

Minutes

The Barbour County Board of Education met in regular session at 6:00 p.m. on Monday, July 25, 2022, at the Board of Education Office, 45 School Street, Philippi, WV 26416.

David Everson, Ron Phillips, Adam Starks, and Joanne McConnell, Members, and Russ Collett, Acting as Secretary, were present. Jared Nestor, Member, was absent. Also in attendance were: Annette Hughart, Delilah Bosely, Alicia Bosely and Lillie Anna Bosely.

Mrs. McConnell called the meeting to order at 6:01 p.m.

Mr. Phillips led the pledge to the flag.

Invocation by Mr. Phillips

A motion was made by Mrs. McConnell to approve the minutes of the July 11, 2022 meeting. The motion was seconded by Mr. Everson. After discussion, the motion passed four (4) to zero (0).

The board recognized the following:

Maintenance Department/Teachers at Philippi Elementary School/Belington Middle School Band
Director/Custodians at Belington Elementary School

The following delegations addressed the board:

Alicia Bosely addressed the board regarding the Out-of-Zone attendance policy.

Reports –

Facilities/Maintenance Report

Superintendents Recommendations –

1. Recommendation: Approve payment of bills for the period of July 6, 2022, through July 19, 2022, at a total expenditure of \$144,625.59.
2. Recommendation: Authorize July 28, 2022, payroll and federal withholdings not to exceed the amount of \$1,000,000.00 to be released in accordance with Federal Law.
3. Recommendation: Authorize the payment of utility bills and copier bills due before the next board meeting not to exceed \$60,000.00.
4. Recommendation: Approve the final total of July 15, 2022, payroll check, and federal withholdings in the amount of \$41,559.02.
5. Recommendation: Approve the final total of utility/copier bills in the amount of \$49,151.38.
6. Recommendation: Approve/Confirm fundraising activity requests as submitted (all candy sales will be done outside school hours)

Philip Barbour High School (Girls Basketball) – projected revenue - \$1,500.00, \$1,500.00; (Softball) - \$2,000.00
7. Recommendation: Approve/Confirm curricular trips.

Philip Barbour High School (FFA) – Cedar Lakes, West Virginia on July 7, 2022
8. Recommendation: Approve an agreement with Cintas to provide fire retardant clothing to the maintenance department.
9. Recommendation: Approve/Confirm the use of buildings and/or grounds.

Kasson Elementary/Middle School on August 7, 2022 – requested by Tessa Hulver for Birthday Party
10. Recommendation: Review revised policy 6350, Vacation and Holidays, for first reading.

Purpose: Vacations are viewed as an important element in maintaining vigor while at work as well as reward for services performed. Extended contract (more than 200 days) employees are; therefore, expected to annually make use of the time granted for that purpose.

Responsibility: It will be the responsibility of the Board, Superintendent and immediate supervisors to administer this policy. The following are guidelines for the administration of this policy.

Section 1. Vacations:

This rule is applicable to employees on extended year (more than 200 days) contracts only.

1.1 Annual vacation days shall be granted to employees on extended contracts as follows:

<u>Contract Days</u>	<u>Annual Vacation Days</u>
203	1
205	2
210	3
215	4
220	5
225	6
230	7
235	8
240	9
245	9.5
247	10
260	20

- 1.2 The Superintendent’s contract adjudicates his/her vacation accrual, usage and allowable carryover.
- 1.3 Vacation shall not be taken prior to accrual (earning it).
- 1.4 Payment of salary in lieu of taking vacation is not permitted.
- 1.5 Employees will be given their choice of vacation time insofar as possible, subject to the approval of their immediate supervisor and the Superintendent. However, the Superintendent shall coordinate the vacation schedule in such a way as to minimize any interruption of normal operation of the schools and administrative offices.
 - 1.5.1 Vacation periods lasting three or more consecutive days (inclusive of weekends) must be requested at least two weeks in advance to ensure proper scheduling/staffing.
 - 1.5.2 One or two days of vacation must be requested at least 24 hours in advance.
- 1.6 Vacation time should regularly be utilized each year. Accumulation and carryover of vacation days from one year to the next shall not exceed 20 cumulative days. At the end of business on June 30th any days in excess of 20 will convert to sick/personal leave.
- 1.7 If an employee terminates service with the Board, he/she may take as terminal leave any accrued vacation not to exceed 20 days to be used prior to the effective date of their resignation. As of the date of the resignation, any unused vacation days will convert to sick leave.
- 1.8 Accumulated (unused) vacation accruals earned may follow an employee who transfers to another extended contract position.

Section 2. Holidays:

2.1 The following shall be considered as paid holidays (observed) for all employees.

Labor Day	Veterans Day
Thanksgiving Day	Christmas Day
New Years Day	Martin Luther King Day*
Memorial Day	
Primary Election Day	General Election Day

*The Board will observe the Monday that is deemed as Martin Luther King Day as a holiday. However, any public employee may observe this day on his actual birthday (January 15th) in accordance with law. If an employee elects to be off on Martin Luther King’s actual birthday, then that time will be charged against the employee’s accrued vacation time or personal leave (no-cause) days.

2.2 Extended contract employees normally scheduled to work the months of June and July shall have the above paid holidays plus the following days normally observed outside the school calendar.

West Virginia Day	Independence Day
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Vacation Accrual in Excess of Levels Permitted by Policy 6350: The Board is satisfied that the limitations upon the carryover of accrued vacation; proscription against the payment of salary in lieu of vacation; and, the provision relating to the use of accrued vacation as terminal leave, may not have been communicated to affected employees. This Board is also satisfied that as a result of this lack of information, certain employees have labored under the misapprehension that no limit existed upon the accrual of vacation leave and that all accrued vacation could be converted to a lump sum payment upon termination of employment (through resignation or retirement). Such employees may have mistakenly relied upon this mistaken notion to their detriment in terms of personal financial planning.

In recognition of the above-described circumstance, that may not be attributed to the fault of the affected employees, the Board had determined to permit a one-time voluntary election of the part of employees who believe they have accrued vacation leave beyond the limits established by Policy 6350 to convert such excess vacation leave to personal leave. As a condition to exercising this election, employees must: execute an affidavit asserting they were unaware of the terms of Policy 6350 and mistakenly believed that vacation leave could be accrued without limitation and be used to obtain a lump sum payment upon termination of employment; and, execute a release relinquishing any and all claims arising from the accumulation of vacation leave in excess of the carryover limits established by Policy 6350 and arising from their voluntary election to convert accrued vacation leave to personal leave. The deadline for exercising this election is April 13, 2007.

Affected employees who do not exercise this election shall be subject to the application of the terms of Policy 6350 and will not have the benefit of vacation leave accrued in excess of the limits set forth in the policy.

Should any part of the policy be determined to be invalid by a court of competent jurisdiction any remaining provisions shall remain valid and enforceable.

11. Recommendation: Approve/Confirm requests for professional leave.
12. Recommendation: Accept the resignation/retirement of David Wilson as Head Mechanic/Bus Operator effective at the end of the day on July 29, 2022.
13. Recommendation: Accept the resignation of Ashley Warner as Head Cheerleading Coach at Philip Barbour High School effective July 13, 2022.
14. Recommendation: Accept the resignation of Trevor Mouser as Volunteer Head Baseball Coach at Belington Middle School effective July 12, 2022.

15. Recommendation: Employ the following personnel for the 2022/2023 school year. **Employment is contingent upon certification and clearance of criminal convictions as defined in WV Codes §18-5-15c(d) and §15-2-24(d)**

Regular Employee Assignments 2022-23 (FY23)		
Name of Person	Location	Job ID: Position
	PMS, Itinerant	Job 3879: Physical Education/Health Instructor
	PBHS, Itinerant	Job 3880: Hearing Impaired/Visually Impaired/Multi-Categorical Instructor
	KEMS	Job 3881: Mathematics Instructor
	County	Job 3884: Bus Operator, Rt. 1
Catlin Carrico	BMS	Job3888: Science Instructor
	County	Job 3889: Bus Operator, Rt. 31
	PBHS	Job 3890: Counselor
	PES, Itinerant	Job 3891: Multi-Categorical w/Autism Instructor
	PMS	Job 3892: Language Arts Instructor
	PES, Itinerant	Job 3893: PreK/Prek Special Needs Instructor (half-time)
	PMS, Itinerant	Job 3895: Gifted/Multi-Categorical Instructor (half-time)
	PBHS	Job 3900: Mathematics Instructor
	PBHS, Itinerant	Job 3901: 2022Educational Interpreter/Sign Language Specialist/Supervisory Aide/Transportation Aide
	BMS	Job 3902: Assistant Boys Basketball Coach
	PMS, Itinerant	Job 3903: Multi-Categorical w/Autism Instructor
	PBHS	Job 3911: Mathematics Instructor

	PES	Job 3912: Title I Reading/Math Instructor
	BMS, Itinerant	Job 3913: Multi-Categorical w/Autism Instructor
Roger Kelley	KEMS	Job 3914: Physical Education/Health Instructor
Teena Haddix	PBHS	Job 3915: Custodian
Matthew Upton	PBHS	Job 3876: Custodian
	PES	Job 3918: Elementary Education Instructor
Loretta Talbott	PES	Job 3919: Cook

Substitute Employee Assignments 2022-23		
Name of Person	Location	Job ID: Position
	County	Job 3904: Substitute Custodian(s)
	County	Job 3905: Substitute LPN/Aide(s)
	County	Job 3906: Substitute School Nurse RN(s)
Johnna Upton	County	Job 3907: Substitute Secretary(s)
	County	Job 3908: Substitute Cook(s)
	County	Job 3909: Substitute Bus Operator(s)
	County	Job 3910: Substitute Teacher(s)

Extra-Curricular Employee Assignments 2022-23		
Name of Person	Location	Job ID: Position
	PBHS	Job 3894: Assistant Boys Basketball Coach
	BMS	Job 3896: Head Cheerleading Coach
	KEMS	Job 3897: Head Cheerleading Coach
	PMS	Job 3898: Volunteer Assistant Softball Coach
	PMS	Job 3899: Head Cross Country Coach
Amanda McDaniel	PBHS	Job 3916: Head Softball Coach
John Bolton	PBHS	Job 3917: Head Golf Coach
Mason Fox	BMS	Job 3868: Head Boys Basketball Coach

16. Recommendation: Approve listed persons to enter the bus operator training program for Barbour County Schools.

Jason Steerman
Justin Cummings

Joann Morris
Calvin Posten

Steven Graber
Nicholas Culberson

A motion was made by Mr. Phillips to approve agenda items 1-11 as recommended. The motion was seconded by Mr. Starks. After discussion, the motion passed four (4) to zero (0).

Mrs. McConnell made a motion to adjourn into executive session at 7:03 p.m. to discuss personnel issues. The motion was seconded by Mr. Everson and passed four (4) to zero (0).

The board returned to open session at 7:07 p.m. (No votes or decisions were made in executive session).

A motion was made by Mr. Everson to approve agenda items 12-16 as recommended. The motion was seconded by Mr. Starks. After discussion, the motion passed four (4) to zero (0).

The board acted upon or discussed the following items:

1. Policy 6300, Personal Leave and Other Absences Policy (administrative guidelines)

1.0 Absence for being ill (Sick Leave)

- 1.1 Any portion of an absence, which is five (5) or more consecutive days in length and charged to Personal Leave (sick leave), shall require written certification from a licensed physician, which specifies the date seen by the physician and the inclusive dates of care for the illness or injury.
- 1.2 Consecutive days shall refer to regularly scheduled work days.
- 1.3 The Employee shall present the signed physician's statement to his/her immediate supervisor upon returning to work. In extenuating circumstances, as determined by the superintendent, the employee shall be required to present the signed physician's statement prior to returning to work.
- 1.4 The immediate supervisor will promptly forward the physician's statement to the finance/payroll office where it will be required to support claims for Personal Leave (sick leave) pay.
- 1.5 The physician's statements shall be filed in the business office.
- 1.6 Upon review by an employee's immediate supervisor or at the request of the superintendent, verification for reason of absence maybe required for the tenth (10th) day and all subsequent days charged to personal leave (sick leave) within that school year. (July 1 through June 30.)
- 1.7 An employee who has exhausted all of his/her accrued personal leave (sick leave), personal use leaves (no cause days), and vacation (within the school year from July 1 through June 30) may request in writing a one day excused absence, without pay, from his/her immediate supervisor or may apply in writing for medical leave (see policy Unpaid Leave of Absences). The reason for absence must be verified with a specific reason/diagnosis and time frame for treatment, and sent directly to the Superintendent of Schools for approval. The Board of Education reserves the right to get a second medical opinion at Board of Education expense on a doc absence when warranted.
- 1.8 Any unexcused absence or fraudulent use of an excused absence without pay, may lead to disciplinary action.
- 1.9 The employee's supervisor and/or Board have the right to require verification of reason(s) for any and all absence(s) regardless of the duration of the absence(s).
- 1.10 Failure on the part of an employee to comply with this policy shall be considered sufficient cause for voiding the claim of the Employee for Personal Leave (sick leave) payment; the employee may be subject to suspension.

2.0 Absence for Personal Use Leave (No Cause Days)

- 2.1 Employees who are eligible for personal leave benefits are authorized four (4) days of Personal Use Leave without regard to the cause for the absence. Such days will be subtracted from the personal leave allocation.
- 2.2 An employee may roll over unused Personal Use Leave from year to year not to exceed a total of five (5) days. No more than (5) Personal Use Leave Days can be used in a calendar year. Personal Use Leave days over and above five (5) days will roll over into an employee's sick leave balance and carry over to the next year as sick leave.
- 2.3 Personal Use Leave is authorized to permit employees to be absent from work for matters of a personal and private nature.
- 2.4 Personal Use Leave may not be taken on consecutive workdays unless authorized or approved by the employee's principal or immediate supervisor; Provided, however, that notice of such leave days shall be given to the employee's principal or immediate supervisor at least twenty-four hours in advance, except that in the case of sudden and unexpected circumstances, such notice shall be given as soon as reasonably practicable.

However, the use of such days may be denied if, at the time notice is given, either fifteen percent of the employees, or three employees, whichever is greater, under the supervision of the principal or immediate supervisor, have previously notified the principal or immediate supervisor of their intention to use the day for such leave:

Provided further, that such leave will not be used in connection with a concerted work stoppage or strike.

3.0 Absence for Religious Leave

- 3.1 Employees of Barbour County Schools may take two (2) days for **recognized** religious holidays. These days will be deducted from the total Personal Leave allocation earned and not from the four (4) Personal

Use Leave days.

3.2 Religious holiday days do not accumulate, or roll over, from year to year.

4.0 Absence for Child Care Leave

4.1 Parent of newborn children or parent of newly arrived adoptive children shall be granted upon written request, by the Board of Education Child Care Leave for a period not to exceed one calendar year, for any one category of Child Care leave, upon written request for the purpose of pregnancy, childbirth, or adoptive or infant bonding.

4.2 Benefits related to such leave are determined by the specific leave category.

4.2.1 **Maternity Leave** – Maternity leave shall be granted when an employee’s attending physician certifies in writing that the pregnant employee is unable to work. Maternity leave shall be charged against the employee’s total accumulated personal/sick leave. This leave may continue through the period of childbirth and convalescence through the exhaustion of all of the employees personal/sick leave. Benefits may not exceed the employee’s accumulated personal/sick leave.

4.2.2 **Adoptive Parent Leave** – Upon the arrival of an adoptive child into the home of an adoptive parent employee, such employee shall be entitled to Adoptive Parent Leave if such employee is the primary caretaker of the adopted child (see definition of Primary Caretaker). This leave may be with pay through the exhaustion of his/her personal/sick leave, and such leave may be regarded as a leave of absence for purposes of determining rights and benefits upon return to work. Benefits may not exceed employee’s total accumulated personal/sick leave.

4.2.3 **Primary Caretaker Leave** – A parent or adoptive parent who is responsible for attending to a majority of child care duties such as feeding, clothing, supervising, bathing, etc., shall for the purpose of this policy, be determined the primary caretaker and shall be entitled to Primary Caretaker Leave for a period of up to one calendar year upon written request, and may be with pay through the exhaustion of his/her personal/sick leave, and shall be regarded as a leave of absence for purposes of determining rights and benefits upon return to work.

4.2.4 **Secondary Caretaker Leave** – Immediately following the birth of a child of a secondary caretaker or the arrival of an adoptive child into the home of a secondary caretaker employee, such employee shall be entitled to secondary caretaker leave for a period of five (5) consecutive employment days to be charged against the employee’s accumulative personal/sick leave. Benefits may not exceed employee’s total accumulated personal/sick leave. Secondary caretaker, for the purpose of this policy, shall be defined as a parent or adoptive parent who is not the primary caretaker.

5.0 Absence for Bereavement/Death in Family

5.1 **Category 1**- Five (5) days leave allowed in the following death in family cases, and deducted from the earned annual personal leave:

- | | |
|---------------|--------------------|
| 1. Spouse | 5. Children |
| 2. Father | 6. Father-in-law |
| 3. Mother | 7. Mother-in-law |
| 4. Son-in-law | 8. Daughter-in-law |

5.2 **Category 2**– Three (3) days leave allowed in the following death in family cases, and deducted from the earned annual personal leave:

- | | |
|-------------------|------------------|
| 1. Brother | 4. Sister-in-Law |
| 2. Sister | 5. Grandparents |
| 3. Brother-in-Law | 6. Grandchildren |

5.3 **Category 3** – One (1) day leave allowed in the following death in family cases, and deducted from the earned annual personal leave.

1. Uncle
2. Aunt
3. Nephew
4. Niece
5. First Cousin

5.4 **Category 4** – Leave for other relationships and other extenuating circumstances as determined by appeal to the Superintendent’s office.

The completion of an Employee Absence Report (Form #1) shall be the responsibility of the employee.

6.0 Calculation of Sick leave

6.1 Sick leave is calculated in the following manner:

Employment term Days Sick Leave Personal Use Leave

Employment term	Days	Sick Leave	Personal Use Leave
200 Days X .075 =	15.00	11.00	4
203 Days X .075 =	15.00	11.00	4
205 Days X .075 =	15.25	11.25	4
210 Days X .075 =	15.75	11.75	4
215 Days X .075 =	16.00	12.00	4
220 Days X .075 =	16.50	12.50	4
230 Days X .075 =	17.25	13.25	4
235 Days X .075 =	17.50	13.50	4
240 Days X .075 =	18.00	14.00	4
245 Days X .075 =	18.25	14.25	4
247 Days X .075 =	18.50	14.50	4
261 Days X .075 =	19.50	15.50	4

2. Other
- Formal requests for volunteers

Next board meetings:

August 8, 2022, at 6:00 p.m. at the Board of Education Office (Regular Session)
August 22, 2022, at 6:00 p.m. at the Board of Education Office (Regular Session)

The meeting adjourned at 7:22 p.m.

President

Secretary