

Dickenson County School Board Regular Meeting - Summary Minutes

January 19, 2022

- I. ROLL CALL AND MEETING CALLED TO ORDER - 5:00 P.M.** The meeting was called to order by Chair, Jason Hicks followed by the Pledge of Allegiance and a Moment of Silence.

Members in Attendance: Jason Hicks, Chair; Damon Rasnick, Vice-Chair; Dr. Lurton Lyle; Jamie Hackney; Tonya Baker, Clerk; Haydee Robinson, Superintendent; Scott Mullins, Board Attorney

Absent: Rick Mullins

Approval of Agenda:

Following a motion by Dr. Lurton Lyle and a second by, Jamie Hackney, the Agenda was approved with the following revisions, 1. The addition of Dr. Tyson and Dr. Hill-Collins with the Health Wagon. 2. The discussion of executive order number two.

Vote results

Aye:	4	Jason Hicks, Damon Rasnick, Jamie Hackney, Dr. Lurton Lyle
No:	0	
Abstain:	0	
Not Cast:	0	

II. PUBLIC COMMENT

Mr. Jamie Hackney read the Public Comment Guidelines.

Rachel Helton: Introduced Dr. Tyson and Dr. Hill-Collins and gave some information about the Health Wagon.

Ms. Garnder: Spoke about removing masking in the schools. Ms. Gardner voiced her concern that children would bring illness home to immune-compromised family members.

Dr. Ibrahim: Wanted to give his opinion as a physician about the mask mandate or no mandate. Dr. Ibrahim stated that working in the ER he had noticed a surge in COVID- 19 cases in town. He spoke on wearing masks correctly and the type of masks that work best. Dr. Ibrahim stated that he is for mandating masks at school and that is his personal opinion as a physician.

Kathy Musick: VPE - Spoke on masks. Ms. Musick stated that she hoped going forward that this board will continue to put the well-being and welfare of the staff and the student first. She commended the Board for all that they do.

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Phyllis Mullins: DEA - The DEA is working very hard to see what they can help do with the mask mandate. Ms. Mullins received a grant for a little over \$3800.00 from the DEA and plans on supplying books to every pre-k through t 1st-grade student in Dickenson County for Read Across America.

Phone: Tauna Gulley, Nurse Practitioner with the Health Wagon and Professor Nursing at the University of Pikeville, Mrs. Gulley spoke in favor of the mask mandate and stated that now is not the time to stop wearing masks.

III. CONSENT AGENDA

Following a motion by Damon Rasnick and a second by Dr. Lurton Lyle; the Consent Agenda was approved as presented.

Vote results

Aye:	4	Jason Hicks, Damon Rasnick, Jamie Hackney, Dr. Lurton Lyle
No:	0	
Abstain:	0	
Not Cast:	0	

a. Approval of Minutes

- ❖ December 15, 2021 - Regular Meeting

b. Approval of Monthly Bills - School Operation Fund

Monthly Bills: Check # 882721-882793- \$185,545.70

Monthly Payroll: Check # 390068 - 390095 \$1,819,499.32

c. School Activity Fund

- ❖ Informational Item

d. Approval of Field Trips

- ❖ Ridgeview High School
 - > 01/08/2022 - Fairlawn, Va. 10th - 12th
 - > 01/22/2022 - Fairlawn, Va. 10th - 12th
 - > 02/19/2022 - Johnson City, TN 6th - 12th
 - > 02/26/2022 - Johnson City, TN 6th -12th
 - > 06/12-06/15 - Virginia Beach, Va. 8th - 12th

e. Approval of Bank Reconciliation Documents

f. New Elementary Construction Invoices

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IV. INFORMATION FOR THE BOARD

Mrs. Robinson informed the Board Members about VSBA Virtual Conferences and Seminars.

VSBA Conferences

VSBA Capital Conference, January 24 & 25, 2022

New Chair and Vice-Chair Orientation, January 25, 2022

VSBA Title IX Workshop, February 8, 2022

March Hot Topic Conference, March 11, 2022

Mrs. Robinson recognized Jenay Tate long-time editor of the Coalfield Progress and Dickenson Star. Ms. Tate had passed away Saturday, January 15, 2022.

V. SUPERINTENDENT ROBINSON

g. Good News from our Schools

Mr. Jonathan McCullough- Recognized the band students that will be participating in the All-District Honors Band Festival, February fourth and fifth in Abingdon, Va.

Dalton Austin, 11th Grade, Trombone--Senior Concert Band

Cameron Deel, 9th Grade, French Horn--Junior Concert Band

Brianna Mullins, 9th Grade, French Horn--Junior Concert Band

Braden Hillyer, 8th Grade, Trumpet--Junior Concert Band

Mrs. Martin presented the Student Enrollment and Attendance Report December 2021: Student Enrollment and Attendance Report

Be Great with 8! Be a Hero: Here, Every Day, Ready, Qn-Time

As of Friday, December 31, 2021, the student enrollment was 1868.

- Clintwood Elementary School: 383: 89.38%
- Ervinton Elementary School: 116: 87.66%
- Sandlick Elementary School: 348: 89.47%
- Ridgeview Middle School: 420 88.36%
- Ridgeview High School: 601 87.63 %

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An Attendance Summary Sheet with attendance percentage for each school;

- Attendance Summary of December 2021
- Enrollment Tally by December 31, 2021
- Attendance Percentage Comparison from 2017 – 2018 to present;
- PK enrollment per school;
- Summary of students who withdrew in December 2021

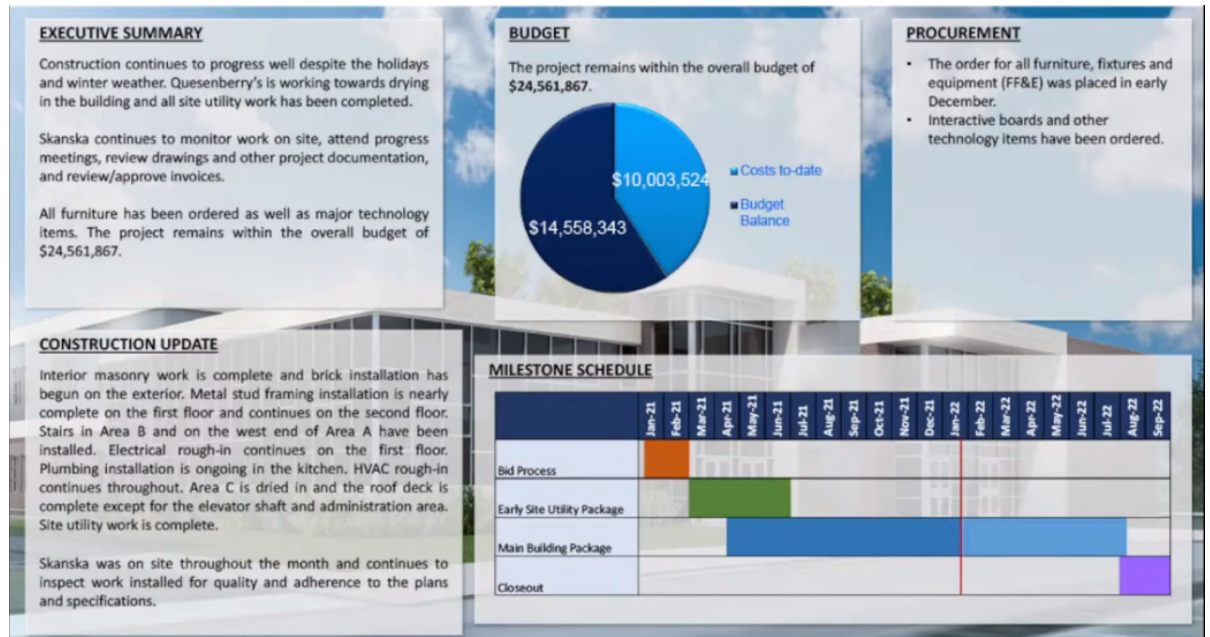
Enrollment in DCPS Pre- K program, per school in December, 2021

Clintwood Elementary School:	34
Ervinton Elementary School:	21
Sandlick Elementary School:	26
Total:	81

h. Update on New Elementary School Construction Project

Tim Burge, Construction Superintendent with Skanska, presented a report on the construction of the new elementary and update to the School Board.

In addition, Randy Jones with ZMM presented to the School Board a design for the layout of the new elementary school. Mr. Jones presented information to the School Board on the number of available classrooms for the opening of the new elementary school in August, 2022.



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i. Dr. Teresa Tyson, Dr. Paula Hill-Collins, Health Wagon: Spoke in favor of keeping the Mask Mandate.

j. Discussion of Revised CDC Guidelines

Mrs. Robinson went over the revised CDC Guidelines. The guidelines have been approved by Dr. Bissel and have been implemented in our schools. The guidelines are subject to change and will be revised in the days and weeks ahead.

k. Discussion of Executive Order #2

Scott Mullins spoke on Executive Order # 2. We had a senate bill that was passed last year that said to the maximum extent practicable we are to follow the CDC guidelines. That was part of the law that said we were to be in school learning and to the maximum extent practicable we were to follow the CDC guidelines. There was some debate as to what that meant and was controversial. Then we had an executive order from the prior government that came in effect that solidified the position that we were required to wear masks and that became the practice in all of the Commonwealth of Virginia for public schools. This year we have the new Governor Youngkin pass an executive order that says that the parents should be in control on the issue of masking and children would not be required to wear masks to public schools. A Virginia Supreme Court case has been filed, it asks for immediate relief to ban that executive order from going into place. The Virginia Supreme Court decides what law we follow. If we have a clear pronouncement from the Virginia Supreme Court on what the law is then my recommendation is always going to be that ultimately we follow that.

l. Resolution regarding Surplus Land

In December, School Board Attorney, Scott Mullins presented to the School Board the collaborative project he, Lemman Kendrick, Former County Engineer, and Freddie Mullins, IDA Attorney, have worked regarding land owned by the Dickenson County Schools, which may be utilized by the County in its mitigation process. Mr. Mullins presented the options to the School Board on the specific lots of land.

Mr. Mullins has prepared a Resolution to present to the School Board that addresses the land which is owned by the School Board but may be utilized by the County in mitigation processes.

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Following a motion by Jamie Hackney and second by Damon Rasnick the resolution regarding surplus land was approved as presented.

Vote results

Aye:	4	Jason Hicks, Damon Rasnick, Jamie Hackney, Dr. Lurton Lyle
No:	0	
Abstain:	0	
Not Cast:	0	

m. Discussion of School Audit Reports

As per DCPS Policy: School Activity Funds, DGC, “school activity funds are audited at least once a year by a duly qualified accountant or accounting firm approved by the School Board. “

Laura Taylor, Director of Business and Finance, presented the School Audit reports from each of the schools for the 2020 - 2021 school year. The School Activity Funds Audit for 06/30/2021 was completed by Rodefer, Moss & CO on 12/14/2021.

VI. BOARD COMMENT

Jamie Hackney: I just want to say I appreciate the input we had tonight from our visitors and certainly I don't envy their positions in public health and they probably don't envy ours either. It's tough decisions that they have to make and they are looking at a lot of data. I think that it's important to not just look at data, it's important to look at the impact. You know everything in the decisions that we make especially in education. What's the impact of certain guidelines we may have. I feel that there are a lot of difficult topics involved with this. Dr. Ibrahim, I thought brought up an interesting point when he was talking about the efficacy of masks. He mentioned that it is so difficult to look at the data and say all this is spreading still we got masks school doesn't seem to have much impact. I think Keith Perrigan talked about that too. Bristol Tennessee schools have not had masks for months and their numbers don't look much different than Bristol Virginia Schools. They have had mandates in place and strict mandates. Looking at what Dr. Ibrahim's point was is it's hard to determine how effective they are because if school is the only place that anybody' wearing them it's not going to make an impact. When they go home, we've all been to Food City, Walmart, Lowes, and to Church. It is just difficult to set up here and say it's all on our kids to do everything. They're not seeing the dads do this. Were not seeing the dad's step up. The CDC recommendations, the adults know what they are but in public, we don't see it. Yet were telling our kids you have to do all this stuff. They see that, they see the hypocrisy. They see the appearance of hypocrisy. It's a very difficult issue. I don't have all the answers, it's tough. It's tough questions and tough decisions for any board to make. I will say that education has a priority. If we make decisions that could have a detrimental impact on education, we have to think about what those things are especially if all of this is

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upon the kids. In the community, we are not seeing that same level of commitment. We talk a lot about laws, one of the important laws that were cited in the Executive Order whether you agree with it or not is codified in Virginia, which are parental rights and guardian rights. At what level are we listening to parents? Its Virginia code, the parents have the right authority to make decisions for their child's upbringing and their child's education. We have to respect that. That's not the only thing we consider but those are our constituents, parents, guardians, grandparents and that's why we're here. I think about my own child's doctor, a pediatrician. When we go to the doctor and I have a sick child and bring them in, my doctor he is a nice guy, a reasonable guy, he will start with whatever's happening at the time evaluating him and talking to him and say this is one thing you could do and then there's this you can do. I am like you're the doctor tell me what I need to do. He will look at me and say no, no, no, I can give you options of what you can do but your the parent, you're with the child twenty-four seven. I can tell you things from a medical standpoint but ultimately I can give you several options and recommendations. I appreciate that and that sort of my perspective as a board member is to be able to take everything into account and still give parents, guardians, and grandparents options and listen to the kids, listen to the children. That's all I have to say.

Damon Rasnick: Public health for me has been in schools going back to the 1950s and I can remember those lines up at Ervinton High School back then. I had never seen so many people out to get polio treatment and that's the first mask activity I saw. People I don't know exactly how they did it if they were compelled to or what, but the last one I remember was the Swine Flu Vaccine back in the 70s I believe. We came to the health department to get that inoculation. My Mom and Dad, they issued all of us in to get our inoculations to get ready for school. There's a lot more today than there was back in 1957. We had people even then that rejected the vaccine and I understand that, as we do today. Everybody has their own experience through public health. I listened to parents and grandparents and I'm a parent and grandparent and I listened to my mother and father but when it comes to public health there are other people who know better than I what is best for the mass of people. Our local health department has many resources they give to citizens here in Dickenson County. The Regional Health Department works hand-in-hand with the State Health Department and the Federal people these are experts in their fields. All of them do not agree on what's best, just like people here do not agree on what's best. When it comes to mass protection of hundreds and thousands there has to be common ground agreement as to what is best, especially when people's lives or risk and especially when all children's lives potentially are at risk. I rely on public health here in Dickenson County I rely on the Regional Health Department and the State. I've had many years working with all of them. I've never found them to be out of order in any directive that they ever gave me, in my family, my work in school as a teacher or principal, and as a superintendent. They always were the best allies when I faced a crisis. I called Dr. Lyle on many occasions for advice regarding certain things. Regarding school and when the flu outbreaks come and things like that. You know flu is a dangerous disease. It always has been and always will be in certain groups of people. I listen to the professionals best I can. I especially put my faith in the local, the regional, and the state. I always have. For most of my life, I've done that. I think they are there to protect our children as best they can and they won't recommend

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anything that's not what is best for children as a group, whatever I feel individually. It's a difficult thing to discuss an issue where we ultimately make the decision. But for everybody that is out there listening to this they should know when sitting here, it's not the school board that makes the decision. We have a lawyer, he talks to lawyers in Richmond. They talk to each other and other groups and the Virginia School Board, that attorney. They all get together and talk as a group deciding exactly what does this mean. Then our lawyer will get all the information to the Superintendent and then they will come to us and present us with options. I never expect our attorney to provide me with a piece of false information or the other people up the line. When it comes to that degree he provides the information it's up to me to make that decision based on what he gives me. Now I can interpret it any way I choose as it individual but we have to follow the law. Right now what the law is is a bit unclear. I know what we voted for as a school board and whatever happens between now and Friday if anything happens, it will guide us. We will all, each individual, have to make a decision based on their own belief of what is right. What is following the law. We all swore an oath to obey the law. I think all of our teachers, all of our employees when they sign a contract they basically sign a note to obey the state law and the local law, the policies. That's a pretty big instance of life when you put your name on that contract. You agree to all those things and many people don't have any idea what they're agreeing to but it's there for a reason. We all need to learn as much as we can to help each other. Our parents and grandparents and uncles and aunts and all the other caregivers are struggling right now and we know that. Our children they're tough they're resilient. I don't think they understand the gravity of what we face as a nation or county. I think our employees do. We've got some of the best employees anywhere anytime anyplace they are committed to serving the children of Dickenson County in a way that takes their lives forward to give them a chance to be successful in life. To have the best of everything that this county has to offer. Adults, sometimes we don't see that picture in the whole. I've had the opportunity in my lifetime to see as it all comes together. It's a little different when you're the Superintendent on the phone in the morning. Like Mrs. Robinson had to deal with this week when the snow and ice are out there. I did that for four years and I was very glad to give it up. Someone called one day and told Jim Smith you have a bunch of fools up there. Jim said I guess some of us are, I guess he pretty much summed that up. But you have no idea how that set on my shoulders how it bore on me. If I made a call that caused a child to be hurt or worse, every single morning that I faced that, I prayed every single morning that they'll be safe and well and I do the same thing with what we are in now. I listened to the weather fatefully every day. I called them early and I asked him to email me. I did my best to find out what was out there. I had people in Haysi, and Sandlick down in Clintwood go every area over here. I had people calling me at home at 5 o'clock in the morning and they agreed to do it. Many of them were my worst complainants when I first became superintendent that first year or two. I called him and asked him and said please call me and tell me what's at your house. I had a network around the county that did that and the complaints stopped for the most part. You still make mistakes but everything we do is important especially when we're dealing with things that deal with the health and welfare of all children. Of every child that we serve in this county, all children. I'm not with one specific group for the other. I'll follow the law and I hope everybody else up here will too, always.

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Jason Hicks: I would just like to say that I appreciate everybody that came and spoke tonight. You can certainly see their hearts. They care about the community and they care about the kids and all of us so I do appreciate that. Tonight has a common theme as every meeting you have, I think there are always more questions than answers. There are three things that I kinda see that we can agree upon that is going to happen and that is the way it absolutely is. Kids are going to have to continue to use masks on buses. Staff will have to continue to wear a mask because the Executive Order does not even address adults. And if quarantine guidelines don't change without masks that would increase the number of quarantines and cause more kids to have to miss school. Even though we've been lucky that the recent guidelines have changed and lowered the number of days, which I was glad to see but, if those increased quarantines would definitely cause an inconvenience to our parents and cause more stress on them and not to mention our students with having to make up their work and just being out in general. I feel like that were caught in the middle, every school in the state right now, caught in the middle in between 1303 and EO2. You know as Mr. Rasnick said which one is it? Executive orders carry the weight of law, state bills carry the weight of the law. You know I've told some folks that it's almost like Daddy told you you could do something but Mom said you better not. That's kind of where we're at. I do think that there will be some guidelines to come out. I think EO2 if I am not mistaken included instructions for the State Superintendent to revise some things, even the State Health Department to revise some things. I know that everybody would love to have an answer coming out here tonight but I think we better wait until we get further direction on that. We are not legal scholars and we want to get it right. I think since being on this board, I think that everybody on this board all them want to do the best for the kids and follow the law and we've done that. I'm positive that's what we will continue to do as soon as we know what the law is and we get some interpretation from that. Hopefully will get a decision maybe from the Supreme Court or the Attorney General's opinion you know anything at this point, we are all just waiting around to hear anything. I think that's where we're at.

Dr. Lurton Lyle: My thought is that an executive order is not law and there is a state law on the books requiring masks in school. The Executive Order may change that but it hasn't yet, in my opinion. The Supreme Court may decide, the keyword may. As Dr. Ibrahim pointed out some people say the masks didn't work for schoolchildren anyway but we don't know what happens when that child gets home. They have to wear it on the bus and at school. They do not have to wear it at home and if their parents are anti-mask we all know what happens to the mask. The child may well be exposed to more time without masks than with masks so how can you say the mask doesn't work? I'm of the opinion that we do need to wait to see what the court says. Certainly, and again in my opinion an executive order is not law and it doesn't trump the law in my opinion. I could be wrong, I don't get paid much for being an attorney. Anyway, that's my observation.

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- 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 1.) Employment issues relating to discussion or consideration of specific individuals for employment as a School Counselor, Part-Time Aides, Part-Time Cooks, Substitutes, FMLA requests, Resignations, and Retirement pursuant to Virginia Code Section 2.2-3711 (A) (1)
2.) Student request for early graduation pursuant to Virginia Code Section 2.2-3711 (A) (2)
3.) To consult with legal counsel regarding the investment of public funds associated with school construction and consultation regarding actual or probable litigation, along with consultation regarding specific matters requiring legal advice pursuant to Virginia Code Section 2.2-3711 (A) (6) (7) and (8) of the Code of Virginia.

Following a motion by Damon Rasnick and second, by Jamie Hackney, the Board convened into a Closed session.

Vote results

Aye:	4	Jason Hicks, Damon Rasnick, Jamie Hackney, Dr. Lurton Lyle
No:	0	
Abstain:	0	
Not Cast:	0	

Following a motion by Damon Rasnick and a second by Dr. Lurton Lyle; the board returned to open session.

Vote results

Aye:	4	Jason Hicks, Damon Rasnick, Jamie Hackney, Dr. Lurton Lyle
No:	0	
Abstain:	0	
Not Cast:	0	

Board Certification

Mrs. Robinson read the following certification to Closed Session:

WHEREAS, the Dickenson County School Board has convened a closed meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and WHEREAS, section 2.2-3712 (D) of the Code of Virginia requires a certification by this School Board that such closed meeting was conducted in conformity with Virginia law;

NOW, THEREFORE, BE IT RESOLVED that the Dickenson County School Board hereby certifies that, to the best of each member's knowledge, (i) only the public business matters lawfully exempted from open meeting requirements by Virginia law were discussed and (ii) only such public business matters as were identified in the motion by which the closed meeting was convened were heard, discussed, or considered.

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Certification results

Certify: 4 Jason Hicks, Damon Rasnick, Jamie Hackney; Dr. Lurton Lyle
No: 0
Abstain: 0
Not Cast: 0

Board Action:

Following a motion by Damon Rasnick and a second by Jamie Hackney the employment recommendations were approved as presented in the executive session.

Vote results

Aye: 4 Jason Hicks, Damon Rasnick, Jamie Hackney, Dr. Lurton Lyle
No: 0
Abstain: 0
Not Cast: 0

PERSONNEL/LEGAL

Substitutes

- Caitlyn Maggard

FMLA

- Kayla Wood
- Mary Lou Owens
- Cynthia Stanley
- Wendy McMillian

Resignation

- Allison Rose - Part-Time Aide Ervinton Elementary

Retirement

- Lilly Thacker - Nurse, Testing Coordinator - All Schools

Recommendations for Employment

- Allison Billings Ervinton Elem/Ridgeview Middle Schools School Counselor
- Lisa Deel Ridgeview Cafeteria Part Time Cook
- Alisha Yates Sandlick Elementary School Part Time Aide
- Kaitlyn Neeley Ridgeview Middle School Part Time Aide
- Allison Michelle Sluss Clintwood Elementary School Part Time Aide
- Elizabeth Young Ervinton Elementary School Part Time Aide
- Eva Stanley Ervinton Elementary School Part Time Aide

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Following a motion by Damon Rasnick and second by Jamie Hackney student # 100760 was approved for early graduation upon meeting the requirements necessary to do so.

Vote results

Aye:	4	Jason Hicks, Damon Rasnick, Jamie Hackney, Dr. Lurton Lyle
No:	0	
Abstain:	0	
Not Cast:	0	

VIII. Recess: 8:25 p.m.

Following a motion by Dr. Lurton Lyle and second, by Jamie Hackney; the meeting was recessed until Friday at 5:00 p.m. All votes aye.

Approved: 02/23/2022

Jason Hicks

Jason Hicks, Chair

Tonya Baker

Tonya Baker, Clerk