

Dickenson County School Board – Summary Minutes

April 25, 2018

I. ROLL CALL AND MEETING CALLED TO ORDER

- a. The meeting was called to order by Chairman, Susan Mullins followed by the Pledge of Allegiance and a Moment of Silence.
- b. **Members in Attendance:** Susan Mullins, Chairman; Rick Mullins, Vice-Chairman; Rocky Barton; Dr. Lurton Lyle; Shanghai Nickles; Haydee Robinson, Superintendent; Reba McCowan, Clerk
- c. **Approval of Agenda**
Following a motion by Rocky Barton and second by Rick Mullins the agenda was approved.

Vote Results

Aye:	5	Rocky Barton, Dr. Lurton Lyle, Rick Mullins, Susan Mullins, Shanghai Nickles
No:	0	
Abstain:	0	
Not Cast:	0	

II. PUBLIC COMMENT

1. Kathy Musick, VPE – Stated that wonderful things were happening in Dickenson County and asked the Board to please remember the teachers and keep the 2% raise in the budget for the teachers. Thank you.
2. Phyllis Mullins, DEA – Provided the Board with an update on DEA/VEA Convention. Salary was a #1 priority and also asked that part-time staff to be allowed to participate in VRS. House Bill 125 was being considered in regards to tenure for teachers to 10 years from the current 5 years. The annual convention was very good and she thanked Mrs. Robinson for allowing Professional Leave to attend.
3. Cindy Davis – Addressed the Board informing them of Spirit Ride which will be held on May 8th from 9:00 a.m. – 10:00 a.m. at the Clintwood High School ball field. This event is to remind everyone to slow down and move over to protect emergency, law enforcement and first responders who are assisting on the roads and highways. She invited everyone to attend.
4. Linda Willis – Addressed the Board in support of the new elementary school's location in the Haysi area. She stated the money was designated to build the elementary school for Sandlick and it should remain in the Haysi area. She stated that parents would not bus their children to Clintwood. We want to work with the Board but the Board is not working with us. We won't shop here.
5. Sydney Counts – Sandlick Elementary student addressed the Board in support of the new elementary school's location in the Haysi area. She explained the difficulty of long days and how it would affect her. She asked the Board to consider the children and the long days they would have by traveling out of the community.
6. Libbie Lyall – Addressed the Board in support of the new elementary school's location in the Haysi area. It breaks my heart to think about closing our schools. Dickenson County doesn't end at the 4-Way. Please think about the kids. Think in your heart about sport participation and the long days.
7. Cindy Stiltner – Addressed the Board in support of the new elementary school's location in the Haysi area. She stated there was confusion about the last voted when you took Backbone off the table. What are your intentions? We think that it was a vote to 1. Close Ervinton; 2. Consolidate; 3. A message to Haysi and we got that message. I came with an intention to ask my representative, Mr. Barton to make a motion to relocate the school on Backbone. This Board has to fall in line with the other two Boards. The Board of Supervisors supports a three school model; unite with the Board of Supervisors. I ask Mr. Barton to make a motion to put Backbone on the list and use the money from the project to perform those studies. I'm hoping this board with stand behind the Board of Supervisors supporting the three school model.
8. Norma Hay – Addressed the Board in support of the new elementary schools' location in the Haysi area.

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She stated she was currently a Pre K teacher and had been a teacher for 27 years. She stated she witnessed the 77 flood as a 6th grade student and how she was impacted by the work it took to not only put the school back in order but the town too. She urged the Board to keep all three elementary school siting that enrollment was steady. Elementary schools are the heartbeat of each one of those communities. I believe this is in the best interest of the children of this County and the citizens of this County.

9. Kerry Hay – Addressed the Board in support of the new elementary school's location in the Haysi area. He expressed his pride in his wife and stated she had eighteen 4 yr. olds in her class and what an incredible task that was. He reminded the Board that the agreement calls for the school to be in the Haysi and your word is your bond and asked why have we strayed from that? It is tough to see what's happening to our County and we can't go backward. Always, always, always; the best interest of the child should be paramount. Always take the best interest of the children into account when making decisions. He encouraged the Board to put God first in all of their decisions.
10. Randall Fuller – Addressed the Board in support of the new elementary school's location in the Haysi area. He stated that the citizens are begging you to locate the school at Sandlick and all of you except for Rocky want it to be located at Ridgeview. I think you are being selfish and not even thinking of the small children that have to ride the bus. I've been a Christian for many years as I think most of you profess to be one. I don't see how you can take the money that the Corps gave to get Sandlick out of the flood zone. I think we should turn to God. He has all the answers. I want what's best for our children; not just some of them but all of them.
11. Hannah Thacker – Ridgeview High School student who grew up in Sandlick. Addressed the Board in support of the new elementary school's location in the Haysi area. She stated it was important to the community and the small school will help save our community.
12. Allison Mullins – Addressed the Board in support of the new elementary school's location in the Haysi area. I was raised to believe that people can have disagreements and still remain friends. God bless.
13. Reginia Swiney - Addressed the Board in support of the new elementary schools' location in the Haysi area. She stated that they would like some answers. If the school is built at Ridgeview it would consolidate all three schools and if it's built at Clinchco then it would be for Sandlick and Ervinton? She stated that she had heard a board member say that he had let the students down because they didn't have a batting cage, but a batting cage is nothing compared to their education. I think that is saying you are fighting for the kids on this end of the County and you're not fighting for the kids on that end of the County. We are here to ask for all three communities to keep their schools.
14. Jarvis Deel – Addressed the Board in support of the new elementary school's location in Clinchco. He stated that the central location is Clinchco.
15. Benny Kennedy – Addressed the Board stating that this is not an us versus them. Longs Fork Elementary could have had the same argument. He wished the Board luck with their decision.
16. Larry Yates – Addressed the Board in support of the new elementary school's location in the Haysi area. He stated that the elementary school was important to the community. Without community there is no economic development and closing the three elementary schools would dissolve the three communities. We want to keep our school. He urged the Board to represent all the children in Dickenson County.
17. Don Hill – Addressed the Board supporting their vote to include Clinchco for the PPEA for the new elementary school. He stated that Clinchco was the best location for taxpayers and the children.
18. Kathy Harrison – Addressed the Board in support of the new elementary school's location in the Haysi area. Stating she had family members in all schools and there are advantages of each school. The

priority is the children. She asked the Board to pray about it.

- 19. Greg Lyall – Addressed the Board in support of the new elementary school’s location in the Haysi area. He stated that school support is important and at each of the three schools there were many kids involved in sports. If they are consolidated then many kids would not be able to play. He stated he opposed consolidation and supports the three school model. He asked the Board to pray about it.
- 20. Hayes O’Quin – Addressed the Board in support of the new elementary school’s location in the Haysi area. You need to pay attention to these people and listen to them. Haysi needs this school and you have been given multiple reasons why to leave the Sandlick school in Haysi. He asked them to clarify their vote on the PPEA for two locations, excluding the Backbone Ridge site. The four of you that voted to disqualify Haysi, we need you to clarify why you voted that way.
- 21. Teresa Fuller – Addressed the Board in support of the new elementary school’s location in the Haysi area. She stated she had three grandchildren at Clintwood, Sandlick and Ridgeview. Shanghai is our representative and I never would have believed you would have done what you said. The dentistry program, well you think you’re going to bus them all this time for consolidation you might as well bus them to get their teeth worked on too. That’s not right to pull them out of school like that and bus them. We love our schools and our community. Please consider the three school model.
- 22. Carroll Edwards – Addressed the Board in support of the new elementary school’s location in the Haysi area. He felt that Ridgeview was built first and Sandlick had been put on the back burner. I still think that the right thing can be done and the right thing for the kids and the right thing for the County for all the reasons that the great citizens have stated tonight. I ask you board members to look to God. He is the author and finisher of our faith. Whatever you do unto these, my little ones, you do unto me. I want you to consider that.

III. CONSENT AGENDA ITEMS

Following a motion by Dr. Lurton Lyle and second by Rick Mullins the consent agenda items were approved.

Vote Results

Aye:	5	Rocky Barton, Dr. Lurton Lyle, Rick Mullins, Susan Mullins, Shanghai Nickles
No:	0	
Abstain:	0	
Not Cast:	0	

a. Approval of Minutes

- ❖ March 28, 2018 – Regular Meeting
- ❖ March 28, 2018 – Budget Public Hearing

b. Approval of Monthly Bills – School Operating Fund

Monthly Bills: Check # 878484 - Check #878591.....\$259,441.30
 Paid on March 28, 2018

Monthly Payroll: Check #388488 – Check # 388512.....\$1,634,246.89
 Paid on April 30, 2018

c. School Activity Fund

- ❖ Informational Item

d. Field Trips

- ❖ Ridgeview High School

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April 17th – Southwest VA Community College – Richlands, VA – 10th – 12th Grade
April 19th – SKILLS USA – Virginia Beach, VA – 12th Grade
April 20th – I Can Day – Ridgeview High – 10th Grade
April 24th-April 29th – Robotics – Detroit, MI – 9th – 12th Grade
April 25th – The Attic – Clintwood, VA – 9th PG
April 27th – Southwest VA Community College – Richlands, VA – 8th – 12th Grade
May 1st – Mt. Empire Dialysis Center – Norton, VA – 11th – 12th Grade
May 12th – Tivoli Theatre – Chattanooga, TN – 8th – 12th Grade
May 16th – The Attic – Clintwood, VA – 9th – PG
July 20th-July 23rd – Band – Williamsburg, VA – 9th – 12th Grade

❖ Ridgeview Middle School

May 3rd – Barter Theatre – Abingdon, VA – 10th – 12th Grade
July 20th-July 23rd – Band – Williamsburg, VA – 8th Grade

❖ Clintwood Elementary School

April 13th – Creation Kingdom Zoo – Gate City, VA – 3rd Grade

❖ Ervinton Elementary School

April 20th – I Can Day – Ridgeview – K – 5th Grade
May 29th – Creation Kingdom Zoo – Gate City, VA – 1st – 3rd Grade

❖ Sandlick Elementary School

May 4th – Council Park – Council, VA – Pre K
May 8th – Grundy Theater – Grundy, VA – 2nd Grade
May 11th – John Flannagan Dam – Haysi, VA – 1st Grade
May 18th – Council Park – Council, VA – 1st Grade
May 23rd – Council Park – Council, VA – Pre K

IV. INFORMATION FOR THE BOARD

- VSBA School Law Conference – June 1, 2018 – Short Pump, VA

V. SUPERINTENDENT ROBINSON

e. Good News from Our Schools

- **March 2018 Student Enrollment and Attendance Percentages:**

The DCPS student enrollment on March 30, 2018 was 1983 students. The division wide attendance percentage was 92.00%. We would like to recognize Clintwood Elementary School with the highest student attendance for March of 92.89%. We would also like to recognize RMS with a very close 2nd place of 92.28% student attendance percentage for March. There are 126 Pre-K students enrolled in our elementary schools.

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f. Elgin Foundation Presentation

Tim Rogers, Heather Casey and Tracy Farmer with the Elgin Foundation provided a history of how their program originated. Ms. Heather Casey presented a PowerPoint presentation of the work of the Elgin Foundation in the Dickenson County Schools for the 2017-2018 school year. Heather Casey expressed her appreciation to Dr. William Robinson for his agreeing to provide services after Dr. Baker left her practice in Haysi.

Superintendent Robinson addressed questions concerning Conflict of Interest by reading the following from Rebekah Stefanski, Attorney, Virginia Conflict of Interest and Ethics Advisory Council: "The contract between Elgin and Dr. Robinson and between Elgin and the school board may stand without you being in violation of the State and Local Government Conflict of Interests Act."

RECESS: 6:50 p.m. – 7:00 p.m.

Following a motion by Shanghai Nickles and second by Dr. Lurton Lyle a 10 minute break was approved.

Vote Results

Aye:	5	Rocky Barton, Dr. Lurton Lyle, Rick Mullins, Susan Mullins, Shanghai Nickles
No:	0	
Abstain:	0	
Not Cast:	0	

g. Update of FY19 DCPS Budget

Superintendent Robinson provided the Board the following update:

As of Friday, April 20, 2018, the General Assembly had not yet approved a State budget with the proposed expansion of Medicaid the focus of the disagreement between state delegates and state senators. We have not received any updates on when the State Budget may be decided, but it has been reported that the General Assembly may not decide on the budget until June.

At its Wednesday, April 11, 2018 Board of Supervisors' Budget meeting, County Administrator David Moore and the Board of Supervisors discussed a proposed \$6.5 million dollar operational budget for the Dickenson County Public Schools. This will mean a \$475,000 dollar operations cuts for the school division request of \$6.975.000.

With approximately 83% of the budget for payroll and payroll benefits, the impact of \$475,000 may target the proposed salary increases for staff and proposed insurance plan for bus drivers. The School Board had approved a 2% salary increase for all staff members and providing a health insurance option for all new bus drivers hired since 2012.

At its meeting, the Board of Supervisors also discussed appropriating additional funding for capital projects by approximately \$400,000 dollars to the \$150,000 capital projects appropriations given to the School Board this year to replace the roof at Clintwood Elementary School. Another capital project identified by the School Board in its capital projects request was the replacement of the roof at Ervinton Elementary School. The Board of Supervisors discussed the replacement of the sewer system at Ervinton Elementary School instead of the EES roof. The Board of Supervisors is continuing

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to consider the replacement of the sewer system at EES

A meeting with the County Administrator and school administration has been requested in early May before the final approval of the budget by the Board of Supervisors. The meeting has been requested to provide further justification to the Board of Supervisors for the need of the \$6,975,000 appropriations request.

h. Update on the Proposed Elementary School

Scott Mullins, School Board Attorney provided an update on the title work and road feasibility study related to the Backbone site. He provided them the preliminary summary concerning 5 tracts of property at the Backbone site. He also expressed the urgency of the three Boards; School Board, Board of Supervisors and IDA, working together to continue moving forwarding with the new elementary school. The cost of not moving forward with construction was potentially a loss of \$87,500 per month due to market trends provided by Skanska.

The following Board Members responded to the questions from public comment providing the reason for voting for a 2 site PPEA; Clinchco and Ridgeview.

Dr. Lurton Lyle: The reason for my vote was the Board of Supervisors would not pay for three site evaluations therefore the option available was two sites and I voted with the majority on that issue. I still think that we need information from all three sites to make the right decisions. But, getting that has proved to be very difficult. In my heart I still believe in the three school system but that may be out of date.

Mr. Rocky Barton: How can you design at all if you don't know how many kids you are going to have at either one of them? The only place we know for sure that we will have 500 kids is Sandlick. That's what the contract states. How can we move forward? Are we talking about consolidation at Clinchco for the whole County? Are we talking about consolidation at Ridgeview? Are we just talking about two schools at Clinchco; Sandlick and Ervinton? How can we move forward when we are comparing apples to oranges all the time? We have to know how many kids we will have at each location.

Mr. Rick Mullins: I think that is where the hitch came in at the Joint Meeting with the Board of Supervisors. We asked for a three site PPEA and we were denied the three facility PPEA. The Board of Supervisors did not want to pay for one at Ridgeview or/and one at Clinchco. We wanted to look at all three and you can check the records on that. That's what we wanted to look at. That's the reason we voted for the two PPEAs and we couldn't vote for Backbone. Since we are losing \$80,000 a month we can pay for the two PPEAs on Ridgeview and Clinchco. Then if the Board of Supervisors want to meet with us and discuss with us about doing a PPEA on Backbone then we are willing to sit down and talk with them. We have to compare apples to apples and know where the monies go and what we can put at each location. That's just my thoughts.

Mr. Rocky Barton: We have to know how many kids we will have at each location. Isn't that the first thing we would want to know?

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Mrs. Susan Mullins: That's the purpose of the PPEA. Can we build a school of whatever size? We might be able to build a 600 student school at Clinchco or a 300 student school at Clinchco. We don't know until we know what our options are I don't think we can move forward. I agree with Rocky. There's an economic factor that has to come in here. I believe the Board of Supervisors has the best of intentions and I think they will do everything that they can to support a three school model. But at some point, unless this County gets some kind of economic growth going, we are not going to be able to afford three schools. I feel like we've looked at closing Ervinton Elementary how many times? Several. A lot of the money that was used to build Ridgeview came from Ervinton, the Kennedy District. While I believe that the kids in the Sandlick District deserve the best education they can get, I also feel like if we can't sustain 3 schools 10 years from now; so do the kids in the Kennedy District, so do the kids in the Ervinton District, so do the kids in the Sandlick, Willis and Clintwood Districts. We have to be reasonable and figure out what we can afford. I do believe the Board of Supervisors has the best of intentions but if we've been here 11 years that means this current Board has 1 more year. The next Board may be able to sustain three schools and they may not. If we all step back and realize that the outlook of this County is not that great. There is not that much economic growth going on. I hope it turns around tomorrow and there are millions of dollars that flows through these doors but I just don't think that is where we are. If that should happen then maybe the County would have the money to build another school somewhere but I think we have to take a serious look at that. That's why I made the vote I made. We can't do three. We have to look at two, and in my opinion that is probably different than most of the crowd here and that doesn't make me a monster it just means my opinion is different than yours, and I think we have to be reasonable and look at the future. 20 years from now, 50 years from now, how many ever years from now. That's why I made the vote that I made. I'm sorry that Mr. O'Quin is not here to hear that. That's why I made the vote that I made. We are losing \$87,000 a month; we need to get on with something.

i. Virginia's New School Accreditation Standards Presentation

Mr. Tony Robinson presented a PowerPoint presentation to the School Board explaining the new accreditation standards. The Virginia State Board of Education has adopted new accreditation standards to provide a more comprehensive overview of school quality while encouraging continuous improvement for all schools and placed increased emphasis on closing achievement gaps. The revised accreditation standards measure performance on multiple school quality indicators and not just on overall student achievement on state tests. There are now six (6) school quality indicators for all elementary and middle schools, and nine (9) school quality indicators for high schools. School accreditation ratings for the 2018 – 2019 school year will be the first year to reflect this new approach to accountability.

Attachment # 1: Virginia School Accreditation Presentation

j. Approval of the 2018-2019 Special Education Plan and Budget

Mrs. Denechia Edwards recommended approval of the 2018 - 2019 Special Education Plan and Budget, Part B, Section 611 in the amount of \$524,805 and Part B, Section 619 Preschool in the amount of \$30,102.

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Following a motion by Susan Mullins and second by Shanghai Nickles the 2018-2019 Special Education Plan and Budget was approved.

Vote Results

Aye:	5	Rocky Barton, Dr. Lurton Lyle, Rick Mullins, Susan Mullins, Shanghai Nickles
No:	0	
Abstain:	0	
Not Cast:	0	

k. Approval of the 2018-2019 Career Technical/Carl Perkins Plan and Budget

Mrs. Denechia Edwards recommended approval of the 2018-2019 Career Technical/Carl Perkins Plan and Budget in the amount of \$52,375.04 which was prepared based on last year's fund allocation.

Following a motion by Susan Mullins and second by Shanghai Nickles; the 2018-2019 Career Technical/Carl Perkins Plan and Budget was approved.

Vote Results

Aye:	5	Rocky Barton, Dr. Lurton Lyle, Rick Mullins, Susan Mullins, Shanghai Nickles
No:	0	
Abstain:	0	
Not Cast:	0	

l. Approval of Regulations for DCPS Policy GBM: Professional Staff Grievances

Mr. Mike Setser recommended approval of the regulations for DCPS Policy GMB: Professional Staff Grievances.

Attachment # 2: GBM - R

Following a motion by Susan Mullins and second by Shanghai Nickles; GBM-R was approved.

Vote Results

Aye:	5	Rocky Barton, Dr. Lurton Lyle, Rick Mullins, Susan Mullins, Shanghai Nickles
No:	0	
Abstain:	0	
Not Cast:	0	

k. Approval of School Activity Auditors

As per DCPS Policy DGC: School Activity Funds, Superintendent Robinson and Mr. Larry Barton recommended that the School Board approve Thrower, Blanton & Associates, P.C., CPA to perform audits for the Dickenson County Schools for a two year extension. Thrower, Blanton & Associates, P.C. have proposed an optional two year extension and have agreed to audit the School Activity Funds of the Dickenson County Schools as of and for the years end June 30, 2018 and June 30, 2019 at a cost of \$4.750.00.

Following a motion by Susan Mullins and second by Rick Mullins; the auditors were approved as presented.

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Vote Results

Aye:	5	Rocky Barton, Dr. Lurton Lyle, Rick Mullins, Susan Mullins, Shanghai Nickles
No:	0	
Abstain:	0	
Not Cast:	0	

VI. BOARD COMMENT

Dr. Lurton Lyle – Commended the Elgin Foundation for their work in the County and also to Dr. Robinson for his work with Elgin for students in the County.

Rick Mullins – Stated he agreed totally with Dr. Lyle’s comment. Elgin Dental and Dr. Robinson; it’s a wonderful, wonderful program. We are so blessed to have that.

Rocky Barton – I would echo that. I want to respond to those who called me out tonight and I have great respect for both of them; Mayor Deel of Clinchco and Mr. Kennedy. When we signed on nine years ago and there are three original members of this Board: Dr. Lyle, Susan and myself; we signed up to restructure Dickenson County Schools from nine schools to four. We did vote to change it to a middle school and then we closed it. That’s a lot easier to close a school that’s five and half miles from Clintwood Elementary. When you are closing a school like Sandlick or Ervinton it’s different. Some children that go to Sandlick now have an hour bus ride and then adding another 30 minutes to that. When that was first sold to us as a project and then the Corps of Engineers came along to fund it; I believe in it and I still believe in it. And no, no I won’t vote to close Ervinton Elementary. With the plan there is to be an elementary school in each of our communities and one central high school, middle school and technical school. I just wanted to comment back to those two statements.

Susan Mullins – I respect everything you said with one clarification. There is not a school in the Kennedy Community or Willis. Is there a school in Willis? Okay, so there’s not a school in the Clintwood district. There are districts without.

Rocky Barton – I think it was referring to the high school communities; Clintwood, Ervinton and Haysi. That district was close enough to Clintwood that there was still a community school. I know there are some long bus rides. I know that. When I refer to long bus drives to Sandlick you have to remember there are several more minutes on to Ridgeview and if you get behind a coal truck. I know how it is to get behind a coal truck and that’s a good problem. I thank God for it every day.

Susan Mullins – I do think we all want to do what is the very best for everyone in our County. I wish it wasn’t Haysi verses Clintwood or Haysi verses Clinchco. I wish we could just all come together and do what needs to be done for our kids and our community. I think we are good people with right hearts and I think we will find a way to do that.

Shanghai Nickles – I don’t ever remember a vote by the Board to close Longs Fork. Did I miss a meeting?

Susan Mullins – No; that’s correct.

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Rocky Barton – We voted to change it to a middle school and for a while we were going to make it the consolidated elementary school; Longs Fork and Clintwood. Then we changed that back to Clintwood Elementary.

Shanghai Nickles – Great things from the Elgin folks. Mr. Mooney is the one that does the bus routes. He does a lot of calculations and are we still looking into bus routes Mr. Mooney? Or, is everything pretty well settled? As far as the bus routes are concerned, do we have a lot of kids riding an hour and a half?

Burl Mooney - We have students that ride to the elementary school and then on to the high school but we don't have any that ride just to the elementary school.

Rocky Barton – I think it was an hour and fifteen minutes.

Shanghai Nickles – Do we have any route that is an hour to get to Ridgeview?

Burl Mooney – We have a bus that begins at Hamilton Town then he goes to Ridgeview and then to Clintwood Elementary.

Susan Mullins – I do realize that I live four miles from Ridgeview and the kids that live next door to me get on the bus at fifteen minutes to seven. It's still dark. So I think we have pretty equal bus routes across the County. Is that accurate?

Burl Mooney – That's pretty accurate; on average the bus routes are an hour long.

Susan Mullins – If we had all our buses going to one location instead of going several; would that shorten the bus routes? Would that lengthen the bus routes? How would that impact the bus routes?

Burl Mooney – Some of the routes it will shorten. It will shorten some buses and some buses will be lengthened. Some buses you might be able to re-route in different directions if they are going in one location, but still you are not going to offset for Indian Creek, Flat Spur, Hazel Mountain area, Breaks. However, you will be eliminating the time it takes the buses to go to the elementary, sit there, unload and get on another bus to go to Ridgeview. So that would be coming off of it.

Susan Mullins – So it would potentially shorten it?

Burl Mooney – It would potentially shorten some of the routes. I can't say it would shorten all the routes but it could shorten some of them. Some of the buses would be able to take a different direction which would potentially shorten them. It's going to take some time to work it out and figure how much time each route would take. You are looking at some of them shortened.

Susan Mullins – I've had a parent say that it doesn't really matter if there sitting on a bus because they are having to sit in a cafeteria for an extended period of time. What time do our kids arrive at school?

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Burl Mooney – They start arriving somewhere around 7:30 and start school around 8:15. With the three school model, at all three elementary schools, students are waiting on buses waiting for the shuttle buses to get there and then getting on them to go to Ridgeview. One location would eliminate them waiting for buses and to transfer to other buses to go home or whatever.

Susan Mullins – So, going one location could shorten the time they are sitting.

Shanghai Nickles – I wasn't going that way.

Susan Mullins – I'm sorry.

Shanghai Nickles – No, I appreciate you and thank you. I'm going to be very positive now. I had a great day on Friday. We had I Can Day and I would like say nice things about Denechia and what the services organizations did. The Lions Club, Kiwanis Club and all those fine folks. I am really proud of the kids from Ridgeview that worked with those kids. It was like big brothers and big sisters. I just want to say; great job! I Can Day is probably one of the most positive things we do in the Dickenson County School system. Folks, the next time they have it come out and enjoy it. Thank you so much.

Susan Mullins – My staff thoroughly enjoyed it as well.

VII. CLOSED SESSION, PURSUANT TO Section 2.2-3711, Paragraph A of the Code of Virginia, there will be a closed meeting for the purpose of discussing: 1. Employment issues relating to resignation, FMLA requests, consideration of hiring custodian, coach, substitutes and to consult with legal counsel pursuant to Virginia Code Section 2.2-3711 (A) (1) and (7).

Following a motion by Susan Mullins and second by Rick Mullins the Board convened in closed session.

Vote Results

Aye:	5	Rocky Barton, Dr. Lurton Lyle, Rick Mullins, Susan Mullins, Shanghai Nickles
No:	0	
Abstain:	0	
Not Cast:	0	

Following a motion by Susan Mullins and second by Shanghai Nickles; the Board returned to open session.

Vote Results

Aye:	5	Rocky Barton, Dr. Lurton Lyle, Rick Mullins, Susan Mullins, Shanghai Nickles
No:	0	
Abstain:	0	
Not Cast:	0	

Pursuant to Section 2.2-3712(a) of the Code of Virginia, I certify and second by Dr. Lurton Lyle; that during the closed meeting just concluded the Dickenson County School Board discussed only matters lawfully exempt from the open meeting requirements under Section 2.2-3711 of the Code and identified in the motion convening the closed meeting.

Certification of Closed Session

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Aye: 5 Rocky Barton, Dr. Lurton Lyle, Rick Mullins, Susan Mullins, Shanghai Nickles
No: 0

VIII. BOARD ACTION

Following a motion by Susan Mullins and second by Dr. Lurton Lyle; Mike Owens was approved as an assistant Track coach for the remaining season.

Vote Results

Aye: 5 Rocky Barton, Dr. Lurton Lyle, Rick Mullins, Susan Mullins, Shanghai Nickles
No: 0
Abstain: 0
Not Cast: 0

Following a motion by Susan Mullins and second by Dr. Lurton Lyle; FMLA requests were approved: Debbie Mullins, Cook at Ridgeview, Travis Mullins, Bus Driver – Ervinton area and Margaret Rasnick, Custodian at Sandlick Elementary School.

Vote Results

Aye: 5 Rocky Barton, Dr. Lurton Lyle, Rick Mullins, Susan Mullins, Shanghai Nickles
No: 0
Abstain: 0
Not Cast: 0

Following a motion by Susan Mullins and second by Shanghai Nickles; employment recommendation was approved: Lennie Neece, Custodian for Sandlick Elementary School.

Vote Results

Aye: 5 Rocky Barton, Dr. Lurton Lyle, Rick Mullins, Susan Mullins, Shanghai Nickles
No: 0
Abstain: 0
Not Cast: 0

Following a motion by Susan Mullins and second by Dr. Lurton Lyle; resignation of Leah Deel, Teacher at Ridgeview High School was approved.

Vote Results

Aye: 5 Rocky Barton, Dr. Lurton Lyle, Rick Mullins, Susan Mullins, Shanghai Nickles
No: 0
Abstain: 0
Not Cast: 0

Following a motion by Susan Mullins and second by Dr. Lurton Lyle; substitutes were approved contingent upon background/fingerprinting results and completion of all required paperwork: Benjamin Cox and Benjamin Kennedy.

Vote Results

Aye: 5 Rocky Barton, Dr. Lurton Lyle, Rick Mullins, Susan Mullins, Shanghai Nickles
No: 0
Abstain: 0
Not Cast: 0

April 25, 2018

IX. ADJOURNMENT: 9:45 p.m.

Following a motion by Susan Mullins and a second by Dr. Lurton Lyle the meeting was adjourned. All votes aye.

Susan Mullins

Chairman, Susan Mullins

Approved: May 23, 2018

Reba McCowan

Reba McCowan, Clerk

Virginia School Accreditation

January 2018



Virginia Board of Education

The Virginia Board of Education is revising its accreditation standards to provide a more comprehensive view of school quality while encouraging continuous improvement for all schools and placing increased emphasis on closing achievement gaps. School accreditation ratings for the 2018-2019 school year will be the first to reflect this new approach to accountability.

School Quality Indicators

The revised accreditation standards measure performance on multiple school-quality indicators, not just on overall student achievement on state tests.

School Quality Indicators

Elementary and middle schools are evaluated on the following indicators:

1. Overall proficiency and growth in English reading/writing achievement (including progress of English learners toward English-language proficiency)
2. Overall proficiency and growth in mathematics
3. Overall proficiency in science
4. English achievement gaps among student groups
5. Mathematics achievement gaps among student groups
6. Absenteeism

School Quality Indicators

High schools are evaluated on the following school-quality indicators:

1. Overall proficiency in English reading/ writing and progress of English learners toward English-language proficiency
2. Overall proficiency in mathematics
3. Overall proficiency in science
4. English achievement gaps among student groups
5. Mathematics achievement gaps among student groups
6. Graduation and completion
7. Dropout rate
8. Absenteeism
9. College, career and civic readiness (effective 2021-2022)

Performance Levels

Performance on each school-quality indicator is rated at one of three levels:

- LEVEL ONE: Meets or exceeds standard or sufficient improvement
- LEVEL TWO: Near standard or making sufficient improvement
- LEVEL THREE: Below standard

All schools must develop a multi-year plan to support continuous improvement on all indicators. Specific local and state actions and interventions are required to improve performance on indicators rated at Level Two and Level Three.

Performance Levels

Performance Level	Action or Intervention
<p>LEVEL ONE: At or Above Standard</p> <ul style="list-style-type: none">■ Performance at or above state standard for indicator■ Sufficient improvement toward state standard for indicator from Level Two	<p>Monitor performance on indicator and update multi-year school improvement plan as needed</p>
<p>LEVEL TWO: Near Standard or Improving</p> <ul style="list-style-type: none">■ Below state standard for indicator but approaching Level One performance■ Sufficient improvement on indicator from Level Three	<p>Revise multi-year improvement plan and implement revisions to improve performance on indicator</p>
<p>LEVEL THREE: Below Standard</p> <ul style="list-style-type: none">■ Performance on indicator below state standard■ Performance on indicator at Level Two for more than four consecutive years	<p>Implement state-approved corrective action plan following academic review conducted by Virginia Department of Education</p>

Accreditation Ratings

Under the new system, schools earn one of the following three accreditation ratings:

Accredited – Schools with all school-quality indicators at either Level One or Level Two

Accredited with Conditions – Schools with one or more school-quality indicators at Level Three

Accreditation Denied – Schools that fail to adopt or fully implement required corrective actions to address Level Three school-quality indicators. A school rated as Accreditation Denied may regain state accreditation by demonstrating to the Board of Education that it is fully implementing all required corrective action plans.

Accreditation Ratings

SAMPLE SCHOOL: South Middle School

Achievement	English Combined Rate	Level ONE
	Math Combined Rate	Level ONE
	Science Pass Rate	Level ONE
Achievement Gaps	English	Level TWO
	Math	Level TWO
Student Engagement	Chronic Absenteeism	Level TWO
OVERALL	ACCREDITED	

SAMPLE SCHOOL: North High School

Achievement	English Combined Rate	Level ONE
	Math Pass Rate	Level ONE
	Science Pass Rate	Level ONE
Achievement Gaps	English	Level TWO
	Math	Level THREE
Student Engagement	Chronic Absenteeism	Level TWO
	Graduation & Completion	Level ONE
	Dropout Rate	Level TWO
	College, Career & Civic Readiness	(2021-2022)
OVERALL	ACCREDITED WITH CONDITIONS	

PROFESSIONAL STAFF GRIEVANCES

The Dickenson County School Board adopts the most recent version of Procedure for Adjusting Grievances promulgated by the Virginia Board of Education based on current statutory provisions.

Adopted: June 27, 1995

Adopted: July 19, 2002

Adopted: July 28, 2004

Adopted: May 25, 2006

Adopted: May 28, 2006

Revised: October 23, 2013

Revised: March 22, 2017

Legal Refs.: Code of Virginia, 1950, as amended, §§ 22.1-253.13:7.C.8, and 22.1-306 et seq.

8 VAC 20-90-10 through 8 VAC 20-90-80 and accompanying forms.

Dickenson County Public Schools
Procedure for Adjusting Grievances

Part I. Definitions

The following words and terms when used in this chapter shall have the following meanings unless the context clearly indicates otherwise.

"Business day" means any day that the relevant school board office is open.

"Days" means calendar days unless a different meaning is clearly expressed in this procedure. Whenever the last day for performing an act required by this procedure falls on a Saturday, Sunday, or legal holiday, the act may be performed on the next day that is not a Saturday, Sunday, or legal holiday.

"Dismissal" means the dismissal of any teacher within the term of such teacher's contract.

"Grievance" means, for the purpose of Part II (8VAC20-90-20 et seq.), a complaint or a dispute by a teacher relating to his employment, including but not necessarily limited to the application or interpretation of personnel policies, rules and regulations, ordinances, and statutes; acts of reprisal against a teacher for filing or processing a grievance, or participating as a witness in any step, meeting, or hearing related to a grievance; or complaints of discrimination on the basis of race, color, creed, political affiliation, handicap, age, national origin, or sex. "Grievance" means, for the purposes of Part III (8VAC20-90-60 et seq.), a complaint or a dispute involving a teacher relating to his employment involving dismissal. The term "grievance" shall not include a complaint or dispute by a teacher relating to the establishment and revision of wages or salaries, position classifications or general benefits; suspension of a teacher or nonrenewal of the contract of a teacher who has not achieved continuing contract status; the establishment or contents of ordinances, statutes or personnel policies, procedures, rules and regulations; failure to promote; discharge, layoff, or suspension from duties because of decrease in enrollment, decrease in enrollment in or abolition of a particular subject, or insufficient funding; hiring, transfer, assignment and retention of teachers within the school division; suspension from duties; the methods, means and personnel by which the school division's operations are to be carried on; or coaching or extracurricular activity sponsorship. While these management rights are reserved to the school board, failure to apply, where applicable, these rules, regulations, policies, or procedures as written or established by the school board is grievable.

"Hearing officer" means an impartial hearing officer from outside the school division who possesses some knowledge and expertise in public education and education law and who is capable of presiding over an administrative hearing.

"Personnel file" means, for the purposes of Part III (8VAC20-90-60 et seq.), any and all memoranda, entries or other documents included in the teacher's file as maintained in the central

school administration office or in any file regarding the teacher maintained within a school in which the teacher serves.

"Teacher" or "teachers" means, for the purposes of Part II (8VAC20-90-20 et seq.), all employees of the school division involved in classroom instruction and all other full-time employees of the school division except those employees classified as supervising employees.

"Teacher" means, for the purposes of Part III (8VAC20-90-60 et seq.), all regularly licensed professional public school personnel employed by any school division under a written contract as provided by § 22.1-302 of the Code of Virginia as a teacher or as an assistant principal, principal, or supervisor as provided by § 22.1-294 of the Code of Virginia.

"Shall file," "shall respond in writing," or "shall serve written notice" means the document is either delivered personally or is mailed by registered or certified mail, return receipt requested, and postmarked within the time limits prescribed by this procedure to the grievant or office of the proper school board representative.

"Supervisory employee" means any person having authority in the interest of the board (i) to hire, transfer, suspend, layoff, recall, promote, discharge, assign, reward, or discipline other employees; and (ii) to direct other employees; or (iii) to adjust the grievance of other employees; or (iv) to recommend any action set forth in clause (i), (ii), or (iii) above; provided that the authority to act as set forth in clause (i), (ii), (iii), or (iv) requires the exercise of independent judgment and is not merely routine and clerical in nature.

"Written grievance appeal" means a written or typed statement describing the event or action complained of, the date of the event or action complained of, and a concise description of those policies, rules, regulations, or statutes upon which the teacher bases his claim. The grievant shall specify what he expects to obtain through use of the grievance procedure. A written grievance appeal shall be on forms prescribed by the Board of Education and supplied by the local school board.

Part II. Grievance Procedure

The purpose of Part II of the Procedure for Adjusting Grievances is to provide an orderly procedure for resolving disputes concerning the application, interpretation, or violation of any of the provisions of local school board policies, rules and regulations as they affect the work of teachers, other than dismissals. An equitable solution of grievances should be secured at the most immediate administrative level. The procedure should not be construed as limiting the right of any teacher to discuss any matter of concern with any member of the school administration, nor should the procedure be construed to restrict any teacher's right to seek, or the school division administration's right to provide, review of complaints that are not included within the definition of a grievance. Nothing in this procedure shall be interpreted to limit a school board's exclusive final authority over the management and operation of the school division.

Recognizing that grievances should begin and should be settled promptly, a grievance must be initiated within 15 business days following either the event giving rise to the grievance, or within 15 business days following the time when the employee knew or reasonably should have known of its occurrence. Grievances shall be processed as follows:

Step 1 -- Informal.

The first step shall be an informal conference between the teacher and his immediate supervisor (which may be the principal). The teacher shall state the nature of the grievance, and the immediate supervisor shall attempt to adjust the grievance. It is mandatory that the teacher present the grievance informally prior to proceeding to Step 2.

Step 2 -- Principal.

If for any reason the grievance is not resolved informally in Step 1 to the satisfaction of the teacher, the teacher must perfect his grievance by filing a written grievance appeal on the required form within 15 business days following the event giving rise to the grievance, or within 15 business days following the time when the employee knew or reasonably should have known of its occurrence, specifying on the form the specific relief expected. Regardless of the outcome of Step 1, if a written grievance appeal is not, without just cause, filed within the specified time, the grievance will be barred.

A meeting shall be held between the principal (or his designee or both) and the teacher (or his designee or both) within five business days of the receipt by the principal of the written grievance. At such meeting the teacher or other party involved, or both, shall be entitled to present appropriate witnesses and to be accompanied by a representative other than an attorney. The principal (or his designee or both) shall respond in writing within five business days following such meeting.

The principal may forward to the teacher within five days from the receipt of the written grievance a written request for more specific information regarding the grievance. The teacher shall file an answer thereto within 10 business days, and the meeting must then be held within five business days thereafter.

Step 3 -- Superintendent.

If the grievance is not settled to the teacher's satisfaction in Step 2, the teacher can proceed to Step 3 by filing a written notice of appeal with the superintendent, accompanied by the original written grievance appeal form within five business days after receipt of the Step 2 answer (or the due date of such answer). A meeting shall then be held between the superintendent (or his designee or both) and the teacher (or his designee or both) at a mutually agreeable time within five business days. The superintendent or designee may make a written request for more specific information from the teacher, but only if such information was not requested in Step 2. The

teacher shall file an answer to such request within 10 business days, and the meeting shall be held within five business days of the date on which the answer was received. At such meeting both the superintendent and the teacher shall be entitled to present witnesses and to be accompanied by a representative who may be an attorney. A representative may examine, cross-examine, question, and present evidence on behalf of a grievant or the superintendent without violating the provisions of § 54.1-3904 of the Code of Virginia. If no settlement can be reached in said meeting, the superintendent (or his designee) shall respond in writing within five business days following such meeting. If the grievance is not resolved to the satisfaction of the teacher in Step 3, the teacher may request a decision by the school board pursuant to Step 4.

Step 4 -- Decision by the school board.

a. If a teacher elects to request a decision by the school board as provided for in Step 3, he must notify the superintendent in writing of the intention to make the request of the board within five business days after receipt of the answer as required in Step 3 or the due date thereof. Upon receipt of such notice, the board may hold a hearing on the grievance, may elect to have the hearing conducted by a hearing officer appointed by the school board consistent with the procedures in § 22.1-311 of the Code of Virginia, or may make its determination on the basis of the written evidence presented by the teacher and the recommendation of the superintendent.

b. In any case in which the school board elects to hold a hearing or elects to have a hearing officer conduct the hearing, the hearing shall be set within 30 days of the school board's receipt of the notice required by subdivision 4 a of this section (Step 4a), and the teacher must be given at least 15 days' written notice of the date, time, and place of the hearing.

The teacher and the division superintendent may be represented by legal counsel or other representatives. The hearing shall be private, unless the teacher requests a public hearing. The school board or the hearing officer, as the case may be, shall establish the rules for the conduct of the hearing. Such rules shall include the opportunity for the teacher and the division superintendent to make an opening statement and to present all material or relevant evidence, including the testimony of witnesses and the right of all parties or their representatives to cross-examine the witnesses. Witnesses may be questioned by the school board or the hearing officer.

In the case of a hearing conducted by the school board, the school board's attorney, assistants, or representative, if he or they represented a participant in the prior proceedings, the grievant, the grievant's attorney or representative and, notwithstanding the provisions of § 22.1-69 of the Code of Virginia, the superintendent shall be excluded from any executive session of the school board that has as its purpose reaching a decision on the grievance. However, immediately after a decision has been made and publicly announced, as in favor of or not in favor of the grievant, the school board's attorney or representative, and the superintendent, may join the school board in executive session to assist in the writing of the decision.

A stenographic record or tape recording of the hearing shall be taken. However, the recording may be dispensed with entirely by mutual consent of the parties. If the recording is not dispensed with, the two parties shall share the cost of the recording equally, and if either party requests a transcript, that party shall bear the expense of its preparation.

c. In the event of a hearing conducted by a hearing officer, the recommendation of the hearing officer shall be based exclusively upon the evidence presented at the hearing. Upon the hearing officer's own motion or upon application by either party to the grievance, the hearing officer may reopen the hearing for the purpose of hearing after-discovered evidence upon a finding of good cause by the hearing officer at any time before his recommendation is due. The hearing officer shall transmit his written recommendation and a record or recording of the hearing to the school board as soon as practicable and no more than 10 business days after the hearing.

d. In the event of a hearing by a hearing officer, the school board may make its decision upon the record or recording of such hearing or the school board may elect to conduct a further hearing to receive additional evidence. The school board must hold such further hearing as soon as practicable and must give written notice of the time and place of such further hearing to the division superintendent and the teacher within 10 business days after the board received the record or recording of the initial hearing. The notice must specify each matter to be inquired into by the school board. The school board shall determine the procedure to be followed at such further hearing.

e. In the event of a hearing before the school board, the school board shall give the teacher its written decision as soon as practicable and no more than 30 days after the hearing. The decision of the school board shall be reached after considering the evidence and information presented at the school board hearing.

f. In the event of a hearing before a hearing officer followed by a further hearing by the school board, the school board shall give the teacher its written decision as soon as practicable and no more than 30 days after such further hearing. The decision of the school board shall be reached after considering the record or recording of the initial hearing, the recommendations of the hearing officer, and the evidence and information presented at the further hearing before the school board.

g. In the event of a hearing before a hearing officer in cases in which no further hearing is conducted by the school board, the school board shall give the teacher its written decision as soon as practicable and no more than 30 days after receiving the record or recording of the hearing. The decision of the school board shall be reached after considering the record or recording of the hearing and the recommendations of the hearing officer.

h. The school board shall retain its exclusive final authority over matters concerning employment and the supervision of its personnel.

Grievability.

A. Initial determination of grievability. Decisions regarding whether a matter is grievable shall be made by the school board at the request of the division administration or grievant and such decision shall be made within 10 business days of such request. The school board shall reach its decision only after allowing the division administration and the grievant opportunity to present written or oral arguments regarding grievability. The decision as to whether the arguments shall be written or oral shall be at the discretion of the school board. Such determination of grievability shall be made subsequent to the reduction of the grievance to writing but prior to any hearing by the board or a hearing officer, or the right to such determination shall be deemed to have been waived. Failure of the school board to make such a determination within such a prescribed 10-business-day period shall entitle the grievant to advance to the next step as if the matter were grievable.

B. Appeal of determination on grievability. Decisions of the school board may be appealed to the circuit court having jurisdiction in the school division for a hearing on the issue of grievability.

1. Proceedings for a review of the decision of the school board shall be instituted by filing a notice of appeal with the school board within 10 business days after the date of the decision and giving a copy thereof to all other parties.

2. Within 10 business days thereafter, the school board shall transmit to the clerk of the court to which the appeal is taken, a copy of its decision, a copy of the notice of appeal, and the exhibits. The failure of the school board to transmit the record within the time allowed shall not prejudice the rights of the grievant. The court may, on motion of the grievant, issue a writ of certiorari requiring the school board to transmit the records on or before a certain date.

3. Within 10 business days of receipt by the clerk of such record, the court, sitting without a jury, shall hear the appeal on the record transmitted by the school board and such additional evidence as may be necessary to resolve any controversy as to the correctness of the record. The court may, in its discretion, receive such other evidence as the ends of justice require.

4. The court may affirm the decision of the school board or may reverse or modify the decision. The decision of the court shall be rendered not later than 15 days from the date of the conclusion of the court's hearing.

Time Limitations.

A. The right of any party to proceed at any step of this Part II grievance procedure shall be conditioned upon compliance with the time limitations and other requirements set forth in this procedure.

B. The failure of the teacher to comply with all substantial procedural requirements including initiation of the grievance and notice of appeal to the next step in the procedure, shall eliminate the teacher's right to any further proceedings on the grievance unless just cause for such failure can be shown.

C. The failure of the school board or any supervisory employee to comply with all substantial procedural requirements without just cause shall entitle the grievant, at his option, to advance to the next step in the procedure or, at the final step, to a decision in his favor.

D. The determination as to whether the substantial procedural requirements of this Part II of the Procedure for Adjusting Grievances have been complied with shall be made by the school board. In any case in which there is a factual dispute as to whether the procedural requirements have been met or just cause has been shown for failure to comply, the school board shall have the option of allowing the grievant to proceed to its next step. The fact that the grievance is allowed to proceed in such case shall not prevent any party from raising such failure to observe the substantial procedural requirements as an affirmative defense at any further hearing involving the grievance.

Part III. Procedure for Dismissals

This Part III of the Procedure for Adjusting Grievances adopted by the Board of Education in accordance with the statutory mandate of Article 3 (§ 22.1-306 et seq.) of Chapter 15 of Title 22.1 of the Code of Virginia and the Standards of Quality for school divisions, Chapter 13.1 (§ 22.1-253.13:1 et seq.) of Title 22.1 of the Code of Virginia, is to provide an orderly procedure for the expeditious resolution of disputes involving the dismissal of any teacher.

A. Notice to teacher of recommendation for dismissal.

1. In the event a division superintendent determines to recommend dismissal of any teacher, written notice shall be sent to the teacher on forms prescribed by the Board of Education notifying him of the proposed dismissal and informing the teacher that within 10 business days after receiving the notice, the teacher may request a hearing before the school board or, at the option of the school board, a hearing officer appointed by the school board, as provided in § 22.1-311 of the Code of Virginia.

2. During such 10-business-day period and thereafter until a hearing is held in accordance with the provisions herein, if one is requested by the teacher, the merits of the recommendation of the division superintendent shall not be considered, discussed, or acted upon by the school board except as provided for herein.

3. At the request of the teacher, the superintendent shall provide the reasons for the recommendation in writing or, if the teacher prefers, in a personal interview. In the event a teacher requests a hearing pursuant to § 22.1-311 or 22.1-312 of the Code of Virginia, the

division superintendent shall provide, within 10 days of the request, the teacher, or his representative, with the opportunity to inspect and copy his personnel file and all other documents relied upon in reaching the decision to recommend dismissal. Within 10 days of the request of the division superintendent, the teacher, or his representative, shall provide the division superintendent with the opportunity to inspect and copy the documents to be offered in rebuttal to the decision to recommend dismissal. The division superintendent and the teacher or his representative shall be under a continuing duty to disclose and produce any additional documents identified later that may be used in the respective parties' cases-in-chief. The cost of copying such documents shall be paid by the requesting party.

4. Upon a timely request for a hearing, the school board or, at the school board's option, a hearing officer appointed by the school board shall set a hearing within 15 days of the request and the teacher shall be given at least five days' written notice of the time and the place of the hearing.

B. Procedure for hearing.

1. The hearing shall be conducted by the school board or, at the school board's option, a hearing officer appointed by the school board. The teacher and the division superintendent may be represented by legal counsel or other representatives. The hearing shall be private, unless the teacher requests a public hearing. The school board or hearing officer, as the case may be, shall establish the rules for the conduct of the hearing, and such rules shall include the opportunity for the teacher and the division superintendent to make an opening statement and to present all material or relevant evidence, including the testimony of witnesses, and the right of all parties to cross-examine the witnesses. Witnesses may be questioned by the school board or hearing officer.

2. The parties shall produce such additional evidence as the school board or hearing officer may deem necessary to an understanding and determination of the dispute. The school board or hearing officer shall determine the relevancy and materiality of the evidence offered. All evidence shall be taken in the presence of the school board or hearing officer and of the parties.

3. Exhibits offered by the teacher or the division superintendent may be received in evidence by the school board or hearing officer and, when so received, shall be marked and made a part of the record.

4. A stenographic record or tape recording of the proceedings shall be taken. The two parties shall share the cost of the recording equally. The record or recording of the proceedings shall be preserved for a period of six months. If the school board requests that a transcript of the record or recording be made at any time prior to expiration of the six-month period, it shall be made and copies shall be furnished to both parties. The school board shall bear the expense of the transcription.

5. The teacher shall bear his own expenses. The school board shall bear the expenses of the division superintendent and the hearing officer.
6. Witnesses who are employees of the school board shall be granted release time if the hearing is held during the school day. The hearing shall be held at the school in which most witnesses work, if feasible.
7. In the event of a hearing conducted by a hearing officer, the recommendation of the hearing officer shall be based exclusively upon the evidence presented at the hearing. Upon the hearing officer's own motion or upon application by the teacher or the division superintendent, the hearing officer may reopen the hearing for the purpose of hearing after-discovered evidence upon a finding of good cause by the hearing officer at any time before his recommendation is due. The hearing officer shall transmit his written recommendation and a record or recording of the hearing to the school board as soon as practicable and no more than 10 business days after the hearing.
8. In the event of a hearing by a hearing officer, the school board may make its decision upon the record or recording of such hearing or the school board may elect to conduct a further hearing to receive additional evidence. The school board must hold such further hearing as soon as practicable and must give written notice of the time and place of such further hearing to the division superintendent and the teacher within 10 business days after the board received the record or recording of the initial hearing. The notice must specify each matter to be inquired into by the school board. The school board shall determine the procedure to be followed at such further hearing.

C. School board determination.

1. In the event of a hearing before the school board, the school board shall give the teacher its written decision as soon as practicable and no more than 30 days after the hearing. The decision of the school board shall be reached after considering the evidence and information presented at the school board hearing.
2. In the event of a hearing before a hearing officer followed by a further hearing by the school board pursuant to subdivision B 8 of this section, the school board shall give the teacher its written decision as soon as practicable and no more than 30 days after such further hearing. The decision of the school board shall be reached after considering the record or recording of the initial hearing, the recommendations of the hearing officer, and the evidence and information presented at the further hearing before the school board.
3. In the event of a hearing before a hearing officer in cases in which no further hearing is conducted by the school board, the school board shall give the teacher its written decision as soon as practicable and no more than 30 days after receiving the record or recording of the

hearing. The decision of the school board shall be reached after considering the record or recording of the hearing and the recommendations of the hearing officer.

4. The school board may dismiss or suspend a teacher upon a majority vote of a quorum of the school board. The school board's attorney, assistants, or representative, if he or they represented a participant in the prior proceedings; the grievant; the grievant's attorney or representative; and, notwithstanding the provisions of § 22.1-69 of the Code of Virginia, the superintendent shall be excluded from any executive session of the school board that has as its purpose reaching a decision on a grievance. However, immediately after a decision has been made and publicly announced, as in favor of or not in favor of the grievant, the school board's attorney or representative and the superintendent may join the school board in executive session to assist in the writing of the decision.

Time Limitations.

The right of any party to proceed at any step of the grievance procedure shall be conditioned upon compliance with the time limitations and other requirements set forth in this grievance procedure.

1. The failure of the grievant to comply with all substantial procedural requirements shall terminate the teacher's right to any further proceedings on the grievance unless just cause for such failure can be shown.
2. The failure of the school board or of any supervisory employee to comply with all substantial procedural requirements without just cause shall entitle the grievant, at his option, to advance to the next step in the procedure or, at the final step, to a decision in his favor.
3. The determination as to whether the substantial procedural requirements of this Part III of the Procedure for Adjusting Grievances have been complied with shall be made by the school board. In any case in which there is a factual dispute as to whether the procedural requirements have been met or just cause has been shown for failure to comply, the school board shall have the option of allowing the grievance to proceed to its next step. The fact that the grievance is allowed to proceed in such case shall not prevent any party from raising such failure to observe the substantial procedural requirements as an affirmative defense at any further hearing involving the grievance.

Adopted:

Dickenson County Public Schools

STATEMENT OF GRIEVANCE

STEP 2 – TO BE PRESENTED TO PRINCIPAL

Name of grievant:	Date filed:
School/department of assignment:	Subject area or grade:
Immediate superior and/or principal:	Grievant's representative:

Policy, procedure, regulation, ordinance, statute being grieved:

Date you knew or reasonably should have known of its occurrence:

Statement of grievance:

Specific relief requested:

Grievant's Signature

Representative's Signature

Grievant's Name

Representative's Name

Date

Date

Dickenson County Public Schools

PRINCIPAL'S DECISION

STEP 2 – DECISION TO BE PRESENTED TO GRIEVANT

Name of grievant:	Date grievance received:
-------------------	--------------------------

Decision of principal or designee:

___ I lack the authority to grant the relief requested.

_____ Signature of principal or designee	_____ Date
_____ Name of principal or designee	
Is the above decision acceptable to grievant? ___ Yes ___ No	

___ I hereby appeal this decision to Step 3, Superintendent.

Grievant's Signature

Grievant's Name

Date

Dickenson County Public Schools

SUPERINTENDENT'S DECISION

STEP 3 – DECISION TO BE PRESENTED TO GRIEVANT

Name of grievant:	Date appeal received:
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Decision of superintendent or designee:

_____ Signature of superintendent or designee	_____ Date
_____ Name of superintendent or designee	
Is the above decision acceptable to grievant? ___ Yes ___ No	

___ I hereby appeal this decision to Step 4, School Board.

Grievant's Signature

Grievant's Name

Date

DICKENSON COUNTY PUBLIC SCHOOLS

Request for Hearing

Name of Teacher

I hereby request that I be afforded a hearing on the Superintendent's recommendation for my dismissal before the School Board or, at the School Board's option, a hearing before a Hearing Officer to be appointed by the School Board.

Teacher's Signature

Representative's Signature

Teacher's Name

Representative's Name

Date

Date

DICKENSON COUNTY PUBLIC SCHOOLS

Notice of Proposed Dismissal

Date: _____

Name of Teacher

School/Department of Assignment

The Division Superintendent will recommend to the School Board that you be dismissed from your position as:

(Position)

At your request, reasons for this recommendation will be provided to you in writing or in a personal interview.

You have ten business days from receipt of this form to request, in writing, a hearing before the School Board or, at the option of the School Board, a hearing before a Hearing Officer. A copy of the Request for Hearing Form is attached.

Division Superintendent's Signature

Division Superintendent's Name

Date