

SPECIAL CIRCUMSTANCE

ON-SITE REVIEW REPORT

Mingo County Schools

May 2025



Office of Accountability



**West Virginia Board of Education
2024-2025**

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Introduction

At the request of the West Virginia State Superintendent of Schools, the Office of Accountability conducted a Special Circumstance Review of Mingo County Schools beginning February 17, 2025. The State Superintendent of Schools directed the review team to examine the county board of education members' effectiveness and verify compliance with all state and local policies and W. Va. Code.

The Office of Accountability conducted the review process as outlined in *West Virginia Board of Education (WVBE) Policy 2322: West Virginia System of Support and Accountability*. The review consisted of interviews with central office staff, school-based personnel, and county board of education members (CBEM), in addition to an analysis of relevant records and documentation, examining county policies, reviewing local board of education meetings, and classroom observations.

A team consisting of staff members from the West Virginia Department of Education (WVDE) compiled the data collected during the review to identify the findings and points of noncompliance outlined in this report.

Onsite Review Team Members

Alexandra Criner, Director, Office of Accountability, WVDE
Jeff Kelley, Assistant Superintendent, Division of District and Accountability, WVDE
Dr. Stacey Murrell, Coordinator, Office of Accountability, WVDE
Angela Urling, Coordinator, Office of Accountability, WVDE
Tammy Varney, Coordinator, Office of Accountability, WVDE

Background

Upon the resignation of a Mingo County Board of Education member in March 2024, the State Superintendent of Schools, Michele L. Blatt, appointed a member to Mingo County's Board after the county board members failed to agree on a replacement.

In October 2024, the local board voted 3-2 to extend the Mingo County Schools Superintendent's contract for four years. After the general election in November 2024, a new board member assumed the vacancy filled by the State Superintendent's appointment. The local board then voted to rescind the previous action of extending the superintendent's contract and voted in January 2025 not to renew the superintendent's contract upon its expiration on June 30, 2025.

Throughout the 2022-2023 and 2023-2024 school years, the WVDE received and processed numerous official complaints from stakeholders in Mingo County regarding a wide range of topics, including the hiring process, climate and culture of the district, instruction, facilities, and finances. During the 2024-2025 school year, concerns expressed to the office were focused on the functions and decisions of

the county board of education members, prompting the State Superintendent of Schools to order a Special Circumstance Review of Mingo County Schools.

In March 2025, while the review was ongoing, the review team determined that the preliminary evidence collected as part of the review supported possible extraordinary circumstances, as described in W. Va. Code §18-2E-5. A summary of initial findings was prepared and presented to the WVBE, who then voted to intervene immediately in the operation of the school system, as delaying intervention would not be in the best interest of the students or the staff of Mingo County Schools.

The WVBE has previously intervened in the operation of Mingo County Schools. The Mingo County Board of Education had maintained control of the system since 2014, until control was returned following nine years of state intervention to address deficiencies in academic achievement, personnel, facilities, and finances.

Focus Area I: Local Board of Education Leadership

General Observations:

- All county board of education members expressed that the students of Mingo County were their motivation for becoming board members. However, different perceptions exist among board members regarding the vision of Mingo County Schools.
- Positive, collaborative relationships between all board members were not evident during interviews and observation of board member interactions and behaviors during meetings.
- Board actions and discussions are perceived by complainants and central office staff as being driven by a very small number of influential community members. While county board of education members are elected from a specific district within the county, they have a responsibility to make decisions based on the fiduciary responsibility for the system as a whole.
- During a review of Mingo County policies, it was discovered that multiple policies need to be revised and updated.

Points of Noncompliance:

NONCOMPLIANCE 1.1: At the December 2, 2024, meeting, a member who had not voted in the affirmative moved to rescind the board's action to extend the superintendent's contract. This motion passed 3-2. The newly elected board member voted in the affirmative despite not having been on the board when the original motion was passed. *Mingo County Board of Education Policy po0161: Parliamentary Authority*

NONCOMPLIANCE 1.2: At the November 19, 2024, meeting, a member requested a special meeting for discussion and possible action concerning board goals and establishing an additional monthly meeting. During the October 18, 2024, meeting, the superintendent introduced and discussed the Strategic Plan, which consists of goals, action steps, and timelines for implementation. The board goals were then developed and adopted during this meeting. The motion passed with a 5-0 vote. The board also voted to hold one regular meeting per month during their Organizational Meeting on July 1, 2024. The motion passed with a 5-0 vote. *Mingo County Board of Education Policy po1110: Establishment/ Assessment of County Goals; Mingo County Board of Education Policy po1210: Board-Superintendent Relationship; WVBE Policy 2322: West Virginia System of Support and Accountability; WVBE Policy 5309: County Superintendent Performance Evaluations; W. Va. Code §18-4-6*

NONCOMPLIANCE 1.3: Observations and interview responses indicated that the Mingo County Board of Education did not always follow established policies and procedures related to meetings. *Mingo County Board of Education Policy po0161: Parliamentary Authority* states, "The parliamentary authority governing the board shall be the most recent edition of Robert's Rules of Order, Newly Revised." However, analysis of recent board meetings yielded multiple examples of disagreements and confusion concerning protocols for requesting special meetings, adding items to the agenda, establishing board goals, and scheduling meetings. *Mingo County Board of Education Policy po0161: Parliamentary Authority*

FINDING 1.1: Board member interactions have yielded multiple examples suggesting that board business was conducted and discussions were held outside of open meetings. For example, when the board voted not to extend the superintendent's contract at the December 2, 2024, meeting, the vote was taken with no discussion or executive session. Another example cited in multiple complaints was one board member indicating that another board member had a list of things to discuss during a planned work session. This list had not been discussed publicly. *Mingo County Board of Education Policy po0162: Quorum; W. Va. Code §6-9A-3(a), West Virginia Open Governmental Proceedings Act*

NONCOMPLIANCE 1.4: Central office staff described how the conduct of a few local board members negatively impacts the work environment for staff. Some staff members reported accusatory and adversarial comments from at least one board member during open meetings. Several described monthly reports as an opportunity for a board member to criticize them publicly. *Mingo County Board of Education Policy po0148.1: Board-Staff Communication; WVBE Policy 5300: County Board of Education Relations with County Staff and School Employees*

NONCOMPLIANCE 1.5: During the December 2, 2024, board meeting, a member mentioned having the phone number and reaching out to a Mingo County school employee to discuss the needs and suggestions for the Career Technical Education Program. *Mingo County Board of Education Policy po3112: Board-Staff Communications*

NONCOMPLIANCE 1.6: The decision to eliminate the assistant superintendent position and redistribute those duties among directors several years ago resulted in the extension of director contracts from 240 days to 261 days. At the time, the local board approved this decision. Directors indicated that a reduction to their contract days is frequently threatened by at least one board member. Interview responses indicated the perception that the central office contracts became a point of contention only after a board member's relative was not the successful candidate for a position in the central office. *Mingo County Board of Education Policy po1100: County Organization; Mingo County Board of Education Policy po1540: Termination of Administrative Contracts; W. Va. Code §18A-2-7*

FINDING 1.2: Both interview responses and board meeting observations supported the perception that board member discussion does not reflect an adequate understanding of the academic achievement data and program data reported by the superintendent, central office staff, and principals, despite multiple presentations and discussions with central office staff. Central office staff interviews relayed examples of being asked multiple times for the same information. *Mingo County Board of Education Policy po0123: Code of Ethics*

Focus Area 2: Fiduciary Duty and Finance

General Observations:

- During interviews, none of the board members expressed any concern regarding the district's financial standing. The majority of the board members indicated that the guidance of the Chief School Business Officer (CSBO) in prioritizing district needs has contributed to a substantial fund balance.
- The WVDE Office of School Finance indicated Mingo County Schools' 2024 audit report was issued with zero findings and an unmodified (clean) opinion. Mingo County Schools is labeled as a "low-risk auditee" under the provisions of the Single Audit Act. The unrestricted fund balance is above the state average.
- The funding for parks and recreation, community organizations, and public libraries has been publicly questioned by one board member. Official complaints received have alleged that this is an attempt to divert funding to a community organization in which this board member's family has a pecuniary interest. The board member also attempted, per interview responses, to award a purchasing contract to a family member.
- A member requested that an item be placed on the agenda for discussion and possible action to eliminate or combine positions at the central office.

Points of Noncompliance:

NONCOMPLIANCE 2.1: During the November 19, 2024, meeting, a member requested an item be placed on the agenda for discussion and possible action in regards to providing new turf, tennis courts, and a track; however, the current Comprehensive Educational Facilities Plan (CEFP) prioritized projects were discussed and revised during the October 18, 2024, meeting without those items being included. Interview comments indicated the perception that board member decisions are favoring one side of the county at the expense of the other side. *Mingo County Board of Education Policy po7100: Facilities Planning; WVBE Policy 6200: Planning of School Facilities*

NONCOMPLIANCE 2.2: Certain board members' comments and interview responses revealed their intention to make financial decisions that would result in long-term financial instability. In response to the presentation on the building utilization and cost-per-pupil data for Dingess Elementary School, one board member stated he would never vote to close Dingess Elementary because it was a campaign promise. Dingess Elementary is currently operating with a building utilization rate of 22%, and central office staff and leadership have presented the per-pupil expenditure and utilization data to the board multiple times. Numerous interview responses indicated the need to close schools to maintain long-term financial solvency. *Mingo County Board of Education Policy po0123: Code of Ethics; Mingo County Board of Education Policy po1210: Board-Superintendent Relationship; W. Va. Code 18-5-13 (c)(1)*

NONCOMPLIANCE 2.3: Multiple respondents indicated that at least one board member has made vague public allegations of financial impropriety at the central office but refuses to provide the details necessary to investigate. Per case law, "Members of a Board of Education occupy a fiduciary position and are under a duty to make detailed inquiry into any matter which appears to be wrong; failure to do so is negligence and under appropriate circumstances may constitute a violation of [law] with attendant removal of the culpable members from office." *West Virginia Supreme Court of Appeals in Lane v. Blair, 162 W.Va. 281, 250 S.E.2d 124 (W. Va. 1978)*

Focus Area 3: Central Office Leadership

General Observations:

- The central office staff reported that an overall positive culture and working relationship exists within the central office.
- Numerous staff members praised the superintendent's leadership and vision for the school system.
- Central office staff are knowledgeable and professional. They provide frequent updates to the County Board of Education Members in the form of presentations during board meetings.

Points of Noncompliance:

NONCOMPLIANCE 3.1: During the review of Mingo County's personnel agendas and discussions with central office staff, it was discovered that Mingo County Schools are not using the West Virginia State Police to obtain a criminal history check as required by W. Va. Code §18A-3-10. They have used a private company for at least eight years. *Mingo County Board of Education Policy po3121: Criminal History Record Check; Mingo County Board of Education Policy po4121: Criminal History Record Check; W. Va. Code §18A-3-10; W. Va. Code §18-5-15c*

NONCOMPLIANCE 3.2: During the review of Mingo County's personnel agendas, it was discovered that coaching personnel were recommended and approved by the local board without proper certification. *Mingo County Board of Education Policy po3120.08: Employment of Personnel for Extra-Curricular Activities; Mingo County Board of Education Policy po4120.08: Employment of Personnel for Extra-Curricular Activities; W. Va. Code §18A-3-2A; W. Va. Code §18A-4-16*

Appendix

Mingo County Schools consists of one elementary school, six PreK-8 schools, and two high schools serving approximately 3,356 students. Figures 1 and 2 illustrate county proficiency data for English language arts (ELA) and mathematics for school years 2014 to 2023. The proficiency data is not available for SY 2019-2020 due to the COVID-19 national emergency.

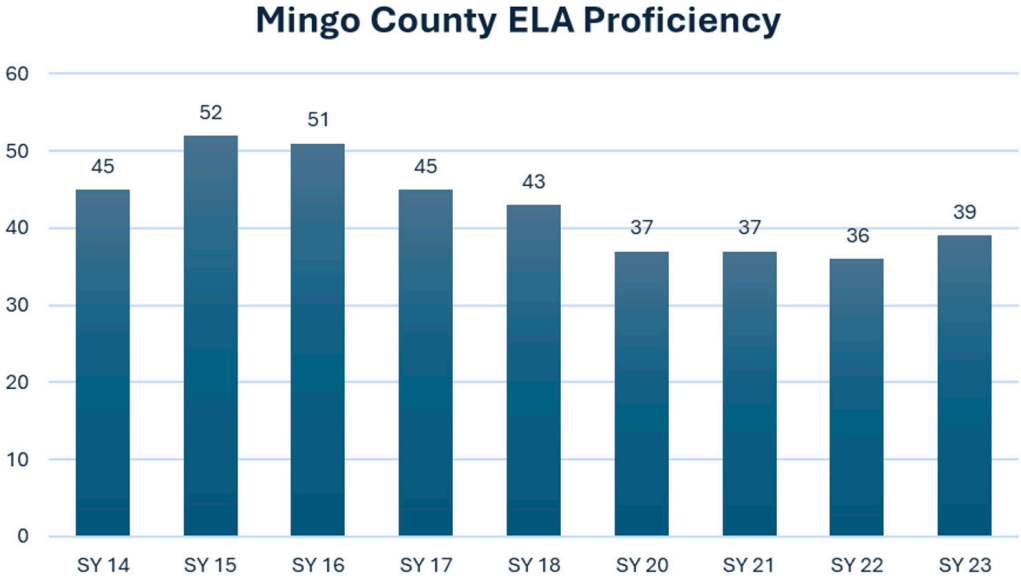


Figure 1

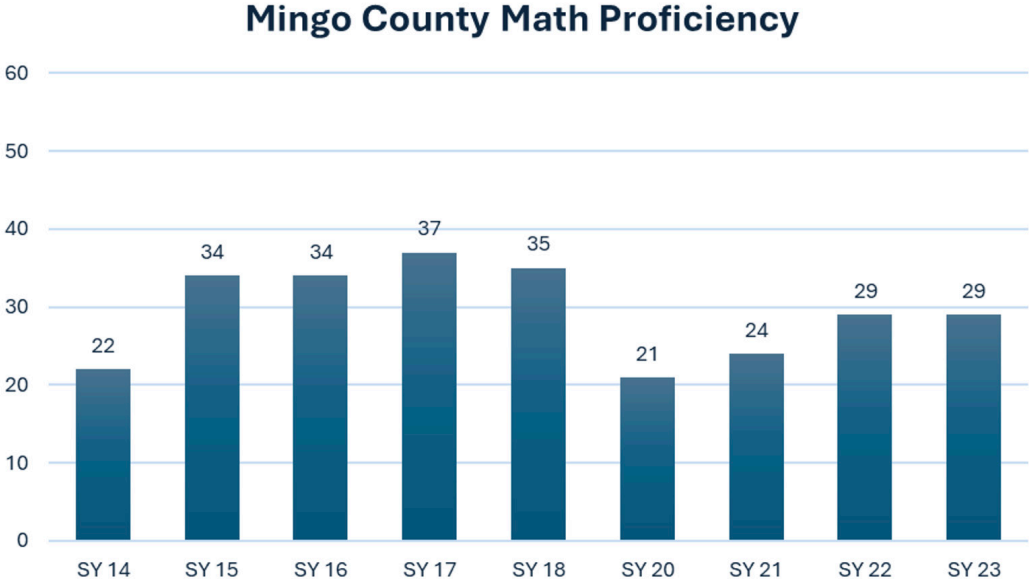
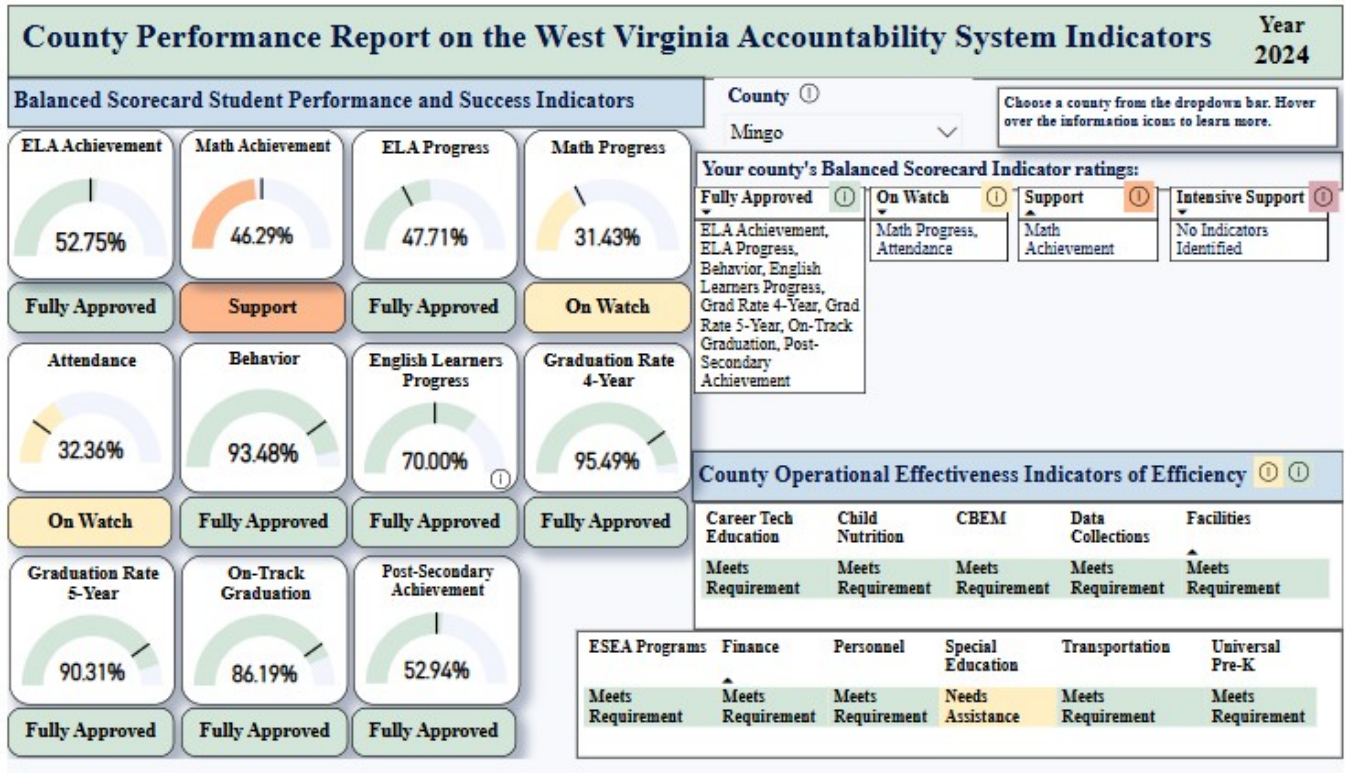


Figure 2

The West Virginia Accountability System (WVAS) Data Dashboard lists county-level data reports on the County Operational Effectiveness Indicators of Efficiency and the Balanced Scorecard Student Performance and Success Indicators. Figure 3 below illustrates the County Performance Report for Mingo County Schools for the 2023-2024 school year.



Student enrollment in Mingo County Schools has declined in recent years. Figure 4 illustrates the total enrollment trend from 2017 to 2024.

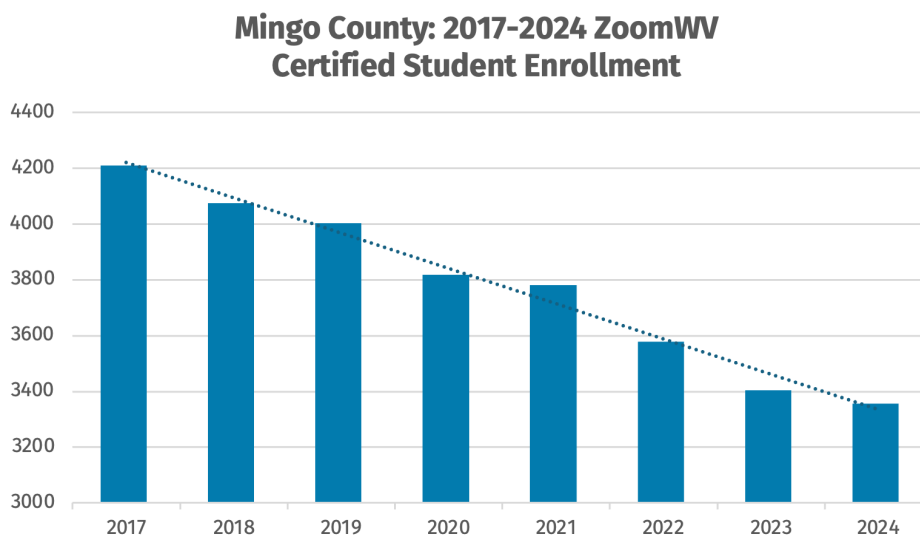


Figure 4



Michele L. Blatt
West Virginia Superintendent of Schools