

November 21, 2019

The Board of Education of the County of Kanawha met in Regular Session on Thursday, November 21, 2019 at the Board of Education Building, Charleston, West Virginia. The meeting was called to order by Board President Ryan White at 6:00 p.m.

**PRESENT**

Ryan White, President  
Ric Cavender, President Pro Tem  
Jim J. Crawford, Sr.  
Becky J. Jordon  
Tracy White  
Ronald E. Duerring, Secretary

Debra J. Lewis, Recording Secretary

**ADMINISTRATIVE STAFF**

Tom Williams, Deputy Superintendent  
Paula Potter, Assistant Superintendent, Middle & Alternative Schools  
Carol Hamric, Executive Director, Human Resources  
Terry Hollandsworth, Executive Director, Maintenance & Energy Management  
Lindsey McIntosh, General Counsel  
Melanie Meadows, Treasurer, Budget & Finance  
Melissa Ruddle, Asst. Superintendent, Curriculum & Instruction  
Chuck Smith, Executive Director, Facilities, Planning & Management  
Kate Porter, Asst. Superintendent, Special Education & Student Support Services  
Keith Vititoe, Executive Director, Safety & Security  
Ryan Breinar, Director, Safety  
Mark Milam, Asst. Superintendent, Secondary & Career-Technical Education  
Elaine Gayton, Director, Staff Development/ESL  
Briana Warner, Communications Director

## **PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was led by Board President Ryan White.

## **APPROVAL OF MINUTES**

- A. October 7, 2019 - Special Session
- B. October 17, 2019 - Regular Session

## **REPORTS**

- A. Kanawha County Travel Reimbursement for October, 2019 (Enclosure 54)
- B. Monthly Financial Report (Enclosure 55)
- C. Maintenance Report

Terry Hollandsworth-This is a new report that we are going to be doing. There is not enough data right now to report. It will be automatically generated. It compares us to other districts. We only have 4 months of data entered into it right now. We have been working on some projects. At Kanawha City Elementary we had to put a new sewer line in. At Ruffner we put in a new HVAC. At Riverside High School we roughed in for the bathrooms for the concession stand on the visitor side. The roof at Bridge Elementary had trees that were dropping algae on the roof and it was eating through the rubber on the roof so we pressure washed it and put a silicone coating on it to prevent damage.

- D. Legal Report

Mr. White-I'm going to request that we go into Executive Session at this point to discuss potential litigation. Dr. Duerring-Do you want to do that now or wait until the end? Mr. White-Let's wait until the end.

- E. Board Reports

Mr. White-I would like the Board to consider moving our LSIC Meetings to 6 p.m. in December and January because it would increase the availability of parents to come. The major point of the LSIC meeting is to get community involvement. The Board agreed to the change.

Mr. Crawford-I attended Swing Sing on Sunday. It was an excellent program.

## **REPORTS (continued)**

Dr. Duerring-Yesterday we had a legislative meeting all day and in the afternoon our district did a presentation on things we are doing. We had our children there who presented coding and technology skills. The people there were so impressed with their ability. They knew what they were doing.

## **PERSONNEL**

A. Personnel Agenda for November 21, 2019 (Enclosure 56)

Mr. Ric Cavender moved: The Board approve the Revised Personnel Agenda as included in Enclosure 56. Motion was seconded by Mrs. Becky J. Jordon and unanimously carried.

## **NEW BUSINESS**

### **CONSENT**

Mr. Ric Cavender moved: The Board approve the following CONSENT Items A-C. Motion was seconded by Mrs. Becky J. Jordon and unanimously carried.

A. Approval of Bills for October 2019 (Enclosure 57)

Approval of the payment of bills for the month of October 2019 in the amounts of \$22,364,426.86 for the Current Expense Fund and the Special Revenue Fund; \$715,682.72 for the KCS Public Library Excess Levy Fund; \$856,036.90 for the Permanent Improvement Fund; and \$10,773,404.10 for the Public Library Fund as reflected in Enclosure 57.

B. Budget Supplements & Transfers (Enclosure 58)

Approval of budget supplements and transfers as reflected in Enclosure 58.

C. Out of State Travel Requests (Enclosure 59)

Approval of the Out of State Travel Requests as contained in Enclosure 59.

## **OTHER NEW BUSINESS**

### A. 2019-20 KCS Strategic Plan (Enclosure 60)

Mr. Ric Cavender moved: The Board approve the 2019-20 KCS Strategic Plan as shown in Enclosure 60. Motion was seconded by Mrs. Becky J. Jordon and unanimously carried.

Elaine Gayton-This is a document that we have done for years. It has our system goals and under every goal there is performance measures and strategies and the bulk of the strategic plan are the action steps which support the goals and the strategies. The first goal is to increase attendance. The second goal is the academic goal to increase student achievement and the third goal is to increase the graduation rate. We really had a big push to become trauma informed schools and work with students that have social/emotional learning issues. Now we have an emergency bus which is basically a bus that will go to schools when students have issues. There is a counselor, teacher and a psychologist on it that will work with the student that has a need. Something that has come out of that is compassion fatigue. The school based personnel are dealing with it because students have so many issues it's wearing them down.

Dr. Duerring-I think that it is important to know why that is such an important goal. We have 500 homeless students as well as 60 that are unattended in our school district. We have kids that are affected by the opioid crisis. We have so many being raised by grandparents and the list goes on. We have 25,387 kids and 87% of them qualify for free lunch. We have food banks and clothing banks. Mrs. White-Do you think it would be possible to bring the emergency bus to the LISC Meeting at Mary C. Snow? Dr. Duerring-Yes, we can do that.

Elaine Gayton-Related to that is to expand flexible scheduling opportunities for students in addition to virtual school. Of course technology remains a focus and we continue with the iPad initiative. Mrs. White-How many virtual students do we currently have? Dr. Duerring-Around 375 right now in middle and high and we are piloting elementary in grades 3, 4 and 5 this year. Mrs. White-Can they switch to virtual anytime throughout the year? Dr. Duerring-If there's a need for it.

Mr. White-Our goal is to have 100% fully certified teachers. What is our percentage right now? Carol Hamric-It's around 87%. It's been the same for the last 3 years.

## **OTHER NEW BUSINESS (continued)**

### B. Safety & Security

Mr. Ric Cavender moved: The Board approve the KCS Security Director to carry a firearm while on duty. Motion was seconded by Mrs. Becky J. Jordon.

Keith Vititoe-The law changed to where someone in my position would be able to carry a firearm while on duty. This is one more precaution and it gives us extra capability in some situations. This will not take place of a uniformed officer. It's a just in case precaution. I'm in and out of several schools daily and there are some schools that have very little law enforcement contacts and if I'm in that location and something were to happen I have all this training experience. It's a way of life for me. I have 22 years in law enforcement and 31 years in the military. I've never had a negligent incident involving a firearm.

Mr. Cavender-Obviously Mr. Vititoe has training to carry a firearm but what we are passing today is for the position to carry a firearm. So is there a provision in this that whoever would take that position would have to have had that training? Dr. Duerring-We would have to go through this process again. Mr. White-I think we need a motion to amend the motion to tie it directly to Mr. Vititoe. Lindsey McIntosh-The portion that Mr. Vititoe directly relates to is it is not a felony for a retired law enforcement officer who meets the qualifications to have the weapon on school property. The way that this motion is written is approving the current person based on his qualifications.

Mr. Cavender moved: To amend the current motion for the Board to approve Keith Vititoe to carry a firearm while on duty. Motion was seconded by Mrs. Becky J. Jordon and unanimously carried.

### C. Easement and Right of Way (Enclosure 61)

Mr. Ric Cavender moved: The Board approve the temporary easement with Mountaineer Gas as shown in Enclosure 61. Motion was seconded by Mrs. Becky J. Jordon and unanimously carried.

Chuck Smith-This allows us to install gas line to location of the new Herbert Hoover High School.

## **UNFINISHED BUSINESS**

### A. Student Dress Policy (Enclosure 34)

Mr. Ric Cavender moved: The Board approve the Student Dress Policy as shown in Enclosure 34. Motion was seconded by Mrs. Becky J. Jordon.

Lindsey McIntosh-You were supplied all of the comments. The policy is slightly different than what we had originally put out there on the basis of some of those comments seemed relative that we needed to make some clarifications in this policy. The first one is Section 36.2A where we talk about shoes. There was some concern for elementary students regarding flip flops and how they might be dangerous for students running around in those. In section 36.2A we clarified that those types of shoes may be prohibited on a school to school basis. In section 36.2D there was some confusion as to what torso means so we had to change that to mid-section so it's understood. The only things that were totally removed is in regards to tattoos and piercings. Because we are not going for strap thickness we removed tank tops. Dr. Duerring-This policy is more gender neutral. Mr. Cavender-Is there anything that we are allowing now that we didn't before? Lindsey McIntosh-Tattoos, piercing and tube tops. Mr. White-Does this policy give more leeway to the schools to dictate their dress code? Lindsey McIntosh-Yes. We are letting the administrators make the decisions. Mrs. White-I'd like to see some consistency and the dress code also goes for homecoming week. I see a lot of pictures and we allow things that we shouldn't.

The above motion unanimously carried.

## **LEGAL REPORT**

Ryan White-Next we will go back into Legal Reports.

Mr. Ric Cavender moved to go into Executive Session for the purpose of potential litigation at 6:38 p.m. Dr. Duerring-Everybody will have to leave and then come back in for the Employee Discipline. Mr. Ric Cavender then rescinded his motion.

Mr. White-We will go into Superintendent's Presentation Employee Discipline at this point. Dr. Duerring-You need to determine whether it is opened or closed then you will have to come out and make a motion.

Mr. Ric Cavender moved: I move we go into Executive Session for the purpose of personnel. Motion was seconded by Mrs. Becky J. Jordon at 6:40. At this point Alison Douglas requested that Delegations not be in an Executive Session so the Board did not go into Executive Session.

## DELEGATIONS

Mr. White-We will do a couple of delegations and see what happens. We will give them 5 minutes. Mr. Crawford-If you give them 5 minutes you have to give the rest the same thing. Mr. White-I assume all these delegations are character references for Mrs. Douglas. For a matter of time we are just going to have 3 or 4 and stipulate that the rest are character witnesses. Alison Douglas-It states that you are allowed up to 15 delegations with 5 minutes and once you pass 15 you have to go down to 3 minutes. That's what it says in policy. People have taken their time to come here and support me and I would appreciate that you would let them be heard. Mr. White-We were going to have 3 or 4 do it but if everybody wants to speak. Alison Douglas-I did request that they get to the point and keep it around 2 minutes.

Alaina Douglas-I'm 9<sup>th</sup> grader. I want to thank Dr. Duerring for allowing my Mom to be on school property, she is my number one supporter and I can't imagine her not attending my whole volleyball season not to mention the humiliation that it would cause if I have to tell people that my Mom has been suspended. Throughout this process I have learned a lot of life lessons. I have always looked up to my superiors but after this it has changed my view on it all. I'm ashamed of the decision making process by the leaders of KCS. It has affected me and my family so much. I'm disappointed at what KCS is allowing to happen to my Mom. If for some reason you agree with Dr. Duerring in terminating my Mom you will be losing a fantastic employee and person.

Allie Douglas-First off I would like to thank Dr. Duerring for allow my mother to attend my sporting events. I'm a junior at Herbert Hoover. I cheer competitively. My mom is always there for anyway that needs her. She's a second mother to all of my friends. She would never put a child in harm's way. The school board has said my mom has intentionally endangered a child and that she wasn't doing her job right. They have framed her in a light that makes her seem like a bad person. Not only are they wrong they couldn't be farther from the truth. KCS has put my mother through so much. I'm disappointed in the people that I once looked up to. I hope my mom's experience can be used to fix a broken system and prevent the pain that has happened to my family.

Andi Geary-Thank you for allowing me to speak regarding the impeccable integrity and character of Alison Douglas Chiles. She is greeted by students with smiles and hugs. She has created a safe haven in her home that students ask to come to. She gets text messages and social media communications from past students thanking her for the huge impact she made in their lives. She spends her own money on snacks and supplies for students. She has always gotten excellent and distinguished reviews on her evaluations. We should be here praising her not defending her. I'm implore you to look at the facts in this case before you render your decision.

## **DELEGATIONS (continued)**

Ruth Ranson-I have known Alison and her family since 1985. Alison has taken all the kids in the community under her wings. She was in Natural Helpers where we received training to be leaders amongst our peers. She displayed a love for counseling. She's been in her profession for many years as a teacher and then moved into counseling. The students need her to return to her position. This is not a negligent employee. She loves her job and loves her students. I ask you to consider these facts.

Junior Naylor-I am Alison's Dad. I always told my kids to stand up for what they believe in. (Mr. Naylor was emotional and unable to continue so Don Bucher read his statement). I'm not here to put blame on anybody I'm here to help Alison keep her job. She was recently given an award of being the best new counselor in West Virginia by the West Virginia Counseling Association. She has helped many kids in school settings and outside the school. I know my daughter and if for a second she thought someone was in harm's way she would do something. She requested while she was being suspended for the surveillance videos to be watched and saved. This would have cleared up some confusion. After several verbal and email requests she only received part of what was requested. The student Alison talked to had been at school walking the halls in and out of classes for 5 days prior to Alison talking to her and no one else reported anything. She used the Counseling Code of Ethics and decided this case wasn't reportable because it was an accident. The next day she was told by a supervisor to call CPS because they had to report everything. She followed those directions and called CPS. That made the report 4 ½ hours past the 24 hour allowed time frame. A professor with a doctorate degree in counseling told Alison she was right in her findings and testified on her behalf at Alison's hearing. I have always told my kids if you do something wrong, admit it, and learn from it but if you are right fight for it. I am here to fight for Alison. If given the chance she will continue to show what a great person and counselor she is. Let's put Alison back to work.

Millie Naylor-I'm Alison's mother. I have 3 children and they all went to college. Alison has always been an advocate for others. She has been accepted into the first 2020 Cohort led by WVDE, Marshall Graduate College and Kanawha County Schools. This cohort was to further educate counselors to help with the opioid epidemic in West Virginia. She is also pursuing professional licensure and has been assigned Dr. Burton who is a LPC. After being suspended from KCS on August 29<sup>th</sup> Alison consulted with Dr. Burton. Dr. Burton testified during Alison's hearing and confirmed that Alison followed the Code of Ethics and did everything correctly. Dr. Burton worked as a school counselor for 26 years and wouldn't have reported this due to it being an accident. I am asking you to please review these findings and reconsider the current decision.

## **DELEGATIONS (continued)**

Jonathan Wilkinson-I've known her quite a while. She was my daughter's Kindergarten teacher. Last year I had the privilege of working with her at Shoals Elementary. This woman doesn't have a bad intention or mean bone in her body. She was perfectly safe staying in the Kindergarten room but she wanted to reach out to do more for kids. I've seen her help homeless people on the side of the road or staying over with a student until a parent gets there. This is the kind of people we need in our system. I wish that I had that big of a heart as she does. I ask you to really consider this.

Terra Myers-thank you for allowing me to speak. I've been blessed to have her in my life for 40 years from the first day of Kindergarten. This world is full of takers. They are the ones who can find delight in another person's suffering, then there are the givers. These are the ones who can find joy in someone else's success. They want to leave this world a little better than they found it. They find joy in giving and they strive to make a difference. Their intentions are pure and they have the gift to feel another person's pain. Not everyone has that gift. In regards to our children we know that society makes judgements. Alison comes along and she enters these children's lives and she can see a beautiful butterfly instead of a dying caterpillar. She has taken money from her own pocket to make sure these children have what they need. She takes the invisible and makes them visible. She makes them feel like they are somebody. She shows all children acceptance and security. I can tell you firsthand what type of counselor and teacher Alison is because my son, who has high functioning autism, was blessed to have her as his Kindergarten teacher. She's patient and she loved him. She had the intuition in how to calm him down when his anxiety was high. I was a terrified mother to send him into the world where he may be mistreated. Handing him to Alison made that year bearable for me. If our school system was filled with more people like Alison our schools, our children, our society would be a much better place.

Crystal Bauer-I'm a retired teacher from KCS. I've been around for a long time. I've seen some good and bad educators. She's my colleague and long-time friend. From all the years working in adjoining rooms I came to know her well. She is a person respected by the community, parents and students. Parents requested her year after year to be their child's teacher. She is an excellent person to work with. From the time I met her she always spoke of wanting to be a counselor and that last year when she finally made her decision I encouraged her to take that risk. She's a role model to other educators and children. I feel the punishment of termination is harsh and unjust. Yes, she made a mistake but we are all human and make mistakes. I asked you to consider your decision of termination and give her a lesser punishment. We need more educators like Alison. She is one of the best. Please don't let her go.

## **DELEGATIONS (continued)**

Jim Walther-I was the Pastor of St. Andrew in Pinch for 19 years. During those years Alison became a Presbyterian. Presbyterians like rules. Alison embraced that. She also worked her way into the life of that church. She would stand up for people in Pinch that I didn't even know. I cannot picture Alison ever knowingly violating a rule. There clearly has been some colossal misunderstanding. Everybody has days like that. This is one of those times when having a do-over would be good. I encourage you to consider that.

Cindy Houchins-My daughter was involved in an incident. She was in Kindergarten when another student had an inappropriate behavior towards her. I did not know how to move forward and I followed the chain of command and I went to the principal and her teacher and they brought in Mrs. Douglas. I can tell you that the only reason I was able to let my daughter go back to school at Shoals was because of the expertise and counseling that I watched her with my daughter. You would be doing a disservice to Kanawha County if you would take Alison away from the children.

## **EXECUTIVE SESSION**

Mr. Ric Cavender moved: The Board go into Executive Session to discuss matters of possible personnel litigation. Motion was seconded by Mrs. Tracy White and unanimously carried.

The Regular Session of the Board was recessed and the Executive Session convened at 7:15 p.m.

## **RECONVENE REGULAR SESSION**

Mr. Ric Cavender moved: The Board reconvene the Regular Session of the Board. Motion was seconded by Mrs. Becky J. Jordon and unanimously carried. The Regular Session was reconvened at 8:19 p.m.

## **SUPERINTENDENT'S PRESENTATION**

### A. Employee Discipline

Mr. Ric Cavender moved: The Board adopt the findings and conclusions of the hearing examiner and approve the Superintendent's recommendation for dismissal of Alison Douglas, and Alison Douglas shall be, and she is hereby, terminated from her employment with the Kanawha County Board of Education, effective immediately. Motion was seconded by Mrs. Becky J. Jordon and unanimously carried.

**QUESTIONS/ANSWERS**

None

**ESTABLISHMENT OF MEETING DATES**

- A. Thursday, November 21, 2019, 6:00 p.m.-Regular Session
- B. Monday, December 2, 2019, 4:00 p.m.-Special Session at Mary C. Snow West Side Elementary
- C. Thursday, December 19, 2019, 6:00 p.m.-Regular Session
- D. Monday, January 6, 2020, 4:00 p.m.-Special Session at Piedmont Elementary
- E. Thursday, January 16, 2020, 6:00 p.m.-Regular Session
- F. Monday, February 3, 2020, 4:00 p.m.-Special Session
- G. Thursday, February 20, 2020, 6:00 p.m.-Regular Session

NOTE: The above meetings of the Kanawha County Board of Education, unless otherwise indicated, will be held in the Board of Education Building, 200 Elizabeth Street, Charleston, WV.

**ADJOURNMENT**

Mr. Ric Cavender moved: That the Regular Session of the Board be adjourned. Motion was seconded by Mrs. Becky J. Jordon and unanimously carried. The Regular Session was declared adjourned by Board President Ryan White at 8:20 p.m.

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President

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Secretary

djl  
12/2/2019