

Person County Board of Education
Special Open Session Minutes

Meeting Date and Time: Thursday, October 29, 2015; 4:00 p.m.

Location: Board of Education administrative offices at 304 S. Morgan Street, Roxboro, NC.

Board Members In attendance: Chairman Gordon Powell, Vice-Chairman Margaret Bradsher, Jimmy Wilkins, Freda Tillman, and Jennifer Kafer.

Administration Present for Open Session:

Danny	Holloman	Superintendent
Jarrold	Dennis	Assistant Superintendent
Dr. Wendy	Staskiewicz	Chief Academic Officer
Paula	Chandler	Director of Elementary Education
Melanie	Hester	Senior Director of EC and Support Services
Larry	King	Senior Director of Auxiliary Services
Julie	Masten	Director of Finance
Judy	Bradsher	Director of Career and Technical Education & GEAR UP
Teresa	Shotwell	Executive Assistant to the Superintendent, Clerk to the BOE

Chairman Powell called the meeting to order at 4:00 p.m. and led the devotion. Margaret Bradsher led the Pledge of Allegiance.

Chairman Powell asked to add items to **Other Business:**

- Set a meeting date in November for a policy work session and approval of low-performing school plans.
- Decision Points discussion

At 4:01, on a **motion** by Jimmy Wilkins and a second by Jennifer Kafer, the Board approved the Agenda and Consent Agenda as listed.

Motion carried 5-0.

DISCUSSION

A. Low-Performing School Plans (Copies on file and posted on each school's Home Page at www.person.k12.nc.us.)

Changes in legislation require schools that meet or do not meet growth and received a school performance grade of D or F to submit Low-Performing plans. South Elementary, North

Elementary, Southern Middle and Northern Middle administrators presented plans for the Board to review and provide any recommendations as needed. The plans will return to the Board in approximately thirty days for action. Notification letters were sent to parents and posted on the school's web site. Plans will be discussed today, posted on the school's web site for public comment, revised, and returned in November for Board approval.

1. South Elementary - Patrick Holmes, Principal

- i. Targeted growth in math, ELA, and science based on EVAAS growth measures.

Mr. Holloman feels South's plan captures what is wanted by the state.

2. North Elementary – Patti Barnes, Principal

- i. Targeted growth in reading, math and science through progress monitoring reports, data analysis, improved writing skills, increased student attendance, and improved teacher retention. A tardy policy would support attendance.

Mr. Holloman suggested a School Mission in sentence form, adding a starting proficiency rate in each targeted area and indicating progress for each goal in the timeline.

3. Southern Middle – Dr. Jonté Hill, Principal; Tawana Seets and Beth Rhodes, teachers.

- i. Targeted growth in math, ELA, and science as gauged by Star Assessment and EVAAS. Student data notebooks will be used to conference students on strengths and weakness.

4. Northern Middle – Chris Tomasic, Principal

- i. Targeted growth in Reading, Math, and Science through EVAAS growth measures. Strong focus on PLCs and the addition of an instructional specialist.

Mr. Holloman recommended adding the progress monitoring status.

B. Renovations to the PHS Press Box and Concession Building as presented by Jarrod Dennis.

The Person High School press box and concession building was built in the 1960s and has not had a substantial update since initial construction. The building is in need of safety and food service improvements to better serve all persons attending games and using the facilities. The structure is currently a safety hazard, especially with the railing and access to the press box. Proposed improvements will align more to what other districts have available for their athletic programs and provide for the safety of those using the facilities. Concession areas will also benefit from a sanitation standpoint with upgrades to food preparation and service areas. Involved in the proposed facility improvement are athletic boosters, the athletic department, district office personnel, the Person County Tourism Development Authority and Legacy Building. The estimated cost of the project is \$82,924.00. Most of the work will be during the 2015-2016 with completion prior to the fall of 2016. The Board reviewed a quote a May 22, 2015 quote from Legacy Building Co., LLC. The quote is good for 45 days from date of issuance. The contractor informed Mr. Dennis that pricing should remain as quoted if the project is completed within the current timeframe. The project does not require bidding.

The Rocket Club has funded numerous athletic projects over the years; however they do not have sufficient funding to cover this project. The project qualifies for lottery funding. Mr. Holloman asked the board to consider the use of \$35,000 to \$40,000 in lottery funds to assist with the project. As of today, the current lottery fund balance is \$1,055,898.

The Board had questions relative to inside access and handicap accessibility to the upper level. The Board recommended Mr. Dennis seek answers to these questions and present the request as an action item at the November 16 board meeting.

Legacy Building Co., LLC

PO Box 1133 Roxboro, NC 27573 p (336) 597-3208 f (336) 597-3218

May 22, 2015

Legacy Building Co., LLC is pleased to provide a proposal for the renovation and improvements to the PHS press box and concession building. The following is a list of inclusions for the project:

Concession Area:

- All applicable permits and fees
- Install HVAC sized to accommodate area.
- Install FRP panels on walls in back section.
- Replace serving windows with 3 (three) roll up shutters.
- Shore up serving counter and update
- Address leak between front and back areas
- Re-paint interior of front area.
- Final clean areas ready for use.

Press box and exterior:

- Install HVAC sized to accommodate area.
- Extend press box area to cover all existing roof of concessions below.
- Rework press box areas as needed for larger rooms.
- Install internal stair to roof for access.
- Install metal siding and trim on exterior (max. 3 different colors). Will be similar to picture Jeremy provided.
- New metal guardrails on top.
- New vinyl flooring at press box.

Total cost: \$82,924.00

Thank you for the opportunity to submit this proposal. Please call with any questions. Proposal is valid for thirty (45) days from date of issuance.

Yours truly,

Mark Duncan
Legacy Building Co, LLC
(336) 592-3226

ACTION ON FIRST READ

C. HVAC Controls Funding as presented by Larry King.

Larry King, Senior Director of Auxiliary Services was informed by the district's HVAC controls contractor that December 31, 2015 is the last day Honeywell will support the Tridium control systems for our ten schools currently using this system. Funding to replace these controls was requested from Person County in 2013 as we were aware of the end-of-life of these controllers; however, funding was not approved. Funding was included in the county long-range five-year plan and bumped each year. If one of the controls goes down, we will not have heat or air conditioning until the system controller is replaced.

Mr. King is requesting the use of lottery funds to replace the current controllers. The total cost for this work is approximately \$86,500.00 which is a 20% discounted price from the original quote of two years ago. The promotional price is offered until the end of December.

At 5:18, on a **motion** by Jimmy Wilkins and a second by Margaret Bradsher, the Board approved as presented the funding request for HVAC controls.

Motion carried 5-0.

D. Improper Equipment Fees as presented by Danny Holloman.

Mr. Holloman received information from the Board's attorney regarding a potential \$115,000.00 reimbursement in improper equipment fees. The case involves the treatment of a \$50.00 surcharge imposed on individuals convicted of improper equipment offenses. State law had directed that the surcharge be remitted to the State Misdemeanor Confinement Fund, but earlier this month, the Court of Appeals held that the surcharge was a punitive fine subject to the "fines and forfeitures" provision of the State constitution and, therefore, the money must be returned to the county and used for the public schools. The Board's attorney, Tharrington Smith LLC, is planning to file a single lawsuit on behalf of its clients to recover these funds. By filing one lawsuit, attorney fees will be significantly reduced for each school system. If the Board is interested in joining suit, there will be attorney fees of approximately \$3,000.00 - \$4,000.00. Charters are entitled to their proportional amount as with all other fines and forfeitures and we cannot request their assistance with legal fees.

At 5:22, on a **motion** by Margaret Bradsher and a second by Freda Tillman, the Board voted to join the lawsuit with other districts seeking improper equipment fees from the state.

Motion carried 4-1 (Kafer).

- E. Revised Policy 5027/7275 Weapons and Explosives Prohibited as presented by Danny Holloman.

Mr. Holloman explained updates based on recent legislative changes to policy 5027/7275 Explosives and Weapons Prohibited as provided by the North Carolina School Boards Association. If a person has a handgun concealed on them and they remain in a vehicle they are ok. Others may enter or exit the vehicle and the person may remove the weapon from him/herself or from the glove compartment. The weapon can remain in the vehicle in a visible position as long as they have a concealed-carry permit.

At 5:27, on a **motion** by Jimmy Wilkins and a second by Freda Tillman, the Board approved as presented revised policy 5027/7275 Weapons and Explosives Prohibited.

Motion carried 5-0.

INFORMATION

- F. Affordable Care Act as presented by Julie Masten.

This item has changed since submitted by Mrs. Masten. The State Health Plan has now agreed to cover the cost of the reporting for 2015. The district will only be responsible for postage which will be approximately \$500. This information was just recently released to school districts. Mrs. Masten received her first edit this week with a deadline of next week for submitting requested information.

PURPOSE:

To comply with IRS Section 6056, reporting health coverage options given to full time employees.

BACKGROUND:

The Patient Protection and Affordable Care Act (PPACA) enacted IRS Sections 6055 and 6056. Section 6056 requires every applicable large employer (50 or more employees) to file a yearly report of the coverage offerings it made to its full-time employees. These reports are designed to monitor compliance with the PPACA individual and employer mandates.

In North Carolina, school districts will also be required to report information for all retirees. The North Carolina Association of School Administrators is currently advocating that the local districts should NOT be responsible for this set of individuals. No action has been taken at this point. PCS has approximately 300 retirees.

The compliance reporting is accomplished via IRS Forms 1094 and 1095. Form 1095 is delivered to every employee. This form is also filed with the IRS for each individual. Form 1094 is a transmittal form that is filed with the IRS along with the 1095s. This is an analogous process to W2 filing every year.

1095 forms must be mailed to the Responsible Individuals by 2/1/2016. Paper filing to the IRS must be completed by 2/29/2016 or, if filing electronically, by 3/31/2016. Anyone submitting 250 or more 1095 forms must file electronically.

FINANCIAL IMPACT:

Full Service - \$4 per 1095 plus postage

- A data file is generated and reviewed by the Employing Unit for accuracy and updated as required by the employing unit.
- Benefitfocus completes the IRS filing, printing and mailing of the forms to the individuals.
- The Eligibility and Enrollment Support Center (Benefitfocus) will be responsible for answering questions from employees about their forms.

Data Only - \$2 per 1095

- A data file is generated from Benefitfocus.
- The data file is used by the employing unit to obtain enrollment and premium data as input to their independent process.
- Our current payroll vendor does not have the software in place to help with the reporting this year. PCS will have to manually complete the forms and submit to the IRS.

For the 2015 reporting period, the Plan is paying an additional \$2/employee for each option as well as the implementation fee and not passing this cost to the employing unit.

RECOMMENDATION:

The full service option will be recommended for calendar year 2015. Total cost will be around \$3,000. If we are required to pay full price for our retirees as well, an additional \$1,300 will be charged.

OTHER BUSINESS

- Determine November meeting date for policy work session and approval of Low-Performing School Plans.
 - November 30, 4:00 p.m. in the central services board room.
- Decision Points
 - Discussed the presentation by Ronnie Dunevant with Roots & Wings on October 8, and the possibility of funding an incentive gift for students similar to the 1 GIG USB bracelet Cumberland School students received upon completion of the program. As of October 27, PCS has a total of 746 students enrolled in 7th and 9th grade. A \$3.50 gift would cost approximately \$2611.00 of which Roots and Wings will commit to funding half. By consensus, the Board agreed to fund half.

CLOSED SESSION

At 5:37 p.m., on a **motion** by Jimmy Wilkins and a second by Freda Tillman, the Board voted 5-0 to go into Closed Session to consider personnel matters according to NC§143-318.11(a) (1) (5) (6), as amended by Action of June 23, 1994 relative to the superintendent's evaluation.

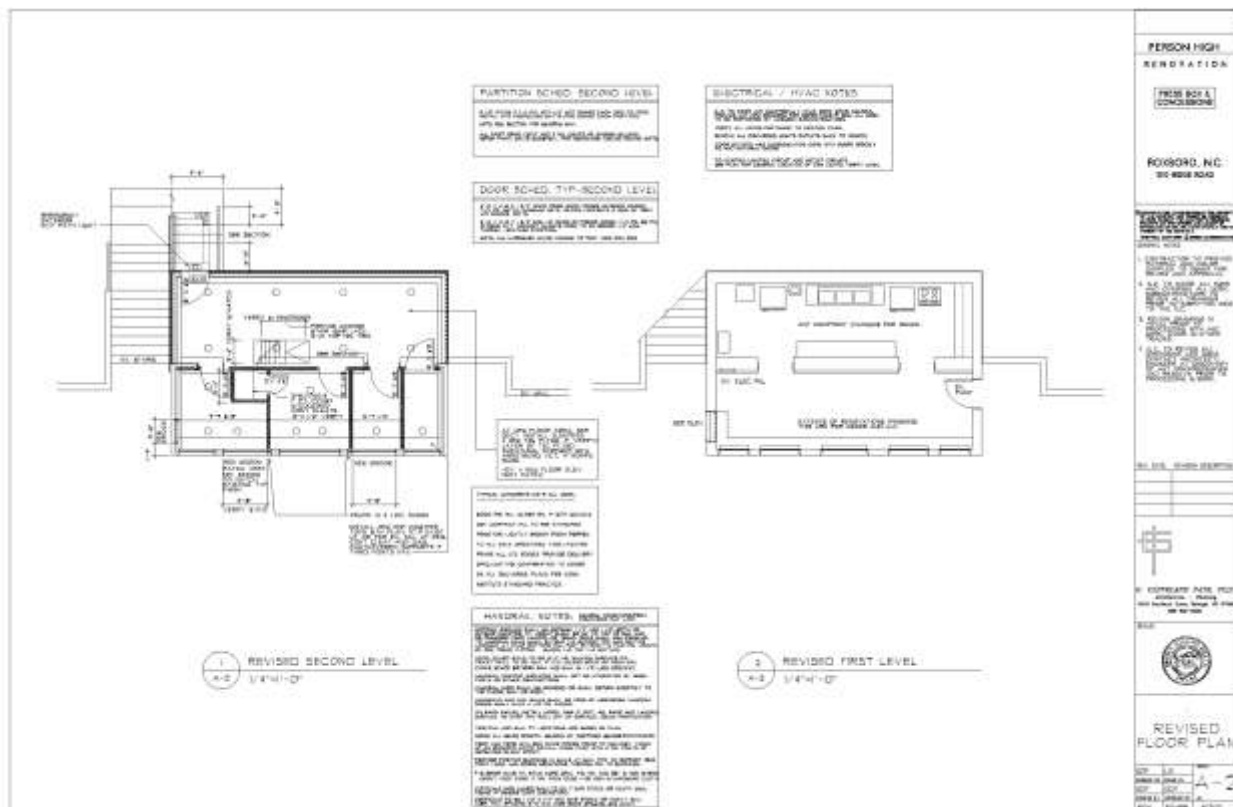
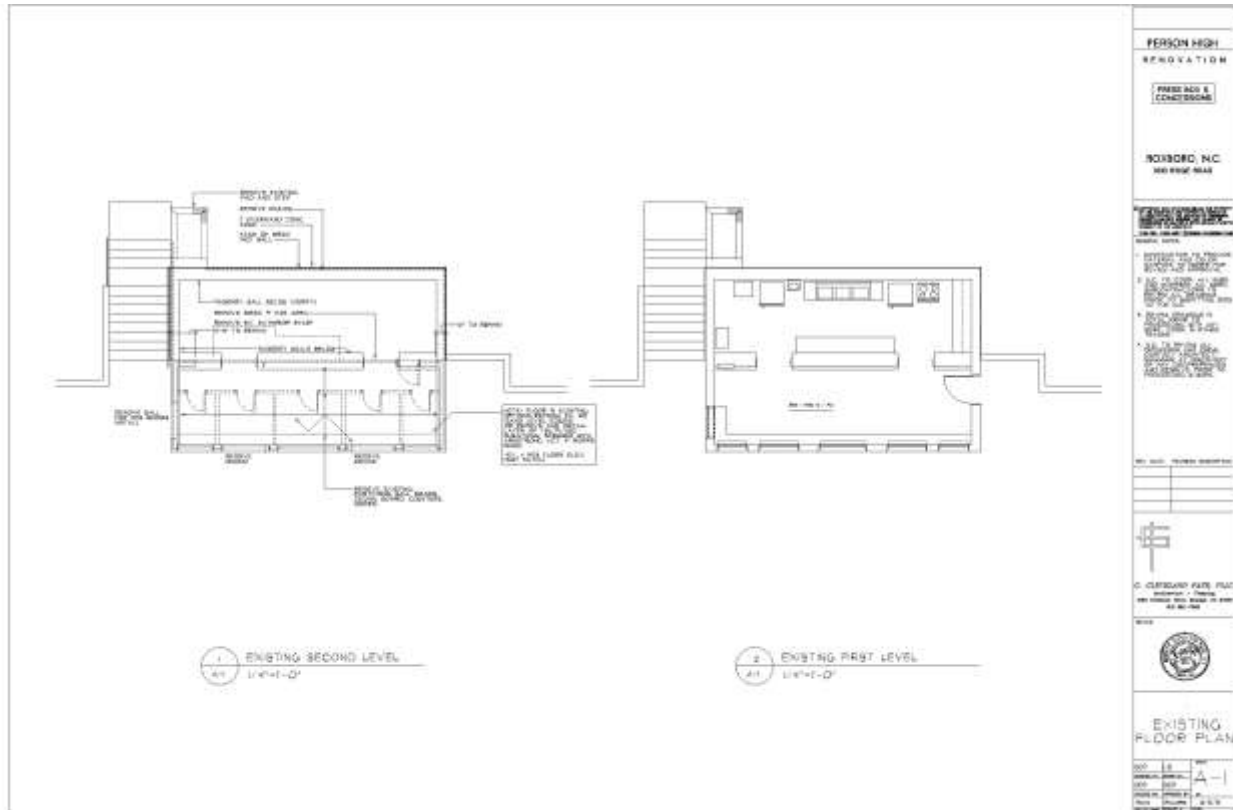
On a **motion** by Jimmy Wilkins and a second by Jennifer Kafer the Board returned to open session at 5:43 and adjourned by consensus.

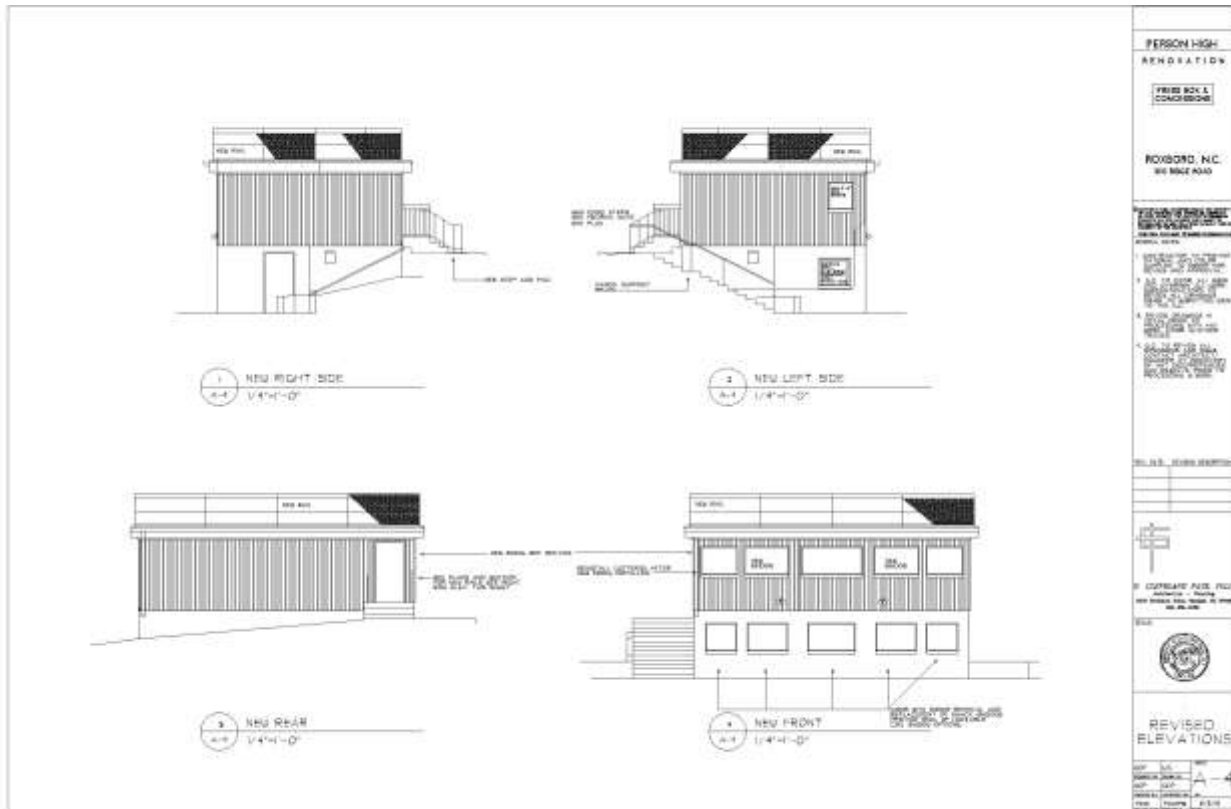
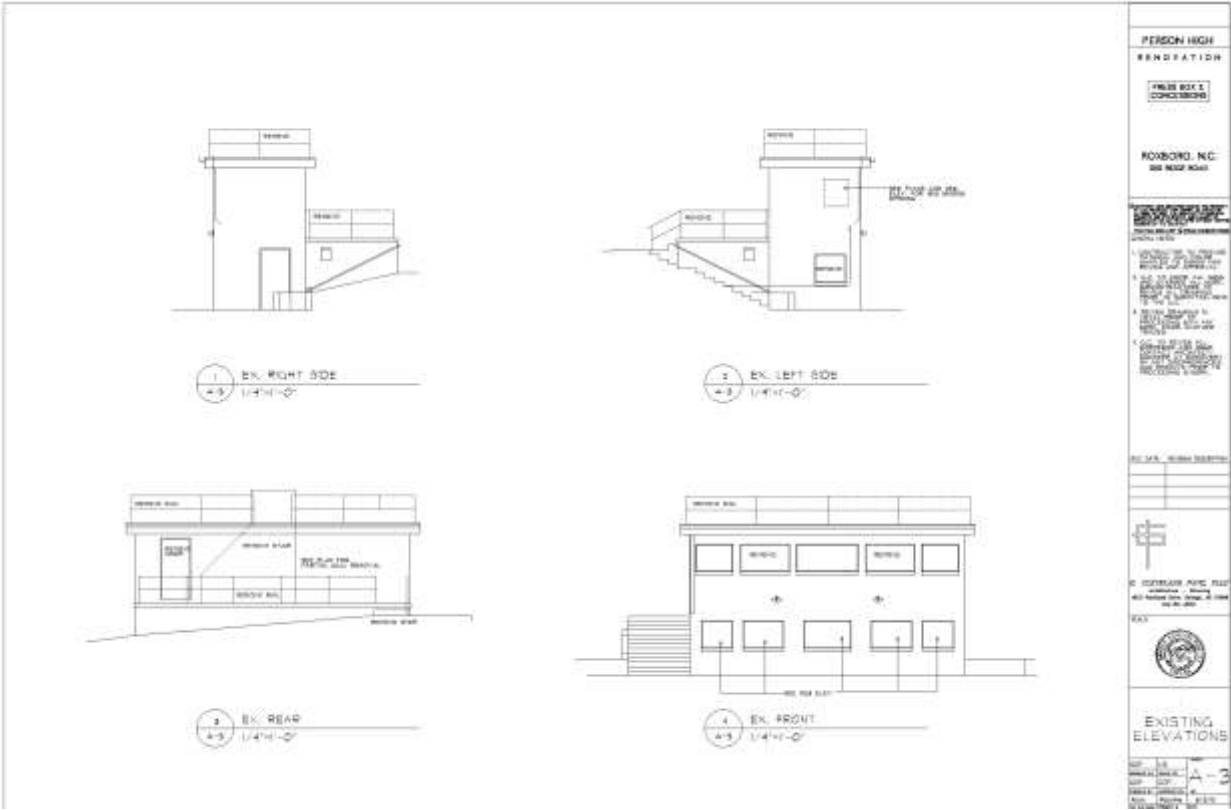
Gordon Powell, Chairman

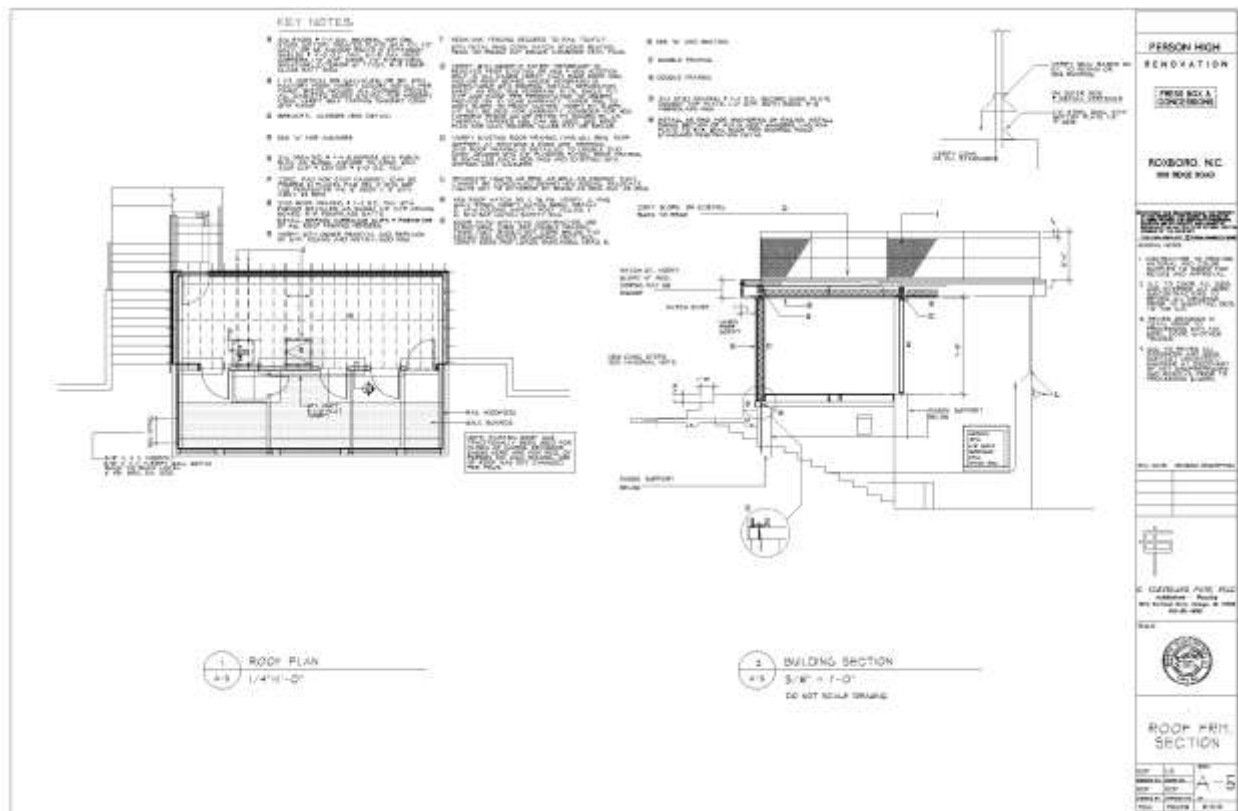
Danny Holloman, Secretary

ATTACHMENTS:

B. Renovations to PHS Press Box and Concession Building







D. Improper Equipment Fees



From Attorney:

The information we just received from the North Carolina Administrative Office of the Courts states that approximately \$115,000 in improper equipment fees were paid in Person County over the last 3 years. As I discussed below, we are planning to file a single lawsuit on behalf of our clients to recover these funds. By filing one lawsuit, we will be able to significantly reduce the attorney fees incurred by each school system. If you are interested in having us pursue this matter on your behalf, please let me know at your earliest convenience. I look forward to hearing from you regarding this matter.



From Attorney:

A lawsuit is going to need to be filed sooner than later because there is a three-year statute of limitations. We are hopeful that the matter can be resolved without a trial in light of the ruling from the Court of Appeals, but you never know how the state is going to respond. Either way, we anticipate having in excess of 10 school systems as part of the lawsuit so the Board's legal fees will be only a fraction of what the Board would otherwise expend.

The issue came up due to the Legislature posing a fine on improper equipment fees. The question was should school district get this as a part of fines and forfeitures. Richmond County Schools filed a suit communicating the money/fees should go to a school system.

People thought that this suit applied Statewide but it only applied to Richmond County.

From what Rod is hearing, school boards across the State are lining up with their lawyers to file suit.

Due to process and procedure, this requires a lawsuit. This money was paid to the State and is not with the local county government.

At the current time, Rod believes they have about 15 Boards that will join in this suit. He stated that with this type of number, the amount each school district would pay would be around \$3,000 - \$4,000. Districts he indicated were Durham, Moore, Wake, Sampson, Lee, Johnston, Bertie, Hoke, and Orange. Some are just waiting for their Board to approve moving forward.

Example:

There are times when a person receives a speeding ticket but there may be a lesser charge that indicates a problem with the speedometer. This is recorded as an improper equipment issue and there are no insurance problems or points on one's license. A \$50 fee was imposed by Legislation. In essence this was to circumvent the revenue stream. Just as speeding ticket costs are a component of fines and forfeitures, this improper equipment fee should fall into such category.

E. Revised Policy 5027/7275 Weapons and Explosives Prohibited

Policy Code: 5027/7275 Weapons and Explosives Prohibited The board of education is committed to providing a safe school environment that is free from violence, to the maximum extent possible. Employees, students, visitors, and other persons are prohibited from possessing, carrying, using, or threatening to use, or encouraging another person to possess, carry, use, or threaten to use, weapons or explosives on school property or while attending curricular or extracurricular activities sponsored by the school system. This policy applies to weapons or explosives carried openly or concealed. Any employee who violates this policy will be subject to immediate termination. Any visitor or other person who violates this policy will be escorted from the premises and/or school activity immediately. The superintendent or principal shall immediately report any violation of this policy to law enforcement officials. Any employee who is aware that a weapon or explosive is present on school property or at a school event in violation of this policy must immediately report this information to the principal or designee or the school resource officer as appropriate. Students who violate this policy are subject to discipline as provided in policy 4333, Weapons, Bomb Threats, Terrorist Threats, and Clear Threats to Safety. A. WEAPONS AND EXPLOSIVES DEFINED For purposes of this policy, a weapon includes, but is not limited to, any gun, rifle, pistol, or other firearm of any kind; any BB gun, stun gun, air rifle, air pistol, bowie knife, dirk, dagger, slingshot, leaded cane, switchblade knife, blackjack, metallic knuckles, razors, and razor blades (except solely for personal shaving), or fireworks; and any sharp-pointed or -edged instrument, except instructional	Policy Code: 5027/7275 Weapons and Explosives Prohibited The board of education is committed to providing a safe school environment that is free from violence, to the maximum extent possible. Employees, students, visitors, and other persons are prohibited from possessing, carrying, using, or threatening to use, or encouraging another person to possess, carry, use, or threaten to use, weapons or explosives on school property or while attending curricular or extracurricular activities sponsored by the school system. This policy applies to weapons or explosives carried openly or concealed. Any employee who violates this policy will be subject to immediate termination. Any visitor or other person who violates this policy will be escorted from the premises and/or school activity immediately. The superintendent or principal shall immediately report any violation of this policy to law enforcement officials. Any employee who is aware that a weapon or explosive is present on school property or at a school event in violation of this policy must immediately report this information to the principal or designee or the school resource officer as appropriate. Students who violate this policy are subject to discipline as provided in policy 4333, Weapons, Bomb Threats, Terrorist Threats, and Clear Threats to Safety. A. WEAPONS AND EXPLOSIVES DEFINED For purposes of this policy, a weapon includes, but is not limited to, any gun, rifle, pistol, or other firearm of any kind; any BB gun, stun gun, air rifle, air pistol, bowie knife, dirk, dagger, slingshot, leaded cane, switchblade knife, blackjack, metallic knuckles, razors, and razor blades (except solely for personal shaving), or fireworks; and any sharp-pointed or -edged instrument, except instructional
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supplies, unaltered nail files, and clips and tools used solely for the preparation of food, instruction, and/or maintenance on educational property. For purposes of this policy, an explosive includes, but is not limited to, any dynamite cartridge, bomb, grenade, mine, or powerful explosive as defined in G.S. 14-284.1. B. SCHOOL PROPERTY For purposes of this policy, school property is any school building or bus, school campus, grounds, recreational area, athletic field, or other property owned, used, or operated by the board of education. C. EXCLUSIONS This policy does not apply to: 1. a weapon or explosive used solely for educational or school-sanctioned ceremonial purposes, or used in a school-approved program conducted under the supervision of an adult whose supervision has been approved by the school authority; 2. a handgun in a closed compartment or container within the person's locked vehicle or in a locked container securely affixed to the person's vehicle if the person has a concealed handgun permit valid under state law or is exempted by state law from needing a permit to carry a concealed handgun (the person may unlock the vehicle to enter or exit the vehicle provided the handgun remains in the closed compartment at all	supplies, unaltered nail files, and clips and tools used solely for the preparation of food, instruction, and/or maintenance on educational property. For purposes of this policy, an explosive includes, but is not limited to, any dynamite cartridge, bomb, grenade, mine, or powerful explosive as defined in G.S. 14-284.1. B. SCHOOL PROPERTY For purposes of this policy, school property is any school building or bus, school campus, grounds, recreational area, athletic field, or other property owned, used, or operated by the board of education. C. EXCLUSIONS This policy does not apply to: 1. a weapon or explosive used solely for educational or school-sanctioned ceremonial purposes, or used in a school-approved program conducted under the supervision of an adult whose supervision has been approved by the school authority; or 2. a person who has a concealed handgun permit that is valid under state law or who is exempted by state law from needing a permit to carry a concealed handgun, if any of the following conditions are met: a. the person has a handgun in a closed compartment or container within the person's locked vehicle or in a locked container securely affixed to the person's vehicle (the person may unlock the vehicle to enter or exit the vehicle provided the handgun remains in the closed compartment at all times and the vehicle is locked immediately following the
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times and the vehicle is locked immediately following the entrance or exit);	entrance or exit);
3. firefighters, emergency service personnel, North Carolina Forest Service personnel, and any private police employed by the board of education, when acting in the discharge of their official duties;	b. the person has a handgun concealed on the person and the person remains in a locked vehicle (the person may unlock the vehicle to allow another person to enter or exit); or
4. law enforcement officers or other persons as provided in G.S. 14-269.2(g)(1a); or	c. the person is within a locked vehicle and removes the handgun from concealment only for the amount of time reasonably necessary to move it to a closed compartment or container within the vehicle or to move it from the closed compartment or container to concealment on the person.
5. a volunteer school safety resource officer providing security at a school pursuant to an agreement as provided in G.S. 115C-47(61), provided that the volunteer school safety resource officer is acting in the discharge of his or her official duties and is on the educational property of the school that the officer was assigned to by the head of the local law enforcement agency.	3. firefighters, emergency service personnel, North Carolina Forest Service personnel, and any private police employed by the board of education, when acting in the discharge of their official duties;
Legal References: G.S. 14-69.2, -269, -269.2, -284.1; 20-17; 115C-47(61), -288(g)	4. law enforcement officers or other persons as provided in G.S. 14-269.2(g)(1a); or
Cross References: Weapons, Bomb Threats, Terrorist Threats, and Clear Threats to Safety (policy 4333)	5. a volunteer school safety resource officer providing security at a school pursuant to an agreement as provided in G.S. 115C-47(61), provided that the volunteer school safety resource officer is acting in the discharge of his or her official duties and is on the educational property of the school that the officer was assigned to by the head of the local law enforcement agency.
Adopted: January 13, 2011	Legal References: G.S. 14-69.2, -269, -269.2, -284.1; 20-17; 115C-47(61), -288(g)
Revised: October 10, 2013	Cross References: Weapons, Bomb Threats, Terrorist Threats, and Clear Threats to Safety (policy 4333)
	Adopted: January 13, 2011
	Revised: October 10, 2013; October 29, 2015