

The Amherst County School Board met in a special work session on Monday, August 3, 2015, in the School Administration Office, Amherst, Virginia at 6:00 p.m.

PRESENT: Alan J. Wood, Chairman  
W. Michael Henderson, Vice Chairman  
Patricia C. Massie  
Alan H. Bumgarner  
Jennifer E. Cumby

ABSENT: Randy V. Summers  
Priscilla M. Liggon

Mr. Wood called the meeting to order, asked that a moment of silence be observed and asked everyone to stand for the Pledge of Allegiance.

Mr. Wood asked if there were any changes to the agenda of August 3, 2015, Special School Board Meeting/ work session.

Dr. Nichols stated that a closed meeting had been requested to discuss proprietary information that was being protected under the Freedom of Information Act..

Mr. Wood stated the closed meeting would be 2.01 on the agenda and all other numbers would be adjusted numerically.

Mr. Wood asked for a motion to approve the agenda with the recommended change from the Superintendent.

Upon the motion by Mrs. Massie, seconded by Mr. Henderson and unanimously carried, the Board approved the August 3, 2015, work session agenda as amended.

Pursuant to Section 2.2-3711 (A) (7), of the Code of Virginia, upon the motion by Mr. Henderson, seconded by Mr. Bumgarner and unanimously carried, the Board convened a closed meeting to discuss and consider proprietary information—pending legal agreement.

Upon motion by Mrs. Massie, seconded by Mr. Bumgarner and unanimously carried, the Board resumed their meeting in open session.

### **CERTIFICATION OF CLOSED MEETING**

**WHEREAS**, the Amherst County School Board has convened a closed meeting on this date pursuant to an affirmative record and in accordance with provisions of the Virginia Freedom of Information Act, and

**WHEREAS**, Section 2.2 – 3712 (D) and 2.2 - 3711 of the Code of Virginia requires a certification by this School Board that such closed meeting was conducted in accordance with provisions of the Freedom of Information Act; and

**NOW, THEREFORE, BE IT RESOLVED** that the Amherst County School Board hereby certifies that to the best of each member's knowledge (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the closed

meeting to which certification applies, and (ii) only such public matters as were identified in the motion convening the closed meeting were heard, discussed or considered.

Upon a motion by Mr. Bumgarner, seconded by Mrs. Massie and unanimously carried, the Board certified that they discussed only permissible topics.

AYES: Wood, Henderson, Massie, Bumgarner, Cumby

NAYS: None

Mr. Wood stated the members of the Amherst County School Board had heard the presentation by Mr. Gillespie. Mr. Wood asked if the members of the Amherst County School Board wished to take action.

Mr. Henderson made a motion first by thanking the Amherst County Board of Supervisors for agreeing to help the Amherst County School Board meet the facility needs of the division and, second, the members of the Amherst County School Board supported advancing the PPEA proposal process. In addition, the motion included a request to the Amherst County Board of Supervisors to place two voting members of the Amherst County School Board on the County Building Committee. Mrs. Cumby seconded the motion and the motion was unanimously carried.

Mr. Wood asked Dr. Nichols to communicate the action taken by the Amherst County School Board to the County Administrator.

Mr. Wood stated the next item on the agenda was to discuss the organization and operation of School Board Student Discipline Committee.

Dr. Nichols provided information to the members of the Amherst County School Board regarding the suggested revisions to the discipline hearing procedures process. A copy of the information provided will be attached to the minutes.

Dr. Nichols stated it was his understanding that Board members liked some of the suggested revisions; however, he understood the Board also wished to make changes to the suggested revisions.

Mr. Wood asked Dr. Nichols for confirmation that the concern was there should not be two separate committees on the same night for student disciplinary matters.

Dr. Nichols stated the Board needed consistency in how discipline matters for all students were handled; therefore, the recommendation was to have only one hearing committee for each Board meeting. Dr. Nichols stated he would participate in all the meetings and if he was unable to attend, Dr. Rogers would participate in the hearings as his designee.

Dr. Nichols stated the Board would need to decide how to schedule the student cases. Dr. Nichols asked if Board members wished to continue to use the rotating schedule.

Dr. Nichols stated he had suggested that three Board members serve on the student discipline committee the first half of the year and three different Board members serve on the student discipline committee the second half of the year. Dr. Nichols stated based on this scenario the chairman of the School Board would not participate in the student disciplinary committee meetings.

Dr. Nichols informed Board members the student accountability staff would be present at all of the student discipline hearings.

Dr. Nichols stated in addition, if there were any criminal charges filed against the student, the school resource officer (SRO) would attend the student discipline hearings. Dr. Nichols stated he would make that request to the sheriff.

Dr. Nichols introduced Ms. Hollie Jennings, Student Accountability Coordinator. Dr. Nichols stated Ms. Jennings would participate in the discussion and answer questions the Board may have about the process and revisions to the procedures for the student hearings and long-term suspensions.

Dr. Nichols stated Ms. Jennings would also be providing information regarding how the Board handles the suspensions, expulsions, etc., for students that were charged for a crime that happened off of school property.

Dr. Nichols stated Amherst County Public Schools does not encounter a lot of those cases; however, the Board would need to be consistent in how the cases were handled.

Dr. Nichols noted the Amherst County Public Schools policy relates to felony convictions and which differ by type and severity (i.e. reportable offenses versus non-reportable offenses). Therefore, the discussion by Board members and staff was to ensure that everyone was on the same page with the procedures that were in place for situations that might occur.

Ms. Jennings discussed the differences between all felonies and reportable offenses. Ms. Jennings stated the policy addresses what the division may do for all felonies and what the division should do for certain felonies, which would be the reportable offenses.

Mrs. Jennings stated the division was always notified anytime a student was charged with a reportable offense; however, the division was not always notified when a student was charged with a felony.

Ms. Jennings stated information had been provided and discussed at a previous meeting concerning when the division was notified about reportable offenses. Reportable offenses are what the Code of Virginia addresses and that was what the School Board policy addresses.

Ms. Jennings stated the division was only looking at reportable offenses.

Ms. Jennings stated she shared information at a previous Board meeting concerning what happens when the Board finds out about a student that was charged with the felony. Ms. Jennings stated last year there were several students brought before the Board that had been charged with a serious crime; however, when the students went to court the charges were dismissed. Ms. Jennings stated that by the time the students went to court, the division had heard the cases and had assigned alternative placement for the students.

Ms. Jennings stated the Board discussed that until the division had received notification by the court of a reportable offense, the division superintendent or his designee would determine if the student needed to be assigned to alternative placement or homebound instruction until the student goes to court. If the case is dismissed, the student returns to his/her regular assignment and does not miss any instruction. If the student is found guilty, the court would report the offense to the school division and the student would appear before the School Board for its decision on educational placement. Ms. Jennings stated if this scenario happens the School policy was being followed.

Dr. Nichols stated the aforementioned procedures had been discussed with representatives from the court systems and they were comfortable with the procedures.

Mr. Bumgarner requested clarification on the timeline in regard to the potential crime, potential charge and potential court appearance.

Ms. Jennings stated the timelines for court appearances depended on when the policeman completed the investigation. Also, the student might have committed a crime; however, the charges were not filed against the students for several months.

Dr. Nichols related that information to a previous case that the Board had reviewed last school year to help clarify.

Mr. Bumgarner asked if reportable offense was a situation that had occurred away from school property.

Mr. Wood stated a reportable offense could be a situation that happened on school property or away from school property. The situation that occurred was serious.

Ms. Jennings stated when the police officer charges the student with a reportable offense, the Superintendent was notified in writing and a timeline was provided to enable the division to track the progress.

Dr. Nichols stated he had discussions with the sheriff and he wants to make sure the SRO was not complicating the situation. Dr. Nichols stated there were situations that occurred at a school that did not require police intervention.

Dr. Nichols stated after the members of the Amherst County School Board completed their discussion and revisions of the policy, he would make the necessary changes to the policy, bring the proposed policy back to the members of the School Board. Information would then be shared with all parties.

Ms. Massie agreed with the changes and she hopes the changes would alleviate any future problems.

Mr. Henderson asked if the rotation of the SRO was something that would be put in place.

Mr. Wood and Dr. Nichols stated discussion about the rotation of the SRO would occur at the School Board Retreat in September.

Mr. Wood stated that it was not appropriate to hold on making a decision on a case for six months because it puts this Board in a bind, and was a disadvantage to the education of the students.

Mr. Wood stated he agreed with the process Ms. Jennings explained. Mr. Wood stated he personally believed that students need to be kept in school and he believes the procedures address that issue..

Ms. Jennings commented that bringing student discipline to the Board each meeting will help ensure students get back into school as quickly as possible.

Mr. Bumgarner stated these procedures would assist with getting the students back into the schools.

Mr. Wood requested clarification on the discipline committee hearing rotation.

Dr. Nichols stated the rotation process would be that three Board members hear the discipline cases the first half of the year and three Board members would hear discipline cases the second half of the year. Dr. Nichols stated the chairman of the school board would not hear the discipline cases.

Mrs. Massie stated her preference was to rotate the Board members.

Mr. Bumgarner stated he preferred the rotation of Board members.

Dr. Nichols stated with the rotation basis, three Board members would hear all of the cases at the first Board meeting of the month and three other Board members would hear the discipline cases at the second School Board meeting.

Mr. Wood stated he wants to participate in the discipline appeals meetings.

Mr. Wood stated the procedures would revert back to the way the members of the Amherst County School Board use to have the disciplinary hearings.

Dr. Nichols stated he would bring the schedule back to the Board. Dr. Nichols reminded Board members that the sheriff, public safety director, and court services had already reviewed and provided input for the procedures.

Mr. Wood stated the next item was the consent agenda.

Dr. Nichols stated that Dr. Rogers would provide an update on vacancies for the 2015-16 school year.


Dr. Rogers provided an update of personnel hires for the 2015-2016 school year. Dr. Rogers informed Board members that approximately twenty-eight professional staff had been hired. Dr. Rogers stated that one position at the high school (math) was not able to be filled. Dr. Rogers explained the plan that was in place for using current teachers to fill the void in sections needed for students. Dr. Rogers informed Board members that the vacancy would continue to be posted in order to fill the position for the next school year.

Dr. Rogers informed the Board there had been one additional last minute resignation; however, the teacher had been informed that the contract would not be released until a replacement teacher had been hired.

Dr. Nichols recommended to the Board to accept the consent agenda.


Upon a motion by Mrs. Massie and seconded by Mr. Bumgarner and unanimously carried, the Board approved the following consent agenda: confirmation of the Superintendent's personnel actions for the period of June 29, 2015 through July 24, 2015.

Upon motion by Mr. Bumgarner, seconded by Mr. Henderson and unanimously carried, the Board adjourned the meeting at 7:56 p.m.



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R Steven Nichols, Deputy Clerk  
Amherst County Public Schools



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Alan J. Wood, Chairman  
Amherst County Public Schools