

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

The Board of Education of the County of Fayette, West Virginia, met in special session at 5:30 p.m. on Monday, March 27, 2017, in the George M. Edwards Conference Room of the Board of Education, 111 Fayette Ave., Fayetteville, West Virginia, for contract approval and personnel hearing. Board members and Central Office personnel present were:

Steve Bush	President
Pat Gray	Vice-President
Steve Slockett	Members
Darrin McGuffin	
Patsy Holliday	
Terry George	Superintendent
Gary Hough	Associate Superintendent
Margaret Pennington	Director of Personnel
David Keffer	Director of Operations
Beverly Campbell	Executive Secretary

CALL TO ORDER:

Mr. Bush called the meeting to order following with the Pledge of Allegiance led by Mr. Gray. It was noted all members were present.

DELEGATIONS/PUBLIC COMMENTS:

Austin Lilly spoke on behalf of his daughter regarding retention.

03-27-17-1000: RECOGNITIONS AND REPORTS:

None

03-27-17-2000: MINUTES – AGREEMENTS – CONTRACTS

Mr. George said that in working with the School Building Authority today and the Office of the Chief of Staff, Mr. Nick Casey, the contract for the School Building Authority funding is in the office of Mr. Nick Casey. He serves as the governor's representative on the School Building Authority and as such must sign the contract. At close of business today, he had not released the contract so I am respectfully requesting that we pull those items from the agenda tonight and that we reserve the right to bring them back once we hear from Mr. Casey. Mr. Gray made motion that we pull those items based on Superintendent's request, second by Mr. Slockett. Mrs. Holliday said I did not hear the motion, what was it again? Mr. Gray said the motion was to accept the Superintendent's recommendation to pull these items. Mrs. Holliday said I agree. Mr. Bush said Mr. Gray has made the motion, Mr. Slockett has seconded and approved 5-0. Mr. George said if you have any direct questions, direct information, my advice would be to contact Mr. Casey's office if you have any questions.

03-27-17-3000: CONSENT CALENDAR

None

03-27-17-4000: FINANCE

None

03-27-17-5000: PERSONNEL

The Superintendent recommends the following:

5001 Personnel hearing involving a Fayette County employee for the purpose of ratifying a suspension.

RECESS FOR 10 MINUTES (5:40 PM)

RETURN TO ORDER-MR. BUSH (APPROX. 5:50 PM)

Mr. Bush said a decision needs to be made whether or not the hearing will be open or closed. The employee chose to have an open meeting. Mr. Bush summarized the procedure to be followed. (See Attachment)

Private deliberation of the board members occurred at 6:45 p.m. At 6:50 p.m. the board returned to open session. Mr. Gray made motion, second by Mr. Slockett and approved 5-0 to ratify the two day suspension.

03-27-17-6000: POINTS OF PERSONAL PRIVILEGE

- Mr. Gray – None
- Mr. Slockett – None
- Mrs. Holliday –None
- Mr. McGuffin – None
- Mr. Bush – None

03-27-17-7000: SUPERINTENDENT

Mr. George – I sent an update last week. I will try to get one of those out once a week. We are still working with the School Building Authority and they are working with Governor Justice’s office and Mr. Casey to try and get the contract language satisfactory for them and as soon as we hear something, I will notify each of you by phone that we have received the contract and we will get it on the next available agenda. Mrs. Holliday said I want to thank you for that bulletin, the weekly update I think we got a couple of them. You say you are going to start doing it every week? Mr. George said every week. Mrs. Holliday said I like that. I appreciate that.

03-27-17-8000: LEGAL

None

03-27-17-9000: FUTURE MEETINGS

Date	Purpose	Location
04/03/17 at 6:00 pm	Regular Meeting	Board of Education Office
04/05/17 at 6:00 pm	Statutory Meeting for Calendar Hearing	Board of Education Office
04/12/17 at 6:00 pm	Statutory Meeting for Calendar Hearing	Board of Education Office
04/18/17 at 5:50 pm	Statutory Meeting to Set Levy Rates Continuance of 03/14/17 Special Meeting	Board of Education Office
04/18/17 at 6:00 pm	Regular Meeting	Board of Education Office
05/01/17 at 6:00 pm	Regular Meeting	Fayetteville High School
05/15/17 at 6:00 pm	Regular Meeting	Board of Education Office

ADJOURNMENT:

The meeting adjourned at approximately 6:57 p.m. upon motion by Mr. Gray, second by Mrs. Holliday, carried 5-0.

President

Secretary/Superintendent

BASIC OUTLINE OF A PERSONNEL HEARING

- A. Chairperson calls meeting to order and tests recording equipment.
- B. A decision is made on whether the hearing will be in open or closed session.
- C. Chairperson summarizes procedure to be followed. The board resolves any procedural problems and any objections to proceeding with the hearing. Upon request, witnesses (other than the parties) may be sequestered.
- D. The administration's representative is given an opportunity to make an opening statement.
- E. The employee's representative is given an opportunity to make an opening statement.
- F. The administration puts on its evidence.
 - 1. The administration's first witness is sworn.
 - 2. The administration's representative questions the witness. The administration may introduce documents into evidence through the witness.
 - 3. The employee's representative cross-examines the witness.
 - 4. The administration's representative conducts redirect examination of the witness.
 - 5. The employee's representative is given an opportunity to recross-examine the witness.
 - 6. Board members are given an opportunity to ask questions.
 - 7. The administration's representative is given an opportunity to ask any additional questions of the witness occasioned by board member questions.
 - 8. The employee's representative is given an opportunity to ask any additional questions of the witness occasioned by board member questions.
 - 9. The witness is excused.
 - 10. The administration's next witness is called and the process repeats.
 - 11. The administration's representative rests its case.

- G. The employee's representative puts on his or her evidence.
1. The employee's first witness is sworn.
 2. The employee's representative questions the witness. The employee may introduce documents into evidence through the witness.
 3. The administration's representative cross-examines the witness.
 4. The employee's representative conducts redirect examination of the witness.
 5. The administration's representative is given an opportunity to recross-examine the witness.
 6. Board members are given an opportunity to ask questions.
 7. The employee's representative is given an opportunity to ask any additional questions of the witness occasioned by board member questions.
 8. The administration's representative is given an opportunity to ask any additional questions of the witness occasioned by board member questions.
 9. The witness is excused.
 10. The employee's next witness is called and the process repeats.
 11. The employee's representative rests his or her case.
- H. The administration's representative is given an opportunity to put on rebuttal evidence.
- I. The employee's representative is given the opportunity to put on any evidence in response to the administration's rebuttal evidence.
- J. The administration's representative is given the opportunity to make a closing statement.
- K. The employee's representative is given the opportunity to make a closing statement.
- L. The board withdraws to deliberate privately.
- M. The board comes back into open session. It either then or later makes a decision (depending upon the nature of the hearing and pertinent statutory deadlines).

NOTE: In grievance hearings, the order of presentations is reversed, with the employee going first and the administration last. The board must also issue written findings of fact and conclusions of law in support of its decision on a grievance.