

# **MONTGOMERY COUNTY BOARD OF EDUCATION MINUTES**

**June 1, 2020**

The Montgomery County Board of Education convened in a virtual monthly meeting on Monday, June 1, 2020 at 6:30 pm at Montgomery County Schools Central Office. Board members present were Steven W. DeBerry – Chair, Tommy Blake – Vice Chair, Jesse Hill, Shirley Threadgill, Bryan Dozier, Trikena Simmons and Sandra Miller.

Chairman Steve DeBerry called the meeting to order and moved to adopt the agenda as shown. Bryan Dozier made the motion with Sandra Miller seconding. The agenda was accepted with unanimous approval from the board.

Chairman DeBerry read a devotional titled “Self-Love is Essential.”

Chairman DeBerry led the Pledge of Allegiance to the Flag of the United States of America.

No one signed up to address the board during the public comment period.

Chairman DeBerry requested to hold the consent agenda until closed session. Tommy Blake made the motion with Sandra Miller seconding.

Dr. Ellis honored the Montgomery County Schools Employees of the Year. Winners were nominated by their Principal. A congratulatory video was sent to each winner. Yard signs will be placed in each winner’s yard to announce to the community. Recognized were Auxiliary Services of the Year- David Kellis- Central Office, Teacher Assistant of the Year - Betty Baldwin- East Middle School, Custodian of the Year - Debra Robinson- Central Office, Data Manager of the Year - Kristy Buchman - Montgomery County Early College, Office Support of the Year - Toni Kellis - CTE Building, Child Nutrition of the Year - Kay Poole - Page Street Elementary, Instructional Support of the Year - Susan Brooks - High Schools, Bus Driver of the Year - Kathy Horne – Mt. Gilead Elementary.

Dr. Lancaster presented the following policies for first reading: Policy 1320/3560- *Title I Parent and Family Engagement*, Policy 1610/7800- *Professional and Staff Development*, Policy 2127- *Board Member Technology Use*- NEW, Policy 2302- *Remote Participation in Board Meetings*, Policy 2500- *Hearings Before the Board*, Policy 3410- *Testing and Assessment Program*, Policy 3460- *Graduation Requirements*, Policy 3620- *Extracurricular Activities and Student Organizations*, Policy 4110- *Immunization and Health Requirements for School Admission*, Policy 4120- *Domicile or Residency Requirements*, Policy 4230- *Communicable Diseases- Students*, Policy 4270/6145- *Concussion and Head Injury*, Policy 4325- *Drugs and Alcohol*, Policy 5050- *Emergency Closings*, Policy 6325- *Parking Areas For Students*, Policy 7240- *Drug-Free And Alcohol-Free Workplace*, Policy 7241- *Drug And Alcohol Testing Of Commercial Motor Vehicle Operators*, Policy 7505- *Compliance With State Board Of Education Employment Policies*, Policy 7550- *Absences Due To Inclement weather*, Policy 7560- *Permitted Salary Deductions For Absences and Discipline Of Certain Exempt Employees*, Policy 7620- *Payroll deductions*, Policy 7900- *Resignation*. These policies will be up for approval at the July board meeting.



MID YEAR REVIEW  
March 12, 2020

The Montgomery County Board of Education convened in its Mid-Year Review session on Thursday, March 12, 2020 at 5:30 pm. The following members were present: Steven W. DeBerry, Chair; Tommy Blake, Vice Chair; Bryan Dozier, James H. H. Tolson, William, and Shirley Thadgill, Sandra Miller was absent.

Chairman DeBerry called the meeting to order and asked for a motion to accept the agenda as presented. With a motion by Bryan Dozier and a second by William Tolson, the board unanimously approved the agenda as shown.

Superintendent Ellis welcomed everyone and thanked them for attending.

Tracy Galt, Assistant Superintendent of Learning, gave a review of Literacy Competitive System, the assessment strength and weakness of the graduate in the College and Career Ready Proficiency. Ready reported growth and the most recent assessment data.

Kevin Lancaster, Deputy Superintendent, gave an update of 21<sup>st</sup> Century Professionals Health & Wellness, which includes the goals for ethical violations, teaching teacher retention, out of school suspension rate and attendance rate.

Katie Haver, Public Information Officer, discussed the Literacy Guide Innovation portion covering grants and digital innovation.

Missy Taylor, Chief Financial Officer, reviewed 21<sup>st</sup> Century Systems, which include audit findings, maintaining an adequate fund balance and facilities and technology resources.

Dr. Ellis called the meeting discussing the Strategic Plan 2020. Reviewing grade level proficiency.

Chairman DeBerry asked for a motion to adjourn. With a motion from Bryan Dozier and a second from Tommy Blake, the meeting was adjourned.

Steven W. DeBerry, Chair

Dele Ellis, Ed. D., Secretary

3) April 6, 2020 Board Meeting Minutes  
MONTGOMERY COUNTY BOARD OF EDUCATION  
MINUTES  
April 6, 2020

The Montgomery County Board of Education convened in its regular monthly meeting on Monday, April 6, 2020 at 6:30 pm at Montgomery County Schools Central Office. Board members present were Steven W. DeBerry – Chair, Tommy Blake, Vice Chair, Shirley Thadgill, Sandra Miller, James H. H. Tolson, William, and Bryan Dozier.

Pursuant to Board Policy 2341, A Quorum is not present. Chairman DeBerry continued this meeting to a later date. Mr. DeBerry requested that Dr. Ellis reschedule the meeting as appropriate, accordingly to Policy Code 2300.

Steven W. DeBerry, Chairman

Dele Ellis, Ed. D., Secretary

4) April 20, 2020 Special Called Board Meeting Minutes  
MONTGOMERY COUNTY BOARD OF EDUCATION  
MINUTES  
April 20, 2020

The Montgomery County Board of Education convened in a special called virtual meeting on Monday, April 20, 2020 at 6:30 pm at Montgomery County Schools Central Office. Board members present were Steven W. DeBerry – Chair, Tommy Blake, Vice Chair, Shirley Thadgill, Sandra Miller, James H. H. Tolson, William, and Bryan Dozier.

Chairman Steve DeBerry called the meeting to order and moved to alter the agenda as shown. Shirley Thadgill made the motion with Tommy Blake seconding. The agenda was accepted with unanimous approval from the board.

Tommy Blake made a motion to go into closed session with Sandra Miller seconding. Sandra Miller made a motion to go back into open session with Shirley Thadgill seconding.

Chairman DeBerry made a motion to accept the Green Ridge Settlement Agreement. William Tolson made a motion to approve and Shirley Thadgill seconded.

Tommy Blake made a motion to adjourn the meeting. Sandra Miller seconded.

Steven W. DeBerry, Chairman

Dele Ellis, Ed. D., Secretary

5) Personnel and Auxiliary Reports as follows:

MONTGOMERY COUNTY SCHOOLS  
Personnel and Auxiliary Reports  
April 1, 2020

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Chairman DeBerry then asked for a motion to go into closed session to discuss personnel and consult the board attorney. Bryan Dozier made the motion, with Sandra Miller seconding. The board approved entering into closed session unanimously.

During closed session, Chairman DeBerry asked for a motion to adjourn the meeting. With a motion by Tommy Blake and a second by Shirley Threadgill, the meeting was duly adjourned.

The next regular meeting will be held Monday, June 1, 2020 at 6:30 pm at Montgomery County Board of Education boardroom.

Steven W. DeBerry, Chairman

Dale Ellis, Ed. D., Secretary

## 2) Personnel and Auxiliary Reports as follows:

**MONTGOMERY COUNTY SCHOOLS  
PERSONNEL REPORT  
R. Kevin Lancaster, Deputy Superintendent  
June 1, 2020**

- a. Superintendent reports the acceptance of the following resignations/retirements:

<u>Resignation/Retirement</u>	<u>School/Assignment</u>	<u>Effective Date</u>
1) Alex Harrison Resignation	Central Office Speech Lang. Pathologist	June 12, 2020
2) Sara Davis-Leonard Resignation	East/West Montgomery Bible History Teacher	May 22, 2020
3) Lemuel Swiney Resignation	West Montgomery High Physical Education	June 30, 2020
4) Jeanette Dawkins Retirement	Star Elementary School Instructional Facilitator	June 30, 2020
5) Cynthia Martinez Retirement	East Montgomery High ESL Teacher	July 1, 2020

- b. Upon the recommendation of the principal, approval of the following additions to the certified substitute teacher list:

<u>Employee/ Effective Date</u>	<u>School/ Assignment</u>	<u>Record Check</u>	<u>Replacing</u>
1) Lacey Green 8/2020	Green Ridge Elementary 3 <sup>rd</sup> Grade Teacher	Pending	Erin Leach
2) Angela Cook 8/2020	TBD K-5 Teacher	Pending	
3) Susan Strong 8/2020	Green Ridge Elementary K-2 Self Contained	Pending	Susan Asheworth

- c. Upon recommendation, approval of recommendation for employment of the following probationary contracts for the 2020-2021 school year as provided by General Statute 115C-325:

<u>Employee/ Effective Date</u>	<u>School/ Assignment</u>	<u>Record Check</u>	<u>Replacing</u>
1) Julie Hurley 8/2020	EMHS/MCH School EC Teacher	Yes	Nick Sweitzer
2) Maegan Gillis 8/2020	Montgomery Central High Guidance Counselor	Yes	Rochelle Bostic
3) Poncia Loren(VIF) 8/2020	TBD TBD	Yes	

- d. Upon recommendation, approval of principal recommendation for employment of the following one year probationary contracts for the 2020-2021 school year as provided by General Statute 115C-325:

**1 yr. Teacher Contract Recommendation for 2020-2021 School Year:**

**Candler Elementary**

Jessica Livingston  
Miranda Thompson  
Rebecca Shepherd  
Jessica Lowder  
Rebecca Rodriguez  
Ayleen Padilla \*  
Ruth Poplin  
Elizabeth Templeton  
Elijah Templeton  
Ramona Marley  
Michelle Comer  
Betty Edwards  
Katherine Sessoms

**Page Street Elementary**

Megan Epps  
Destiny Garner \*  
Sarah Wooley  
Stephanie Harvell  
Anissa Lowe  
Suzette Miller  
Rachel Leonard

**Green Ridge Elementary**

Jackie Chunn \*  
Iris Canul \*  
Maria Inman  
Waynette Johnson \*  
Chelsea Covington  
Tanya Morris  
Cynthia Murray  
Lisa Yanko  
Marion Gullede

**Star Elementary**

Brittany Woodie  
Esther McDonald  
Amy Ward  
Samantha Stewart  
Caitlin Stout  
Jennifer Loflin  
Laura Hannaford  
Marcia McBride \*

**Mt. Gilead Elementary**

Jennifer Graham  
Nicole Byrd  
Justice Parker  
Angel Shepherd  
Barbie Blake  
Pamela Hamric  
Ryan Lally

**Troy Elementary**

Angela Krol \*

**East Middle School**

Beth Gordon  
Nicole Blair  
Jarrett Hanks  
Janet Mitchell  
Kristin Beck  
Joy Sudduth  
Tracie Whitley

**West Middle School**

Keri Myrick \*  
Wayne Kocher  
Shawanna Long \*  
Ravon Sheppard \*  
Caleb Stout  
Cody Williamson  
Kenneth Lynthacum  
James Simpson  
Kim Simpson  
Allison Lee \*  
Ella Kern

**East Montgomery High**

Jasmine Goins  
Erin Ingram  
Chesley Smith \*  
Henry Bustle  
William Hunter  
Tara Coggins

**West Montgomery High**

Jaylan Cole \*  
Logan Jordan \*  
Amanda Carrick  
Jon Lachance  
Nancy Williams  
Randy Jordan  
Seth Dunlap  
Vera Richardson

**Early College**

Sabrena Conrad \*

**Montgomery Learning Academy**

Alicia Legrande  
Jay Myrick \*

**Career Technical Building**

Jason Hensley  
Chris Williams

\* These employees will be granted a teaching contract if the General Assembly approves their licensure extension.

- e. Upon recommendation, approval of principal recommendation for employment of the following ***two year*** probationary contracts for the 2020-2021 school year as provided by General Statute 115C-325:



2 yr. Teacher Contract Recommendation For 2020-2021 School Year

Green Ridge Elementary

Lauren Lear

Mt. Gilead Elementary

Ethel Smith

Star Elementary

Morgan Miller

Tammy Lefebvre

Troy Elementary

Heather Saunders

East Middle School

Brandon Britt

Yana Stevenson

Quint Dunlap

Cindy Sweet

Carrie Watkins

West Middle School

Shae Walter

East Montgomery High

Alicia Lineberry

Colin Millroy

West Montgomery High

Danny Akins

Frances Morris

Ron Sova

Mark McClay

Early College

Susie Boros

Matthew Swain

- f. Upon recommendation, approval of principal recommendation for employment of the following four year probationary contracts for the 2020-2021 school year as provided by General Statute 115C-325:

4 yr. Teacher Contract Recommendation For 2020-2021 School Year

East Middle School

Joanna Miller

West Montgomery High

David Nugent

Early College

Heather Beane

Julie New

Blake Frazier

- g. Upon recommendation, approval of principal recommendation for employment of the following International Partner Teachers for the 2020-2021 school year as provided by General Statute 115C-325:

International Partners Employment Recommendation for 2020-2021 School Year

Candor Elementary

Audrea Samuels

Mt. Gilead Elementary

Trician Bailey

Marlene Stewart

Troy Elementary

Tajin Bell

West Middle School

Karen Dumas

East Montgomery High

Florence Fabroa

Danife Palisco

MONTGOMERY COUNTY SCHOOLS  
PERSONNEL REPORT  
R. Kevin Lancaster, Deputy Superintendent  
June 1, 2020

ADDENDUM

- a. Upon recommendation, approval of the following summer work schedule:
- Four ten hour days, 7:00 a.m. to 5:00 p.m., Monday through Thursday with a 30-minute break beginning Monday June 8, 2020 and ending Friday August 7, 2020.

MONTGOMERY COUNTY SCHOOLS  
AUXILIARY REPORT  
JUNE 1, 2020

The following overnight field trips are requested:

Montgomery County Early College  
Travel Tracker #3456 National Beta Club Convention  
Fort Worth Convention Center Fort Worth, Texas  
Trip dates: 06/14/20 – 06/18/20

Upon recommendation, approval of release from Montgomery County Schools requested for the 2020-2021 school year.

Montgomery County Schools to Randolph County Schools:

Montgomery County Schools to Stanly County Schools:

Montgomery County Schools to Richmond County Schools:

### 3) Budget Resolution:



441 Page Street • P.O. Box 427  
Troy, North Carolina 27371-0427  
PHONE: (910) 576-6511 • FAX: (910) 576-2044

To: Board of Education  
From: Mitch Taylor  
Date: June 1st, 2020  
Subject: Agenda Item (Section – Consent Agenda)

Attached you will find a budget amendment for your consideration for the year ending June 30, 2020.

#### Fiscal Year 2019/2020 Budget Amendment # 7

##### State Funds

###### 1) A net increase of \$260,804.00 to the State Budget Fund (Fund 1):

\$89,840 increase in PRC 009 (Non-Contributory Benefits) – This represents the amount of the state reimbursement to the district for non-contributory benefit expenses to active employees for longevity payments and expenses incurred for employees who end their employment with the district such as annual leave payouts.

\$24,618.00 increase in PRC 130 (Textbook funding account) – An increase in the textbook allotment as a result of a larger than expected increase in Indian Gaming revenues.

\$1650.00 increase in PRC 003 (Non-Instructional Support) – This is a reimbursement to the district for substitute teacher pay for the months of December and January.

\$144,696.00 increase in PRC 154 (COVID 19 Supplement) – The state provided funding to offset unexpected expenses related to the COVID 19 pandemic.

##### Local Funds

###### 2) No change to the Local Fund Budget (Fund 2)

##### Federal Funds

###### 3) A net increase of \$1692.00 to the Federal Budget Fund (Fund 3):

\$15.00 increase to PRC 111 (Language Acquisition) – This represents the difference between the original planning allotment and the actual allotment received. It reconciles the district's budget with the state's figures.

\$1653.00 increase to PRC 104 (Language Acquisition) – This represents the difference between the original planning allotment and the actual allotment received. It reconciles the district's budget with the state's figures.

\$140.00 decrease to PRC 103 (Supportive and Effective Education) – This represents the difference between the original planning allotment and the actual allotment received. It reconciles the district's budget with the state's figures.

\$164.00 increase to PRC 108 (Student Academic Enrichment) – This represents the difference between the original planning allotment and the actual allotment received. It reconciles the district's budget with the state's figures.

##### Capital Outlay Funds

###### 4) A net increase of \$249,950.00 to the Capital Outlay Budget Fund (Fund 4)

\$100,000.00 increase to PRC 802 (Digital Device) – This is the amount approved to spend from the Capital Outlay Fund for the annual lease payment of the student digital devices.

\$149,950 increase to PRC 802 (Green Ridge Roof Repair Settlement) This is the settlement from the architect to correct the deficiencies in the roof at Green Ridge Elementary school.

##### Child Nutrition

###### 5) No change to the Child Nutrition Fund. (Fund 5)

##### Special Local Fund 8

###### 6) A net increase of \$7666.16 to the Fund 8 Budget Fund (Fund 8)

\$3166.16 increase in PRC 802 (Miscellaneous Revenues) – this represents increased revenues from selling unused equipment on the Gov Deals auction website.

\$4500.00 increase in PRC 428 (SHAC Grant) – this is a grant received from the state in order to improve character education in our students.

###### 7) Overall, these adjustments resulted in an increase of \$520,112.16 to the total 2019/2020 budget for Montgomery County Schools.

I will be available to answer any questions you may have.

This amendment is an action item and will require a vote.

## Montgomery County Administration Unit

The Montgomery County Board of Education at a meeting on the 1st day of June 2020, passed the following resolution:

Be it resolved that the following amendments be made to the Budget Resolution for the fiscal year ending June 30, 2020.

[illegible]

## Budget Amendment # 7

Expense Code	Description of Code	Increase	Decrease
<b>FEDERAL FUNDS</b>			
<b><u>Revenues</u></b>			
3.3600.111	PRC 111 Language Acquisition	\$15.00	
3.3600.104	PRC 104 Language Acquisition	\$1,653.00	
3.3600.103	PRC 103 Supportive Effective Instruction		\$140.00
3.3600.108	PRC 108 Student Academic Enrichment	\$164.00	
	<b>Net Change in Federal Revenues</b>	<b>\$1,692.00</b>	
<b><u>Expenses</u></b>			
3.5000.111	PRC 111 Language Acquisition	14.48	
3.8000.111	PRC 111 Language Acquisition	\$0.52	
3.5000.104	PRC 104 Language Acquisition	\$1,620.59	
3.8000.104	PRC 104 Language Acquisition	\$32.41	
3.5000.103	PRC 103 Supportive Effective Instruction		\$135.10
3.8000.103	PRC 103 Supportive Effective Instruction		\$4.90
3.5000.108	PRC 108 Student Academic Enrichment	\$164.00	
	<b>Net Change in Federal Expenses</b>	<b>\$1,692.00</b>	
	<b><u>Net Change in Federal Budget</u></b>	<b>\$1,692.00</b>	
Explanation: Adjustments made for actual revenues and expenditures.			
<b>Total Appropriation in Current Budget</b>			<b>\$3,730,867.98</b>
<b>Amount of Increase</b>			<b>\$1,692.00</b>
<b>Total Appropriation in Current Amended Budget</b>			<b>\$3,732,559.98</b>

## Budget Amendment # 7

<u>Expense Code</u>	<u>Description of Code</u>	<u>Increase</u>	<u>Decrease</u>
<u>LOCAL FUNDS</u>			
<u>Revenues</u>			
	<u>Expenses</u>		
	<u>Net Change in Local Budget</u>	\$0.00	
Explanation: Adjustments made for actual revenues and expenditures.			
Total Appropriation in Current Budget			\$7,161,016.00
Amount of Increase			\$0.00
Total Appropriation in Current Amended Budget			\$7,181,016.00

## Budget Amendment # 7

Expense Code	Description of Code	Increase	Decrease
<b>CAPITAL OUTLAY FUND</b>			
	<b>Revenues</b>		
4.4910	Fund Balance	\$100,000.00	
4.4950 802.529	Roof Repair Settlement - GR	\$149,950.00	
	<b>Net Change in Capital Outlay Revenues</b>	<b>\$249,950.00</b>	
	<b>Expenses</b>		
4.9000 802.554	Digital Device Lease Payment	\$100,000.00	
4.9000 802.529	Roof Repair Settlement - GR	\$149,950.00	
	<b>Net Change in Capital Outlay Expenses</b>	<b>\$249,950.00</b>	
	<b>Net Change in Capital Outlay Budget</b>	<b>\$249,850.00</b>	
Explanation: Adjustments made for actual revenues and expenditures.			
<b>Total Appropriation in Current Budget</b>			<b>\$1,122,658.94</b>
<b>Amount of Increase</b>			<b>\$249,950.00</b>
<b>Total Appropriation in Current Amended Budget</b>			<b>\$1,372,608.94</b>

  

Expense Code	Description of Code	Increase	Decrease
<b>CHILD NUTRITION FUND</b>			
	<b>Revenues</b>		
	<b>Expenses</b>		
	<b>Net Change in Child Nutrition Budget</b>	<b>\$0.00</b>	
Explanation: Adjustments made for actual revenues and expenditures.			
<b>Total Appropriation in Current Budget</b>			<b>\$3,425,964.00</b>
<b>Amount of Increase</b>			<b>\$0.00</b>
<b>Total Appropriation in Current Amended Budget</b>			<b>\$3,425,964.00</b>



## Budget Amendment # 7

<b>Expense Code</b>	<b>Description of Code</b>	<b>Increase</b>	<b>Decrease</b>
<b><u>LOCAL FUND 8</u></b>			
<b><u>Revenues</u></b>			
6.4490.000	Miscellaneous Revenues	3,166.16	
6.3200.428	SHAC Grant - Character Education	4,500.00	
<b>Total Changes in Fund 8 Revenues</b>		<b>\$7,666.16</b>	
<b><u>Expenses</u></b>			
6.6580.802	Gov Deal Budget	3,166.16	
6.6000.428	SHAC Grant - Character Education	4,500.00	
<b>Total Change in Fund 8 Expenses</b>		<b>\$7,666.16</b>	
<b>Net Change in Local Fund 8 Budget</b>		<b>\$7,666.16</b>	

**Explanation:** Adjustments made for actual revenues and expenditures.

Total Appropriation in Current Budget	\$4,388,108.64
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Amount of Increase	\$7,666.16
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Total Appropriation in Current Amended Budget	\$4,395,774.80
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Summary of Budget Changes	
<b>Previous Budget</b>	<b>\$47,186,841.10</b>
State Budget Change	\$260,804.00
Local Budget Change	\$0.00
Federal Budget Change	\$1,692.00
Capital Outlay Budget Change	\$249,950.00
Child Nutrition Budget Change	\$0.00
Fund 8 Budget Change	<u>\$7,666.16</u>
<b>Current Budget</b>	<b>\$47,706,953.26</b>

Passed by majority vote by the Board of Education of Montgomery County on the 1st day of June 2020.

Chairman, Board of Education

Secretary, Board of Education

## Budget Amendment # 7



**441 Page Street • P.O. Box 427  
Troy, North Carolina 27371-0427  
PHONE: (910) 576-6511 • FAX: (910) 576-2044**

To: Board of Education  
From: Mitch Taylor  
Date: June 2, 2020  
Subject: Agenda Item (Section – Consent Agenda)

## Budget Resolution

The Board is being asked to adopt a 2020-2021 Interim Budget Resolution for Montgomery County Schools for the purpose of paying salaries and the usual ordinary expenses of the local school administrative unit for the interval between the beginning of the fiscal year on July 1<sup>st</sup>, 2020 and the adoption of the State Budget. Approval of the 2020-2021 Interim Budget Resolution will allow Montgomery County Schools to continue with normal business operations until enough information is available to present the final 2020-2021 Budget for approval. It is anticipated that this will occur at the September or October 2020 Montgomery County Board of Education Meeting.

I will be available to answer any questions you may have.

This resolution is an action item and will require a vote.

Chairman, Board of Education

Secretary, Board of Education



**NORTH CAROLINA SCHOOL BOARDS TRUST  
ERRORS & OMISSIONS/GENERAL LIABILITY FUND**

## Fund Contribution—Renewal Invoice

Member:	Montgomery County Board of Education	Date Issued:	May 13, 2020
Invoice No.:	EOGL2021-47	Payment Due:	June 30, 2020

Coverage Period: July 1, 2020, at 12:01 a.m. to July 1, 2021, at 12:01 a.m.

2020-2021 EO/GL Fund Contribution	\$11,766.00
<b>Total Fund Contribution</b>	<b>\$11,766.00</b>

**MEMBER BENEFITS INCLUDE:**

- \* Errors and Omissions coverage
- \* General Liability coverage
- \* Drone Liability coverage (for scheduled drones)
- \* Cyber Liability coverage
- \* Cyber First-Party coverage
- \* Sexual Acts and Abuse Liability coverage
- \* Medical Expense coverage, for school guests and students, including athletics injuries
- \* Preservation of school board immunity for applicable claims (unlike commercial insurance)
- \* Full defense costs of covered declaratory actions and contract litigation, with no sub-limits
- \* Expert panel of school and insurance attorneys to handle covered litigation
- \* Dedicated claims staff with decades of experience handling NC school board claims
- \* Active Shooter Workplace Violence Crisis Response Group Insurance (NEW, January 1, 2020)

Payment will be considered late if not received by July 20, 2020. Please do not combine this payment with any other payment due to NCSBA or NCSBT.

**Please remit payment to our NEW mailing address at:**  
North Carolina School Boards Trust  
7208 Falls of Neuse Rd, Suite 301  
Raleigh, NC 27615-3244

Donna Morris

**From:** Melody Coons <mcoons@ncsba.org>  
**Sent:** Thursday, May 14, 2020 1:06 PM  
**To:** Donna Morris  
**Subject:** FW: 2020-2021 NCSBT EO/GL Renewal Invoice/Participation Agreement (TIME SENSITIVE)  
**Attachments:** 20-21 EOGL Renewal Invoice\_Montgomery.pdf; EOGL Fund Participation Agreement.pdf

FYI, see email below and attachments that were sent yesterday to your Board's Supt and FO.

Melody Coons  
Litigation Assistant  
North Carolina School Boards Association  
Direct: 919.747.6684  
Fax: 919.841.4315  
mcoons@ncsba.org



**PLEASE NOTE OUR NEW MAILING ADDRESS:**  
North Carolina School Boards Association  
7208 Falls of Neuse Road  
Suite 301  
Raleigh, NC 27615-3244

**From:** Donna Lynch <NCSBA@embrams-mail.com>  
**Sent:** Wednesday, May 13, 2020 5:52 PM  
**Subject:** 2020-2021 NCSBT EO/GL Renewal Invoice/Participation Agreement (TIME SENSITIVE)

To: Dr. Dale Ellis; Mitch Taylor;  
CC: mcoons@ncsba.org;

Attached are your Board's 2020-2021 North Carolina School Boards Trust Errors and Omissions/General Liability ("NCSBT EO/GL") *Fund Contribution Renewal Invoice and Participation Agreement*. For 34 years, NCSBT has provided uniquely designed risk management protection and services to meet the needs of its EO/GL Fund members, while remaining a vibrant and actuarially sound program. Over the years, NCSBT has added a number of coverage enhancements for members as we continue to respond to the evolving needs of North Carolina school districts. We are pleased to continue offering these enhanced coverages to your Board for the 2020-2021 fund year.

**ACTION REQUIRED:**

**(1) RETURN FULLY EXECUTED PARTICIPATION AGREEMENT BY JUNE 30**

**AGREEMENT TO PARTICIPATE IN THE  
NORTH CAROLINA SCHOOL BOARDS TRUST  
ERRORS & OMISSIONS/GENERAL LIABILITY FUND**

The North Carolina School Boards Trust (hereinafter the "Trust" or "NCSBT") provides local boards of education the opportunity to budget funds for the purpose of paying all or part of a covered claim made or civil judgment entered against the board, its members, or employees, or its former members or employees, when such claim is made or such judgment is rendered as damages on account of an act done or omission made, or an act allegedly done or omission allegedly made, in the scope of their duties as members of the local board of education or as employees pursuant to the terms, conditions, and limits of the NCSBT Errors & Omissions/General Liability Trust Fund Coverage Agreement (hereinafter the "Coverage Agreement"). The Trust does not provide any coverage for any claim which could not be paid by a local board of education pursuant to N.C.G.S. §115C-43(b) or successor statute. The Coverage Agreement is not a contract of insurance by a company or corporation duly licensed and authorized to execute insurance contracts in this State or by a qualified insurer as determined by the Department of Insurance. Therefore, the Coverage Agreement expressly is not considered a waiver of governmental immunity as provided in N.C.G.S. §115C-42. No coverage provided in the Coverage Agreement duplicates state-funded liability insurance for public school employees.

This Participation Agreement (hereinafter the "Agreement"), in accordance with the provisions of N.C.G.S. §160A-460 through -464, is entered into by and between the Trust and the undersigned board of education or other educational entity (hereinafter the "Member"), which is a member of the North Carolina School Boards Association, for the purpose of the North Carolina School Boards Trust Errors & Omissions/General Liability Fund (hereinafter the "Fund") providing to the Member liability coverages and no-fault coverage for medical expenses arising out of accidental injury, such coverages to be provided in accordance with the terms, conditions, and limits set forth in the Coverage Agreement and the No-Fault Coverage for Medical Expenses Arising Out of Accidental Injury Endorsement (hereinafter the "Medical Expense Endorsement").

The duration of this Agreement shall be for a term commencing at 12:01 a.m. on the date indicated elsewhere in this Agreement and continuing for the remainder of the fund year thereafter.

The Trust and the Member are desirous of setting forth the obligations and responsibilities of each party.

NOW, THEREFORE, IN CONSIDERATION of the mutual covenants contained herein, the parties, intending to be legally bound hereby, agree as follows:

**I. THE TRUST AGREES THAT SO LONG AS THE MEMBER IS PARTICIPATING HEREUNDER, IT WILL:**

- A. Make liability coverage available to the Member in accordance with the terms, conditions, and limits set forth in this Agreement, the Coverage Agreement, and the excess insurance coverage purchased by the Trust. Coverage provided by the Fund shall be excess over any insurance or other coverage covering the Member board or its employees, except that no coverage provided by the Fund duplicates state-funded liability insurance covering the Member's employees, whether such insurance is primary, excess, contingent, or otherwise, and no cyber liability coverage is provided by the Fund where the Member has purchased commercial cyber liability insurance or other cyber liability coverage.
- B. Make no-fault coverage for medical expenses available to the Member in accordance with the terms, conditions, and limits set forth in the Medical Expense Endorsement. No-fault coverage for medical expenses provided by the Fund shall be excess over any insurance or other coverage available to any injured person.
- C. Make first-party cyber coverage available to the Member for covered Cyber Incidents in accordance with the terms, conditions, and limits set forth in the First-Party Cyber Coverage Endorsement, except where the Member has purchased commercial first-party cyber insurance or other first-party cyber coverage.
- D. Make available to the Member a first-party group commercial crisis response policy, to be provided in accordance with the terms, conditions, and limits set forth in the policy.

March 2020

The executed Participation Agreement must be returned to NCSBT by no later than Tuesday, June 30, 2020, to prevent the expiration of your Board's errors and omissions and general liability coverage through NCSBT. If NCSBT does not receive your fully executed Participation Agreement by June 30, 2020, the Board's coverage will expire on July 1, 2020 at 12:01 a.m. The superintendent, board chair, risk management coordinator, and finance officer should sign the Participation Agreement.

**(2) SEND EO/GL FUND CONTRIBUTION PAYMENT TO NCSBT BY JUNE 30**

Please remit your fund contribution payment payable to the *North Carolina School Boards Trust* at the address shown on your invoice (please note NCSBT's new mailing address). **Fund contributions are due to NCSBT by June 30, 2020.** Payments shall be past due if not received in the NCSBT office by July 20, 2020. Please note that late payment may impact coverage.

NCSBT appreciates the continued partnership with your Board in the EO/GL Fund. We look forward to working with you in 2020-2021.

Please do not hesitate to contact me if you have any questions.

Regards,

Donna Lynch  
Litigation Counsel  
North Carolina School Boards Association  
(919) 747-6685  
dlynch@ncsba.org

**PLEASE NOTE OUR NEW MAILING ADDRESS:**

North Carolina School Boards Association  
7208 Falls of Neuse Road  
Suite 301  
Raleigh, NC 27615-3244

- E. Establish within the Trust separate cash reserve funds from the contributions of all Members, which funds shall be invested and shall not be intermingled with any other funds of the Trust and which funds shall be used by the Trust or its designee to:
  1. Pay all operational and administrative costs incurred by the Trust attributable to the Fund.
  2. Defend and/or pay covered liability claims made against the Member or other covered persons and reported to the Trust during the term of this Agreement, subject to a \$5,000 deductible per claim, and subject to the terms, conditions, and limits of the Coverage Agreement, the excess insurance purchased by the Trust, the Trust's Claim Settlement Practices, and the Trust's Litigation and Billing Procedures. If a Member elects to discontinue participation in the Fund, the Trust will continue to handle all claims made and timely reported to the Trust during the term of this Agreement, until such claims are resolved or closed. The Trust does not provide coverage for the payment of claims which could not be paid by a local board of education pursuant to N.C.G.S. §115C-43(b).
  3. Pay claims for medical expenses arising out of accidental injury, subject to all terms, conditions, and limits set forth in the Medical Expense Endorsement.
  4. Purchase excess insurance for the benefit of the Member.
- F. Collect from each Member contributions based upon the loss experience of the Member and the loss experience of the Fund, operating expenses, excess insurance costs, and exposure of each Member. Such contributions shall be kept in designated reserve funds, and from such funds all administrative, excess insurance, and claims costs shall be paid.
- G. Reserve the right to require an additional or supplemental fund contribution from each Member for any fund year in which the initial contribution rate and unallocated Fund reserves, if any, are inadequate to pay operating expenses and claim costs.
- H. Provide an annual audit report to the Member concerning the financial operations and conditions of the Fund upon request of the Member.
- I. Furnish appropriate claims reporting procedures to Members.
- J. Make available for inspection, upon request by the Member, the books and records of the Fund.

**THE MEMBER AGREES THAT IT WILL:**

- A. Be responsible, along with its prior insurers, if any, for all liability claims that (i) arise from incidents which occurred prior to the retroactive date of the Coverage Agreement, or (ii) are first made within the meaning of the Coverage Agreement prior to the date of this Agreement, thereby holding the Trust financially harmless therefrom.
- B. Enroll in the Fund for a twelve-month fund year or remaining portion thereof and obligate itself to pay all required fund contributions as prescribed by the Trustees of the Trust and any applicable deductibles.
- C. Allow the Trust and/or its designee to inspect the premises owned or used by the Member and to examine a Member's records insofar as they relate to coverage afforded by this Agreement.
- D. Implement procedures recommended by the Trust or its designee for the purpose of reducing liability exposures.

March 2020

<p>E. Execute and submit to the Trust or its designee any and all forms required by the Trust.</p> <p>F. Designate a risk management coordinator to act as a liaison between the Member and the Trust or its designee.</p> <p>G. Attend any training programs and sessions deemed necessary by the Trust.</p> <p>H. By signing this Agreement, grant to the Trust the full power of attorney to:</p> <ol style="list-style-type: none"> <li>1. Present all forms and related information to any administrative body, board, agency, or any court of law, as may be necessary, to defend liability claims covered by the Fund.</li> <li>2. Obtain and retain any information or data that may affect the Member's liability claims that are covered by the Fund.</li> <li>3. Do any and all acts without qualification that are necessary or convenient to effectuate the implementation and performance of the Fund.</li> </ol> <p>I. Promptly notify the Trust of any claims made against the Member, as defined in the Coverage Agreement; ensure that all persons covered under the Coverage Agreement are aware of and understand the "Defense of Claims" and "Notice of Claims" provisions of the Coverage Agreement and their responsibilities thereunder; and otherwise cooperate with the Trust in the investigation and defense of claims handled under the Coverage Agreement.</p> <p>J. Cooperate with the Trust in the investigation of claims for medical expenses and otherwise comply with all obligations set forth in the Coverage Agreement and Medical Expense Endorsement. The Member further agrees that the no-fault coverage for medical expenses only applies to accidental injuries occurring during the fund year, and is subject to all terms, conditions, and limits set forth in the Medical Expense Endorsement.</p> <p>K. As a condition precedent to Cyber Liability and First-Party Cyber coverages, install available software product updates and releases or apply security-related software patches to computers and other components of a computer system within 30 days of the date that such updates, releases, or patches are available to the Member.</p> <p>III. This Agreement, as approved by the Member, shall be forwarded to the Trust or its designee.</p> <p>IV. The Trust shall acknowledge acceptance of this Agreement by noting hereon in the space provided the effective date of its acceptance and shall return a fully executed copy thereof to the Member.</p> <p>V. The effective date initiating the obligations and rights of the parties to this Agreement shall commence upon the date stated herein and upon receipt by the Trust of the Member's fund contributions payable in advance. Failure by any Member to pay contributions as required by the Trust shall terminate this Agreement and void the Member's rights in the Fund upon fifteen (15) days' written notice to the Member, except that the Fund will continue to be liable for all claims that would otherwise be covered by the Fund, which were made against the Member and timely reported by the Member to the Trust while the Member was in full compliance with this Agreement.</p> <p>VI. In the event of default by a Member as specified in Section V. hereof, or in the event of discontinuance of participation by a Member, all fund contributions made by the Member shall remain the sole property of the Trust, and said Member shall have no rights therein.</p>	<p><b>NORTH CAROLINA SCHOOL BOARDS TRUST ERRORS &amp; OMISSIONS/GENERAL LIABILITY FUND</b></p> <p>By: _____ Authorized Representative</p> <p>_____ Date Signed</p> <p>_____ Effective Date of Coverage</p> <p>_____ Participation Agreement Number</p>	<p><b>NAME OF SCHOOL BOARD MEMBER</b></p> <p>_____ School Board</p> <p>By: ✓ _____ Superintendent</p> <p>By: ✓ _____ Board Chair</p> <p>_____ Date Signed</p> <p>_____ Risk Management Coordinator</p> <p>_____ Telephone Number</p>
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This instrument has been preaudited in the manner required by the School Budget and Fiscal Control Act.

\_\_\_\_\_  
(Date) 5-26-2020

\_\_\_\_\_  
(Signature of Finance Officer)

\_\_\_\_\_  
(Date)

\_\_\_\_\_  
(Signature of Finance Officer)

March 2020

March 2020

- 4) MCC Board of Trustees
- 5) Board Meeting and School Visit Calendar for 2020-2021
- 6) Alternative School Accountability Model for MLA – Keep Option B Progress for 2020-2021
- 7) Calendar Adjustment for the 2020-2021 School Year
- 8) Child Nutrition Procurement Plan

After closed session, Chairman DeBerry asked for a motion to adjourn the meeting. With a motion by Shirley Threadgill and a second by Tommy Blake, the meeting was duly adjourned.

The next regular meeting will be held Monday, July 6, 2020 at 6:30 pm at Montgomery County Board of Education boardroom.

\_\_\_\_\_  
Steven W. DeBerry, Chairman

\_\_\_\_\_  
Dale Ellis, Ed. D., Secretary

