Minutes

The Barbour County Board of Education met in regular session at 6:00 p.m. on Monday, December 13, 2021, at the Board of Education Office, 45 School Street, Philippi, WV 26416.

David Everson, Joanne McConnell, Jared Nestor, and Ron Phillips, Members, and Jeffrey Woofter, Secretary, were present. Also in attendance were: Michael Ferguson, Connie Mundy, Annette Hughart, Davide Neff, and Michelle Flemeing.

Mrs. McConnell called the meeting to order at 6:00 p.m.

Mr. Phillips led the pledge to the flag.

Invocation by Mr. Phillips

A motion was made by Mr. Everson to approve the minutes of the November 22, 2021, meeting. The motion was seconded by Mr. Nestor. After discussion, the motion passed four (4) to zero (0).

Mr. Starks arrived.

Reports -

Attendance/Enrollment Report

Superintendents Recommendations -

- 1. Recommendation: Approve payment of bills for the period of November 17, 2021, through December 7, 2021, at a total expenditure of \$180,857.88.
- 2. Recommendation: Authorize December 15, 2021, 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 \$50,000.00.
- 4. Recommendation: Approve the final total of November 26, 2021, payroll check, and federal withholdings in the amount of \$512,675.93.
- 5. Recommendation: Approve the final total of utility/copier bills in the amount of \$27,791.41.
- 6. Recommendation: Approve/Confirm fundraising activity requests as submitted (all candy sales will be done outside school hours)

 $Belington\ Middle\ School\ (Student\ Council)-projected\ revenue\ -\ \500.00

Kasson Elementary/Middle School (Student Council) – projected revenue - \$100.00, \$25.00; (Office) - \$0.00, \$500.00

Philip Barbour High School (FBLA) – projected revenue - \$200.00; (Math) - \$300.00; (Boys & Girls Basketball) - \$1,500.00; (Football) - \$9,000.00; (Girls Basketball) - \$1,000.00

Philippi Middle School (Office) – projected revenue - \$1,000.00

- 7. Recommendation: Approve agreement with Samantha Heflin to provide planning, spending, and monitoring of ESSERF funding, assistance to accounts payable, and set-up of SoftDocs during the 2021/2022 school year.
- 8. Recommendation: Approve/Confirm curricular trips.

Junior Elementary School (PreK-4th Grade) – to Elkins on December 22, 2021; (Whole School) – to Good SAM on December 21, 2021

- 9. Recommendation: Approve educational leave request for a student at Philippi Middle School.
- 10. Recommendation: Approve/Confirm the use of buildings and/or grounds.

Philip Barbour High School on December 11, 2021 – requested by Alyciann Simons for Benefit Paint Party; on July 12-14, 2022 – requested by Michael Cvechko for Basketball Camp

11. Recommendation: Approve building/ground modifications.

Philippi Middle School (Breaker Room – Internet Tower) – install 30 amp plug

- 12. Recommendation: Approve contract with Musco Lighting for field lights at the softball field.
- 13. Recommendation: Review new policy 5600, Management of Risk, for second reading.

Maintaining a safe Facility, conducting work in a safe manner, and protecting the safety of employees and the general public are extremely important to the Barbour County Board of Education. It is the policy of Barbour County Board of Education to establish and adhere to the following risk management and loss control procedures that will protect the assets of Barbour County Schools, the safety of its employees and members of the general public. All Barbour County Board of Education's employees and officials have certain responsibilities in the risk management and loss control process that must be carried out in order to have a successful program. These responsibilities include such activities as establishing safe workplaces, following safe practices, limiting exposures to potential liability and loss, and carrying out the steps necessary to maintain an effective and efficient risk management and loss control program.

14. Recommendation: Review new policy 6160, Notice of Privacy, for second reading

The Barbour County Board of Education values the privacy of all persons and entities affected by the agency's scope of work with regard to State insurance issues as well as those of local government subdivisions and other entities which deal with the Barbour County Board Education.

INFORMATION COLLECTED AND RECEIVED BY BRIM

Various types of information are collected by the Barbour County Board of Education to stay in compliance with the Board of Risk Management and the scope of its duties. These include, but are not limited to, assessing the risk of its all stakeholders as well as taking corrective actions as need. Information contained on application, reports and other required forms may include various types of financial disclosures and other personal information. This information is kept in the offices of Barbour County Schools located 45 School Street, Philippi WV, 26416, and on a secure computer system maintained by the Barbour County Board of Education. This information is not shared except as may be required by West Virginia state law in dealing with other state entities.

In addition to information which may be obtained with regard to risk assessment and policy issuance, the Barbour County Board of Education receives from BRIM information necessary for the proper adjustment of claims arising from the policies maintained by BRIM. This may include personally identifiable information, including but not limited to confidential financial data and medical information. This information is also kept in a secure location at the Barbour County Board of Education and is not shared with any other persons or entities except in a manner that is in compliance with the West Virginia Rules of Civil Procedure and the Federal Rules of Civil Procedure, as required by law, as they may apply to individual litigation.

In the course of conducting its business, Barbour County Schools may also share information with its auditors, actuaries, insurance companies, insurance agencies and agents, and other vendors who may be engaged to assist Barbour County Schools in completing its mission.

All of the above-discussed information is kept in a secured location and is not discarded except for when it is destroyed pursuant to the approved BRIM and State of WV document retention policy. No unauthorized personnel are permitted to view and inspect the privileged and confidential materials contained within the files maintained by the Barbour County Board of Education.

If you would like a written version of this privacy notice, please contact the Superintendent of Schools for Barbour County Schools at 45 School Street, Philippi WV, 26416. Telephone: 304-457-3030, and a written copy of this privacy notice will provided to you at no charge.

CONSENT

In the unlikely event that the Barbour County Board of Education would seek to utilize personally identifiable information in a manner inconsistent with its Notice policy, Barbour County Schools will seek express written consent from the individual before the personally identifiable information is utilized, unless the disclosure or additional use is required by law.

INDIVIDUAL RIGHTS

You have the right to view and inspect your personally identifiable information held by the Barbour County Board of Education, upon reasonable notice to the Superintendent of Schools for Barbour County Schools at 45 School Street, Philippi WV, 26416. If you believe any of the personally identifiable information held by the Barbour County Board of Education is incomplete or inaccurate, you have the right to challenge the information by notifying the Superintendent of Schools for Barbour County Schools. You also have the right to copy the information upon reasonable notice.

ACCOUNTABILITY

Every employee of Barbour County Schools is responsible for maintaining the privacy of personally identifiable information that they create, store and maintain as part of their duties. The Barbour County Board of Education shall work with any agency Executive Director, the Departmental and State Privacy Officers and others in developing processes and procedures for proper training of Barbour County Schools employees with regard to privacy.

The Barbour County Board of Education will also work to ensure that agency employees, including contracted employees as may be necessary, as well as vendors and others performing functions on behalf of the agency, receive appropriate training and education regarding privacy laws, regulations, policies, standards and procedures governing the agency's handling of personally identifiable information.

- New employees of the workforce will receive training as part of the orientation to their jobs within a reasonable time upon employment or engagement.
- All members of the workforce will receive additional training as policies, standards or procedures are changed, to the extent that the changes affect their jobs.
- All members of the workforce will receive additional training on a periodic basis.
- Attendance at training sessions will be documented to demonstrate that each member of the workforce has received training in accordance with this standard.

Barbour County Schools, working with others, will ensure that all members of its workforce, including vendors and contracted personnel, sign an appropriate confidentiality agreement upon hire or entering into a contractual relationship and annually thereafter, or as otherwise required by law or policy, whichever is more restrictive.

The Barbour County Board of Education will apply appropriate sanctions against members of its workforce, contracted personnel, vendors and all other individuals performing functions on behalf of the agency who fail to comply with privacy policies and procedures.

The Barbour County Board of Education will report incidents of privacy related breaches to the Departmental Privacy officer and/or others as may be required.

The Barbour County Board of Education will work with others as necessary to develop an appropriate response to privacy related breaches or incidents that threaten the confidentiality, integrity, and availability of information gathered and maintained by The Barbour County Board of Education

MINIMUM NECESSARY AND LIMITED USE

The Barbour County Board of Education collects information only for specific, explicit and legitimate purposes. Specifically, Barbour County Schools collects information necessary to assess the risk of its stakeholders to allow BRIM to determine the premiums to be charged for coverage; and properly adjust claims arising from policies maintained by BRIM and Barbour County Schools. In furtherance of this goal, Barbour County Schools will (1) limit the amount of personal information collected to that reasonably necessary to accomplish the legitimate purpose for which it is collected; (2) limit the time the information is retained to that reasonably necessary to accomplish such purpose; and (3) limit access to that information to those persons who are reasonably required to know such information in order to accomplish the specific, explicit and legitimate purpose.

The Barbour County Board of Education may wish to collect information for purposes other than those previously listed. Such information may be collected in order to facilitate communication, collect demographic information, or otherwise aid BRIM in assisting its customers. No individual is required to share this additional information with BRIM, but is encouraged to do so on a voluntary basis.

SECURITY SAFEGUARDS

The privacy, confidentiality, integrity and security of personally identifiable information are important to the Barbour County Board of Education. Barbour County Schools complies with all security requirements developed by the Office of Technology and The Health Care Authority Privacy Office, as well as all requirements imposed by applicable law. In furtherance of this compliance, the Barbour County Board of Education networks meet or exceed the network security standards set forth by the Office of Technology. The Barbour County Board of Education utilizes appropriate management and operational controls to protect private information from anticipated threats or hazards, and unauthorized access, use or disclosure.

REDACTION

In accordance with its commitment to the confidentiality, integrity and security of personally identifiable information, the Barbour County Board of Education complies with Procedure Number

WVEB-P106.1 in its removal of personally identifiable information from documents before sharing the same with a third party. In doing so, Barbour County Schools utilizes the appropriate steps outlined in the policy for proper redaction of Personally Identifiable Information.

- 15. Recommendation: Review revised policy 1200, School Board Meetings, for third reading.
 - 1. Scope. The Barbour County Board of Education is composed of the duly elected representatives of the citizens of the county charged with the responsibility of fulfilling the citizen's education expectations. Consequently, official business of the Board shall be conducted only in legally called open sessions. Appropriate efforts shall be made to keep the public informed about its schools.

2. Public Notification of Board of Education Meetings.

- 2.1 All board meetings are open, public meetings, except as noted in section 5 of this policy.
- 2.2 Written notice will be provided to the public of all regularly scheduled board meetings.
- 2.3 Written public notice may include, but is not limited to posting in/on: local newspapers; local media; e-mail; Barbour County Schools Web site; public buildings, including school buildings. Notice will ALWAYS be posted on the front public entranceway to the Board of Education offices.
- 2.4 Public notice will be given at least three (3) calendar days, inclusive of the meeting date, before a regularly scheduled meeting.
- 2.5 In the event of an emergency/crisis, the requirement for written notice may be waived.
 - 2.5.1 The superintendent will promptly notify the board president of the need for a meeting.
 - 2.5.2 If the president concurs, a meeting of the board will be called on a one-hour verbal notice to discuss and act upon the emergency/crisis.
 - 2.5.3 In the event the president cannot be reached, the superintendent will contact, in the following order, the vice president, then members based upon their seniority, to get consensus regarding the need for an emergency meeting.

3. Meetings of the Board of Education.

- 3.1 Annual Meetings.
 - 3.1.1 First Monday in July: The board shall meet following each biennial election. The purpose of this meeting is to organize and elect a president for a two-year term. The board shall, at this meeting, also set the time for the regular monthly meetings.
 - 3.1.2 Between March 7 28: The board shall meet to fix the estimated levy rates and report the same to the State Tax Commissioner. This meeting adjourns to the third Tuesday in April.
 - 3.1.3 Third Tuesday in April: The board will meet to complete the setting of the levy rates.
- 3.2 Regular Meetings: The regular meetings of the Barbour County Board of Education shall be held on the second and fourth Monday of each month in the office of the Barbour County Schools at 45 School Street in Philippi, West Virginia, unless otherwise directed by the board.
- 3.3 Special Meetings.
 - 3.3.1 The board president and any three members of the board may call a special meeting.
 - 3.3.2 The only business that can be transacted at the special meeting is that designated in the
 - 3.3.3 A three day notice shall be given each board member of any and all special meetings, except when such meeting is called as an emergency measure in which circumstance this provision for advance notice shall be waived.
- 3.4 Adjourned Meetings.
 - 3.4.1 Any meeting adjourned for the purpose of continuing that meeting in a subsequent session is known as an adjourned meeting.
 - 3.4.2 A subsequent session of an adjourned meeting is not a separate meeting. Therefore, a board member may not receive compensation for both the original and the adjourned meeting.

4. School Board Meeting Procedures.

- 4.1 Superintendent Duties.
 - 4.1.1 The superintendent is both the Executive Officer and the Secretary of the Board. As Executive Officer, the superintendent prepares and provides the board a carefully organized written agenda and the minutes of the preceding meeting.
 - 4.1.2 The written agenda must be provided to each board member (via hand delivery, U.S. mail, or electronic correspondence) at least three (3) calendar days, inclusive of the meeting date, before a regularly scheduled meeting.
 - 4.1.3 Copies of reference items needed for clarification or examination shall be in readiness prior to the scheduled meeting.

- 4.2 Items of business may be suggested by board members, the superintendent, staff members, or citizens of the school district.
 - 4.2.1 Business items shall be submitted in writing to the superintendent at least one week prior to the scheduled meeting in order to ensure inclusion on the written agenda
 - 4.2.2 Items may not be suggested from the floor during a meeting for discussion or action except at the discretion of the president. If any board member or superintendent disagrees with adding the item from the floor to the agenda, a board vote shall be taken to determine if the item should be added to the agenda.
- 4.3 A majority of the board members constitutes a quorum required for transaction of official business. In conducting its business, the board shall observe Robert's Rules of Order, Revised, except that the president may introduce, discuss, and have a vote on all matters before the board, or except as otherwise agreed upon by the members.
- 4.4 All votes on motions and resolutions shall be "ayes" or "nays", or via raising the hand.
- 4.5 The vote shall be recorded if not unanimous.
- 4.6 The order of business for a regular meeting of the Board of Education shall be:
 - 4.6.1 Call to order;
 - 4.6.2 Pledge the flag;
 - 4.6.3 Minutes;
 - 4.6.4 Acknowledgement of Visitors
 - 4.6.5 Delegations;
 - 4.6.6 Hearings;
 - 4.6.7 Superintendent's recommendations;
 - 4.6.8 Items for information, consideration and possible action;
 - 4.6.9 Adjournment
 - 4.6.10 Executive Sessions may be held within the regular meeting, as needed.

5. Executive Sessions.

- 5.1 The board may hold and executive session for consideration of the following:
 - 5.1.1 The appointment, employment, retirement, promotion, demotion, disciplining, resignation, discharge, dismissal, or compensation of any public officer or employee, or other personnel matters;
 - 5.1.2 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 hearing;
 - 5.1.3 The disciplining, suspension, or expulsion of any student in any public school, unless such student requests an open meeting;
 - 5.1.4 The physical or mental health of any person, unless such person requests an open meeting;
 - 5.1.5 Matters which, if discussed in public, would likely to adversely affect the reputation of any person:
 - 5.1.6 Any official investigation or matters relating to crime prevention or law enforcement;
 - 5.1.7 Matters involving or affecting the purchase, sale or lease of property, advance construction planning, the investment of public funds or other matters involving competition, which, if made public, might adversely affect the financial or other interest of the State or school district.
- 5.2 The president or presiding officer shall identify the authorization and reasons from WV Code 6-9A-4 for the holding of an executive session to the board members and to the general public. An executive session may only then be held following majority affirmative vote of the members present.
- 5.3 No decision shall be made in an executive session. Following reconvening into open session a decision may be made relative to the business under consideration in the executive session.
- 5.4 Minutes shall be kept of executive sessions. The minutes shall be limited to material, the disclosure of which is not inconsistent with items 5.1.1 5.1.7 above.
- 5.5 All executive sessions shall be attended by the superintendent, except those in which his/her tenure, salary, or administration of duties is under consideration.
- 5.6 The board shall determine which other individuals, as appropriate, shall be included in executive session. The president shall invite said individuals into the session as needed, and shall dismiss them from the executive session when appropriate.

6. Minutes of School Board Meetings.

- 6.1 The Board of Education shall provide for the preparation of written minutes of all of its meetings.
- 6.2 All such minutes shall be kept in a safe place by the Secretary to the board, and shall be available to for public review during regular business hours within ten days of the board meeting.
- 6.3 The minutes shall include, but not be limited to, the following information:
 - 6.3.1 The date, time, and place of the meeting;

- 6.3.2 The names of each member present and absent;
- 6.3.3 All motions, proposals, resolutions, orders, ordinances, and measures proposed, the name of the person proposing the same, and their disposition; and
- 6.3.4 The results of all votes and, upon request of a member, the vote of each member by
- 6.3.5 A copy of the minute shall be provided for public review. This may include, but is not limited to posting in/on: local newspapers; local media; e-mail; Barbour County Schools Web site; public buildings, including school buildings.

7. Public Participation.

- 7.1 It shall be the responsibility of the <u>Superintendent</u> to:
 - 7.1.1 Require speakers <u>or</u> delegation(s) desiring to make presentations to the Board to register prior to commencement of meeting in which he/she/they desire to speak.
 - 7.1.2 Require the submission of name(s) of the spokesperson(s) and topic(s).
 - 7.1.3 Allot a specific period of time for the presentation. It shall be limited to 5 to 10 minutes at the discretion of the Board President depended upon the number of delegations.
 - 7.1.4 Explain to the person(s) submitting the request the procedures to be followed at the Board meeting.
- 7.2 It shall be the responsibility of the <u>Board President</u> to explain to the individual speaker or delegation(s) the procedures that will be followed:
 - 7.2.1 The time period for an individual presentation shall be limited to 5-10 minutes at the President's discretion dependent upon the number of delegations.
 - 7.2.2 For a group presentation, a spokesperson will make the presentation for the delegation and shall be limited to 10 minutes at the President's discretion dependent upon the number of delegations. All others who want to speak on the same matter must receive approval to speak from the President, they must make their statement at a podium/front of the room, and their time shall be limited to 3 minutes.
 - 7.2.3 The spokesperson will make his/her presentation at a podium/front of room.
 - 7.2.4 The Board may ask questions of the presenter after his/her presentation and he/she is still at the podium/front of room. This period of questioning is not to be included in the spokespersons presentation time. This questioning can continue until all Board members are satisfied they have an understanding of the issue being presented. No action will be taken by the Board unless the topic is on the agenda as a recommendation from the Superintendent.
 - 7.2.5 If a student(s) is/are the delegation(s) and if the matter is directly related to the individual(s) presenting to the Board, the presentation shall be in executive session in compliance with the Family Rights and Privacy Act unless waived by the student concerned (if of the age of majority/legal consent age) and/or parent/legal guardian of the student(s).
 - 7.2.6 If a student(s) is/are the delegation(s) and if the matter is in relationship to other student(s) and/or school personnel, the presentation shall be in executive session in compliance with the Family Rights and Privacy Act unless waived by the student concerned (if of the age of majority/legal consent age) and/or parent/legal guardian of the student(s); if in relationship to school personnel, consent must be given by the school personnel concerned.
 - 7.2.7 If personnel are involved, the presentation shall be in executive session in compliance with the Family Rights and Privacy Act unless waived by the personnel concerned.
 - 7.2.8 There will be no interruptions of the person who is making his/her presentation or those who have the floor to speak.
 - 7.2.9 All speakers will conduct themselves with proper decorum. Use of profanity and personal verbal confrontations will not be tolerated and will be considered disorderly conduct.
 - 7.2.10 Disorderly conduct will be called out of order by the board president and may result in a call for recess.
 - 7.2.11 Continued disruption or disorderly conduct could result in further action.
- 7.3 These guidelines are not intended to limit input to the Board in any manner, but only to improve communications and facilitate the handling of problems and concerns.
- **8. Media Participation**. The media, including, but not limited to radio and television, shall be welcomed at any or all regular, special, or annual meeting of the Board of Education.
- 9. Board/Staff Communications.

- 9.1 The board recognizes professional and service educational associations affiliated with the West Virginia Education Association, the West Virginia School Service Personnel Association, the American Federation of Teachers, and other professional agencies through which the personnel of Barbour County Schools represent their considered opinion in matters of concern to them.
- 9.2 The board shall give due consideration to proposals and representation made on behalf of professional and service educational associations.
- 16. Recommendation: Approve transportation travel requests.

<u>Date</u>	<u>Destination</u>	No. Buses	
Belington Middle School			
(Basketball)			
12/17/21	Philippi Middle School	1	

- 17. Recommendation: Approve/Confirm requests for professional leave.
- 18. Recommendation: Authorize the creation of middle school baseball and softball teams for the spring of 2022.
- 19. Recommendation: Terminate the employment of substitute service personnel for willful neglect of duty.

Tiffany Davis, Aide William Winans, Bus Operator

- 20. Recommendation: Accept the resignation of Steven Kettler as a Social Studies Teacher, Strength Coach, and Volunteer Assistant Baseball Coach at Philip Barbour High School effective December 1, 2021.
- 21. Recommendation: Accept the resignation/retirement of Olive Zinn as an Early Childhood Classroom Assistant Teacher/Kindergarten Aide at Junior Elementary School effective December 31, 2021.
- 22. Recommendation: Accept the resignation of Christy Weese as a volunteer assistant swim coach at Philip Barbour High School effective November 18, 2021.
- 23. Recommendation: Accept the resignation of Justin Suder-Grose as an English/Language Arts Instructor at Belington Middle School effective January 3, 2022.
- 24. Recommendation: Approve leave of absence for Sarah Fultineer a professional employee at Belington Elementary School beginning March 8, 2022, for approximately 6 weeks.
- 25. Recommendation: Employ the following personnel for the 2021/2022 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 2021-22		
Name of Person	Location	Job ID: Position
Rachel Vannoy	PBHS	Job 3560: Custodian
	BMS	Job 3587: Language Arts
		Instructor

Substitute Employee Assignments 2021-22		
Name of Person	Location	Job ID: Position
Olive Zinn	County	Job 3569: Substitute Aide(s)
	County	Job 3570: Substitute Custodian(s)
	County	Job 3571: Substitute LPN/Aide(s)
	County	Job 3572: Substitute School
	•	Nurse RN(s)
	County	Job 3573: Substitute Secretary(s)
Lana Norris	County	Job 3574: Substitute Cook(s)
	County	Job 3575: Substitute Bus
		Operator(s)
Ryan Freeman, Rachel Short	County	Job 3576: Substitute Teacher(s)
	JES	Job 3588: Long Term Substitute
		Secretary/Media

	Aide/Supervisory Aide
BES	Job 3589: Long Term Substitute
	Custodian

Extra-Curricular Employee Assignments 2021-22		
Courtney Boot	PBHS	Job 3561: Volunteer Assistant
		Track Coach
	PBHS	Job 3577: Assistant Wrestling
		Coach
	PBHS	Job 3580: Volunteer Assistant
		Softball Coach

County Schools.		

- 27. Recommendation: Accept the resignation of Kenneth Hathaway as a substitute bus operator effective December 3, 2021.
- 28. Recommendation: Approve Kimberly Fetter employee grievance settlement.

A motion was made by Mr. Phillips to approve agenda items 1-17 as recommended. The motion was seconded by Mr. Starks. After discussion, the motion passed five (5) to zero (0).

Mr. Nestor made a motion to adjourn into executive session at 6:52 p.m. to discuss personnel issues. The motion was seconded by Mr. Starks and passed five (5) to zero (0).

The board returned to open session at 7:39 p.m. (No votes or decisions were made in executive session).

A motion was made by Mr. Phillips to approve agenda items 18-28 as recommended. The motion was seconded by Mr. Everson. After discussion, the motion passed five (5) to zero (0).

The board acted upon or discussed the following items:

- 1. Kasson Elementary/Middle School Newsletter
- 2. Other

Next board meetings:

December 20, 2021, at 6:00 p.m. at Board of Education Office (Regular Session) January 10, 2022, at 6:00 p.m. at Board of Education Office (Regular Session)

A motion was made by Mr. Nestor, seconded by Mr. Starks and passed five (5) to zero (0) to move the December 20, 2021 board meeting to the LGI Room at Philip Barbour High school.