state are too high.

First Reading – Policy A-20: Fund Raising Projects – **It was moved by Mr. Bush and seconded by Mr. Workman to place Policy A-20 out for first reading.** On call for discussion, *Mr. Arritt* remarked that schools are conducting too many fundraisers, that there should be a limit on the number of fundraisers schools can conduct, and that someone (perhaps the principal) should submit a list ahead of time for

approval. *Mr. Newman* also commented that he is generally opposed to using children to go from house-to-house selling items or soliciting money unless it to help a family or for some other worthy cause. He noted that, not only are there excessive fundraisers but also schools are sending notes home with children asking parents to send paper, pencils, etc. *Mr. Workman* commented that there needs to be some clarification as to what is an acceptable number. **On call for the question, the motion to place Policy A-20 out for first reading carried with a vote of 3 to 2, Mr. Arritt and Mr. Newman voting No.**

First Reading – Policy A-27: Bids and Quotations – It was moved by Mr. Workman, seconded by Mr. Arritt and carried 5 to 0 to place Policy A-27: Bids and Quotations out for first reading.

Note: Upon consideration of the following three policies, **it was moved by Mr. Newman, seconded by Mr. Workman and carried 5 to 0 to vote on Policies A-34, A-35, and A-37 in one motion.**

First Reading – Policy A-34: Bank Issued Credit Cards in the Name of Fayette County Board of Education; Policy A-35: Vendor Issued Credit Cards in the Name of Fayette County Board of Education; Policy A-37: Vendor Payments Without Prior Board Approval – It was moved by Mr. Workman and seconded by Mr. Bush to place Policies A-34, A-35, and A-37 out for first reading. On call for discussion, *Mr. Arritt* commented on how difficult it is for the Board to monitor credit card use. He suggested that personal credit cards be used and invoices submitted for reimbursement. *Ms. Hughart* opined that it would not be fair for the employee to bear the cost of finance charges that could accrue due to the Purchasing Department's payment schedule. *Superintendent Perkins* also noted that credit cards are generally used in connected with out of state travel that is paid through a grant of some type. *Mr. Bush* noted that credit cards have become a necessary means of conducting business these days. *Mr. Newman* remarked that he has not problem with credit cards per se but feels the Board needs to know about the merits of the trips being taken. **On call for the question, the motion to place Policies A-34, A-35, and A-37 out for first reading carried with a 3 to 2 vote, Mr. Arritt and Mr. Newman voting No.**

First Reading – Policy B-33: Annual Professional/Service Meetings – It was moved by Mr. Bush, seconded by Mr. Workman and carried 4 to 1, Mr. Arritt voting No, to place policy B-33 out for first reading.

First Reading – Policy D-14: Acceptable Use of Telecommunications Network (Internet) – It was moved by Mr. Bush and seconded by Mr. Workman to place Policy D-14: Acceptable Use of Telecommunications Network (Internet) out for first reading. On call for discussion, *Mr. Arritt* asked that there be some statement in the policy stipulating that students and employees shall not access pornography. *Mr. Pettry, Director of Technology*, informed the Board that the State's filtering software blocks access to pornography on all the school system's computers. *Superintendent Perkins* also indicated that he would have appropriate wording added to the policy.

First Reading – Policy H-3: Child Nutrition Program – Billing and Collection Procedure – It was moved by Mr. Bush, seconded by Mr. Workman and carried 5 to 0 to place Policy H-3: Child Nutrition Program – Billing and Collection Procedure out for first reading.

Final Reading – Policy A-11: Personnel File Confidentiality – It was moved by Mr. Bush and seconded by Mr. Workman to delete item (d) under subsection 2.3 of Policy A-11, which item grants the Board of Education access to personnel files. On call for discussion, *Mr. Arritt and Mr. Newman* expressed strongly that the Board of Education has the right and duty to review resumes and to verify licensure, certification, etc., since they are charged with the responsibility of approving the employment of school personnel. *Mr. Newman* further remarked that this action doesn't give the Board much credibility nor does it acknowledge the Board's understanding regarding matters of confidentiality. *Mr. Arritt* noted that apparently State Department of Education personnel have access to personnel files since they were able to cite certain areas of deficiency relative to licensure and certification in their O.E.P.A. report. *Ms. Farmer* agreed that the Board should have access to resumes but said that the Board should rely on the Personnel Director to confirm credentials, etc. *Mr. Bush* also differentiated between having access to resumes and having access to an entire personnel file. *Mr. Workman* commented that he would not want an elected official going through his personnel file, particularly if he were notified before hand.

On call for the question, the motion to delete item (d) under subsection 2.3 of Policy A-11 carried with a vote of 3 to 2, Mr. Arritt and Mr. Newman voting No. It was then moved by Mr. Workman, seconded by Mr. Bush and carried 3 to 2, Mr. Arritt and Mr. Newman voting No, to adopt Policy A-11 as amended.

First Reading – Policy A-38: Veterans Honors Funeral Assistant Community Service Program – It was moved by Mr. Arritt, seconded by Mr. Newman and carried 5 to 0 to adopt proposed changes to Policy A-38: Veterans Honors Funeral Assistant Community Service Program.

~~Final Reading – Policy B-3: Out-of-State Educational Meetings (struck from agenda).~~

Final Reading – Policy B-34: Personal Leave – It was moved by Mr. Bush, seconded by Mr. Workman and carried 5 to 0 to adopt proposed changes to Policy B-34: Personal Leave. In response to an inquiry from Mr. Arritt regarding why the policy was struck from the agenda of a prior meeting, Dr. Starcher indicated that several comments had been received regarding section 2.1.1 and that the policy had been pulled to check the legality of the wording.

Final Reading – Policy B-50: Assignment, Salary Supplement and Employment Term of Coaches – It was moved by Mr. Workman, seconded by Mr. Bush and carried 5 to 0 to adopt proposed changes to Policy B-50: Assignment, Salary Supplement and Employment Term of Coaches.

Final Reading – Policy C-2: Substitute Service Personnel – It was moved by Mr. Workman, seconded by Mr. Bush and carried 5 to 0 to adopt proposed changes to Policy C-2: Substitute Service Personnel.

Final Reading – D-13: Course Credit by Testing – It was moved by Mr. Bush, seconded by Mr. Workman and carried 5 to 0 to adopt proposed changes to Policy D-13: Course Credit by Testing.

Final Reading – Repeal of Policy E-14B: Acceptance of Credits Outside the School Curriculum – It was moved by Mr. Workman and seconded by Mr. Bush to repeal Policy E-14B. On call for discussion, *Mr. Arritt* commented that Policy E-14B had a good affect on the school system. He acknowledged that the policy's provisions are part of State Policy 2510 but said the county policy was easy to find and reference. **On call for the question, the motion to repeal Policy E-14B: Acceptance of Credits Outside the School Curriculum carried with a vote of 3 to 2, Mr. Arritt and Mr. Newman voting No.**

Final Reading – Policy E-17: Child Abuse – Reporting Procedures – It was moved by Mr. Bush, seconded by Mr. Workman and carried 5 to 0 to adopt proposed changes to Policy E-17: Child Abuse – Reporting Procedures.

Final Reading – Policy G-1: Health Services to Schools – It was moved by Mr. Workman, seconded by Mr. Bush and carried 5 to 0 to adopt proposed changes to Policy G-1: Health Services to Schools.

Final Reading – Policy H-4: Standards for Child Nutrition Program – It was moved by Mr. Bush, seconded by Mr. Workman and carried 5 to 0 to adopt proposed changes to Policy H-4: Standards for Child Nutrition Program.

First Reading – Policy I-4: Fire Drills – It was moved by Mr. Arritt, seconded by Mr. Bush and carried 5 to 0 to adopt proposed changes to Policy I-4: Fire Drills.

MONTHLY FINANCIAL REPORT (Month Ended April 30, 2008):

Ms. Hughart briefly reviewed the financial report for the month ended April 30, 2008 (copy attached). Board members also received copies of the School Allocation Remaining Balances as of April 30, 2008, and School Cash Balances as of March 31, 2008.

BUSINESS ITEMS:

Personnel Changes – Approval was requested for the personnel changes on the attached sheets.

Board Bills – Approval was requested for payment of Board Bills on the attached sheets.

Budget Transactions – Approval was requested for the following *Budget Supplements*: Fund 11 – General Current Expense, \$387,775; Fund 61 – Special Revenue – Restricted Projects (24,666).

Approval was requested for the following *Budget Transfers*: Fund 11 – General Current Expense, \$80,000; Fund 51 – Capital Projects, \$80,000; Fund 61 – Special Revenue – Restricted Projects, \$31,536.

It was moved by Mr. Bush, seconded by Mr. Newman and carried 4 to 1, Mr. Arritt voting No, to approve Personnel Changes, Board Bills and Budget Transactions. *Mr. Arritt* noted the retirement of Stanley Boyd and requested a copy of the resume for Thomas Crane, newly assigned Head Football Coach at Oak Hill High School.

BOARD COMMENTS (not all inclusive):

Mr. Bush – Academic Awards Ceremony – Mr. Bush noted that the Academic Awards Ceremony was held on May 6, 2008, and thanked Steven Rhodes, Dale Arrington, and Sandy Coleman for their work as facilitators for the various academic fairs.

Mr. Bush – In Memory of Amber Dellinger – Mr. Bush reported that flowers had been planted at Oak Hill Elementary School in memory of Amber Dellinger, a student who died of LaCrosse encephalitis on September 24, 2007.

Mr. Workman – Update on Granddaughter – Mr. Workman apologized for his recent absences and apprised everyone that his granddaughter, who has been critically ill, is making progress.

Mr. Arritt – New Board Member – Mr. Arritt welcomed new Board member Leon Ivey, who was present in the audience, and thanked him for being in attendance.

Mr. Arritt – State Track Meet Results – Mr. Arritt congratulated Fayette County's qualifiers in the State Track Meet held at Laidley Field, Charleston, WV, on May 16, 2008. (See attached list.)

Mr. Newman – Excess Levy – Mr. Newman noted that the excess levy passed with an overwhelming level of support – 71%.

Mr. Newman – Reputation of Board Members – Relative to earlier discussions, Mr. Newman commented that he is quick to defend his reputation as a Board of Education member and to correct any idea that the Board would have a vendetta against any employee or otherwise act in an unprofessional manner. He said he follows the chain of command in handling any issues with any personnel.

SUPERINTENDENT COMMENTS (not all inclusive):

Request for Resume – Mr. Perkins distributed to Board members a copy of Thomas Crane's resume, as requested by Mr. Arritt earlier in the meeting.

Highly Qualified Teachers – Superintendent Perkins announced that, according to the most recent figures, the county's percentage of highly qualified teachers has increased from 92% to 96% this year.

FUTURE BOARD MEETINGS:

Regular Meeting	Monday, June 2, 2008 Board of Education Office	6:00 p.m.
Regular Meeting	Monday, June 16, 2008 Board of Education Office	6:00 p.m.

EXECUTIVE SESSION FOR DISCUSSION OF SUPERINTENDENT'S EVALUATION:

In accordance with 6-9A-4 (2) (A) of School Laws of West Virginia, "The governing body of a public agency may hold an executive session during a regular, special or emergency meeting . . . upon a majority affirmative vote of the members present . . . To consider: Matters arising from the appointment, employment, retirement, promotion, transfer, demotion, disciplining, resignation, discharge, dismissal or compensation of a public officer or employee unless the public officer or employee or prospective public officer or employee requests an open meeting."

At approximately 8:08 p.m., **it was moved by Mr. Bush, seconded by Mr. Workman and carried 5 to 0, to convene in executive session to discuss the Superintendent's evaluation.**

The executive session concluded at approximately 9:15 p.m. and the meeting resumed in open session. Ms. Farmer then made the following general statement regarding the Superintendent's evaluation: *"After discussing the Superintendent's Evaluation, the majority of the Board has reached the following decision: Superintendent Chris Perkins has met the standards and in several areas has exceeded the standards required in the goals and in the performance evaluation categories."* Ms. Farmer then asked for a motion to accept the evaluation. Thereupon, **it was moved by Mr. Bush, seconded by Mr. Workman and carried with a vote of 3 to 2, Mr. Arritt and Mr. Newman voting No, to accept the evaluation of the Superintendent.**

ADJOURNMENT:

There being no further business to come before the Board, at approximately 9:20 p.m. **it was moved by Mr. Workman, seconded by Mr. Bush and carried 5 to 0 to adjourn the meeting.**

President

Secretary/Superintendent