

# SPECIAL CIRCUMSTANCE

## ON-SITE REVIEW REPORT

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***Tyler County Schools***

May 2025

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Office of Accountability



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

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State Superintendent of Schools  
West Virginia Department of Education

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# Introduction

The West Virginia Department of Education (WVDE) began conducting a Special Circumstance Review of Tyler County Schools on March 3, 2025. The State Superintendent of Schools, Michele L. Blatt, directed the review team to examine county board of education member effectiveness to verify compliance with all state and local policies and W. Va. Code. This review included onsite observation, interviews, and analysis of relevant records and documentation. The review was conducted in accordance with W. Va. Code §18-2E-5 and *West Virginia Board of Education (WVBE) Policy 2322: West Virginia System of Support and Accountability*. The purpose of the review was to make recommendations to the county and to the WVBE on such measures as it considers necessary. Additional focus areas may be added throughout the course of the review.

At the time of this report, it has been confirmed that claims relative to board member conduct and possible ethics violations are under investigation by the agencies with jurisdiction over such matters because they are beyond the scope of this process.

## Onsite Review Team Members

Alexandra Criner, Director, Office of Accountability, WVDE  
Jeffrey Kelley, Assistant Superintendent, Division of District and School 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

Tyler County Schools did not comply with the WVDE’s mandate to use Frontline, the state-wide job posting system, by the July 1, 2023, deadline and continued using their county system. Two newly elected board members were sworn in at the July 1, 2024, board meeting. After an hour-long executive session, the board voted three to two not to approve the superintendent’s nine personnel recommendations. Seven positions were new hires, and two were transfers. Records indicate the county began posting jobs on July 2, 2024, on the Frontline system. In the subsequent meeting on July 15, 2024, the board agenda included the same personnel recommendations with some additions and was approved by the board.

The three-to-two vote by the board to fail to renew the superintendent’s contract on January 21, 2025, contrasted with the delegations of citizens who spoke in support of the superintendent at that meeting and board meetings afterwards. The students, staff, and community members expressed their support for the superintendent and targeted some board members, calling for their resignations. Complainants questioned the ethics and accountability of board members who had voted against the renewal on social media posts and during the delegations of subsequent board meetings. Communications and documents from staff and residents of Tyler County voicing their concerns were received by the WVDE.

**The areas denoted as requiring improvement were determined based on written evidence, video recordings, and consistency of comments during interviews describing conditions and practices in Tyler County Schools.**

## Focus Area 1: County Board of Education Member (CBEM) Effectiveness – Open Governmental Meetings Act

**NONCOMPLIANCE 1.1:** During School Years 2021-22, 2022-23, 2023-24, and 2024-25 to present, the CBEM spent approximately 30 hours in executive sessions related to personnel, legal matters, property matters, and “Matters which, if discussed in public, would be likely to affect adversely the reputation of any persons.” Furthermore, fifty-three separate executive sessions have been held in this period. This total does not include the time spent on student expulsion hearings, employee disciplinary hearings, and the superintendent’s evaluation.

The overuse of executive sessions displays to the community and stakeholders that there are extraordinary opportunities for the board to conduct the business of the board in a private setting, as demonstrated in the following example. At the March 17, 2025, meeting, the Tyler County Board of Education voted to convene an executive session at the request of a presenter from the West Virginia University Extension Service. *W. Va. Code §6-9A-4* identifies specific circumstances in which the governing body of a public agency may hold an executive session, and the announced reason did not meet these criteria.

Board member comments suggested that the executive session is used to discuss topics other than the allowable exceptions to open meeting laws. At least two members affirmed that sometimes conversations occur behind closed doors that were not listed on the agenda. One board member indicated that when there is disagreement on an item, executive sessions are used to hold discussions. *W. Va. Code §6-9A-4, West Virginia Open Governmental Proceedings Act*

**CORRECTIVE ACTION 1.1:** Board members will conduct business in an open meeting except in the circumstances to convene an executive session outlined in *W. Va. Code §6-9A-4, West Virginia Open Governmental Proceedings Act*.

**NONCOMPLIANCE 1.2:** Information discussed in executive sessions has allegedly been shared with individuals outside the board and superintendent on multiple occasions. During interviews, board members indicated that members of the community have referenced information discussed in executive sessions in public discussions and on social media. *W. Va. Code §6-9A-4, West Virginia Open Governmental Proceedings Act*

**CORRECTIVE ACTION 1.2:** The CBEM will follow Tyler County Schools Policy BG: Board Member Code of Ethics, which states, members will “take no private action that will compromise the board or administration and respect the confidentiality of information that is privileged under applicable sections of law.”

## Focus Area 2: CBEM Effectiveness – Board Policies

**NONCOMPLIANCE 2.1:** During interviews, board members discussed having conversations with a candidate for a position and gathering documentation from an individual outside of a board meeting, circumventing county personnel procedures. *Tyler County Schools Policy BG: Board Member Code of Ethics; Tyler County Schools Policy BK: Board-Superintendent Relations*

**CORRECTIVE ACTION 2.1:** Board members follow *Tyler County Schools Policy BG: Board Member Code of Ethics*, which states, the board of education will “ensure that decisions relating to personnel actions through board policy will be based on proper evaluations and appropriate due process legal procedures.” The CBEM will follow *Tyler County Schools Policy BK: Board-Superintendent Relations*, which states, “The Board recognizes that it is the superintendent’s responsibility, with the assistance and advice of his/her staff, to prepare and make recommendations to the Board regarding personnel.”

**NONCOMPLIANCE 2.2:** During the January 21, 2025, board meeting, four delegations signed up to speak in support of the renewal of the superintendent’s contract. The meeting was 2.5 hours long, with an executive session lasting over 1.5 hours. Subsequent board meetings after the January 21 meeting included several delegations. As of the March 3, 2025, board meeting, 38 delegations signed up to speak at board meetings, 95% of the delegations spoke about their support for the current superintendent and their desire for the board to renew his contract.

Some board members do not communicate with the superintendent, staff, students, and parents regarding concerns. Interview responses indicated that a lack of support from the local board of education is perceived. Staff members expressed fear over alleged statements from certain board members that employees who support the superintendent will be targeted and retaliated against by these members. Staff also reported that low morale is present due to the board’s actions. *WVBE Policy 5300: County Board of Education Relations with County Staff and School Employees, Section 3; Tyler County Schools Policy BB: School Board Powers and Duties; Tyler County Schools Policy BG: Board Member Code of Ethics; Tyler County Schools Policy BK: Board-Superintendent Relations; Tyler County Schools Policy BL: Board-Employee Relations*

**CORRECTIVE ACTION 2.2:** Ensure the board follows *WVBE Policy 5300: County Board of Education Relations with County Staff and School Employees, Section 3*, which states, “CBEM and their employees can most effectively carry out their responsibilities to the public and to each other by establishing clear and open lines of communication.” The board follows *Tyler County Schools Policy BL: Board/Employee Relations*, which states, “the effective and efficient operation of its schools depends upon the development of harmonious and cooperative relationships between the Board of Education and school employees.” Further, the board, in collaboration with the superintendent, will work to reestablish and strengthen the relationships among staff and board members by developing protocols and plans to allow for transparency and open lines of communication.

The CBEM will follow *Tyler County Schools Policy BB: School Board Powers and Duties*, which states, “the board must be responsive and accountable to the community it serves.” Further, the CBEM will follow established protocols and procedures for communication with central office leadership, staff, students, parents, and the school community that respect the chain of command regarding complaints and personnel matters.

**NONCOMPLIANCE 2.3:** According to *Tyler County Schools Policy BB: School Board Powers and Duties*, “The board must be responsive and accountable to the community it serves.” Communication, one of three primary board functions, is lacking. During a board meeting, the superintendent provided his opinion on his contract and its non-renewal. The board has not communicated a statement to respond and account to the school community about a leadership transition. *Tyler County Schools Policy BB: School Board Powers and Duties*

**CORRECTIVE ACTION 2.3:** The CBEM will utilize its policy and work with the superintendent to develop procedures for communicating with the school community, building trust and transparency.

**NONCOMPLIANCE 2.4:** During interviews, when asked about the areas of concern, academic programming and the social/emotional needs of the students were not mentioned. Only one board member indicated that supporting students was a motivation for serving on the board. *WVBE Policy 2322: West Virginia System of Support and Accountability; Tyler County Schools Policy BB: School Board Powers and Duties; Tyler County Schools Policy BG: Board Member Code of Ethics*

**CORRECTIVE ACTION 2.4:** The CBEM will follow *Tyler County Schools Policy BB: School Board Powers and Duties*, which states the board will work with the communities to develop a vision for the schools, create an environment that helps schools achieve the vision, and support the needs of students. Further, the CBEM will follow *Tyler County Schools Policy BG: Board Member Code of Ethics*, which states, the board of education will “remember always that their first and greatest concern must be the educational welfare of students.”

**NONCOMPLIANCE 2.5:** Effective protocols for board member communication and a clear understanding of local board of education authority were not consistently evident to the team based on information collected during the review. No board member could articulate the current goals of the board. *WVBE Policy 2322: West Virginia System of Support and Accountability, Section 6; Tyler County Schools Policy BA: School Board Governance*

**CORRECTIVE ACTION 2.5:** CBEM will collaborate with the West Virginia School Board Association to receive training clarifying the role and authority of board members when conducting executive sessions, goal setting, and decision making. Additionally, the board will work with the association to establish effective board communication, aligning with the *West Virginia Open Governmental Proceedings Act*. Additionally, ensure participation from all board members and the superintendent.

**FINDING 2.1:** Tyler County Schools’ volunteer policy does not require a background check to be conducted before board approval of adult school volunteers.

**RECOMMENDATION 2.1:** CBEM should consider revising *Tyler County Schools Policy GBC: Volunteers - Adult* to require background checks for school volunteers to ensure the safety of students.

## Focus Area 3: CBEM Effectiveness – Student Information

**NONCOMPLIANCE 3.1:** Based on a review of minutes from previous meetings of the Tyler County Board of Education, protocols and procedures were not in place to protect students' personally identifiable information. Student personally identifiable information is routinely shared in board meeting agendas and minutes in requests for out-of-county transfer students. Meeting agendas and minutes routinely include parents' first and last names and students' first and last names. *20 U.S.S § 1232g(b): The Family Educational Rights and Privacy Act; WVBE Policy 4350: Procedures for the Collection, Maintenance, and Disclosure of Student Data, Section 4.3*

**CORRECTIVE ACTION 3.1:** Board agendas may recognize students for honors or awards (provided that the parent/guardian has not opted out of sharing directory information) and include student names. However, students' personally identifiable information must be redacted when the information is part of an education record, such as in disciplinary issues or requests for transfer. The board will review past board agendas and minutes to redact all student information and create a system of listing transfer requests in a way that does not provide student names.

## Focus Area 4: CBEM Effectiveness – WVBE Policy Knowledge

**NONCOMPLIANCE 4.1:** Several board members said that state intervention may be beneficial, but did not seem to have a complete understanding of what intervention may entail. For instance, one member suggested the voting privileges of three members would be limited, while another requested the WVDE buy out the superintendent's contract and name a replacement immediately. *WVBE Policy 2322: West Virginia System of Support and Accountability*

**CORRECTIVE ACTION 4.1:** Board members will attend a training session with the West Virginia School Board Association (WVSBA) and the WVDE focused on *WVBE Policy 2322: West Virginia System of Support and Accountability*.

## Additional Findings

**FINDING 1.3:** The superintendent admitted to having a heated discussion with an adult representative in another county regarding legal matters in which the county was involved. An administrator in another county intervened to stop the argument. *WVBE Policy 5800: Standards of Professional Practice for West Virginia Superintendents, Principals, and Teacher Leaders, Section 4.2; Tyler County Schools Policy GC: Employee Code of Conduct*

**RECOMMENDATION 1.3:** Training will be conducted in collaboration with the WVDE Office of District and Leadership Support for all Tyler County school administrators regarding *WVBE Policy 5800: Standards of Professional Practice for West Virginia Superintendents, Principals, and Teacher Leaders and the Tyler County Schools Policy GC: Employee Code of Conduct*.

**FINDING 1.4:** Tyler County Schools Policy Manual, Section A, has not been updated since 2018, and some policies in Section E have not been updated since 2016. Some county policies do not align with current WVBE policies and current W. Va. Code.

**RECOMMENDATION 1.4:** The CBEM will continue to conduct a thorough policy review and revise policies not aligned with current WVBE policies and W. Va. Code.

**FINDING 1.5:** *Tyler County Schools Policy BQ: Public Participation in Board Meetings* permits each delegation to present for 10 minutes during board meetings. However, this has led to some board meetings lasting more than five hours.

**RECOMMENDATION 1.5:** The team recommends revision of Tyler County Schools Policy to reduce the time allotted for public delegations. Many districts throughout the state allow three to five minutes for each speaker.

**FINDING 1.6:** Social media posts by school personnel and community members have continued to keep the community in turmoil over the Board of Education's decision not to renew the superintendent's contract. Board members have been the target of aggressive social media posts attacking their personal lives.

**RECOMMENDATION 1.6:** Board members and school leaders will work together with the school community to build positive relationships and model professional behavior. Consider contacting a public relations or communication specialist to promote a positive community perception of Tyler County Schools.

**FINDING 1.7:** The superintendent served as a high school basketball coach, which may have created a conflict of interest. The situation was remedied when the superintendent chose to resign from the coaching position.

**RECOMMENDATION 1.7:** The board will review and revise county policies regarding conflicts of interest. All coaches must be evaluated by an administrator.

**FINDING 1.8:** Upon review of minutes from previous meetings of the Tyler County Board of Education, the team discovered that contracts are routinely approved without an associated cost reflected in the agenda and minutes. The practice of approving contracts without publicly releasing the associated cost may obstruct public oversight of the business practices of the board and create the potential to circumvent established policies and procedures for purchasing prescribed in *WVBE Policy 8200, Purchasing Procedures for Local Education Agencies, Section 7.11*.

**RECOMMENDATION 1.8:** Central office staff ensure transparency in all financial decision-making by ensuring the dollar amount of contracts is accurately reflected in both the board agenda and minutes.

# Appendix

Tyler County Schools consists of two elementary schools, one middle school, and one high school serving approximately 1,184 students. Figures 1 and 2 illustrate county proficiency data for English language arts (ELA) and mathematics for school years 2014–2023. Proficiency data is not available for the 2019-2020 school year due to the COVID-19 national emergency.

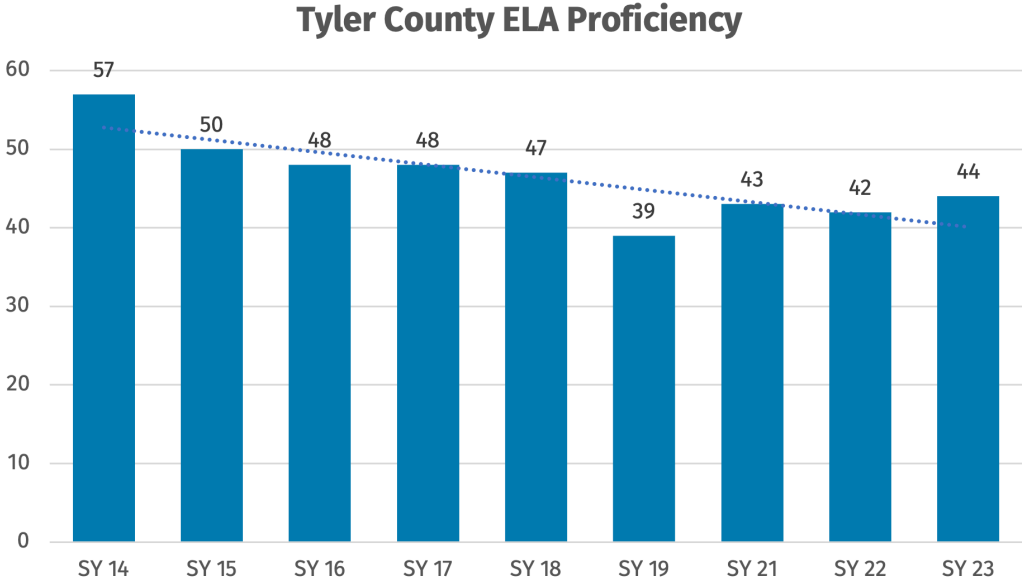


Figure 1

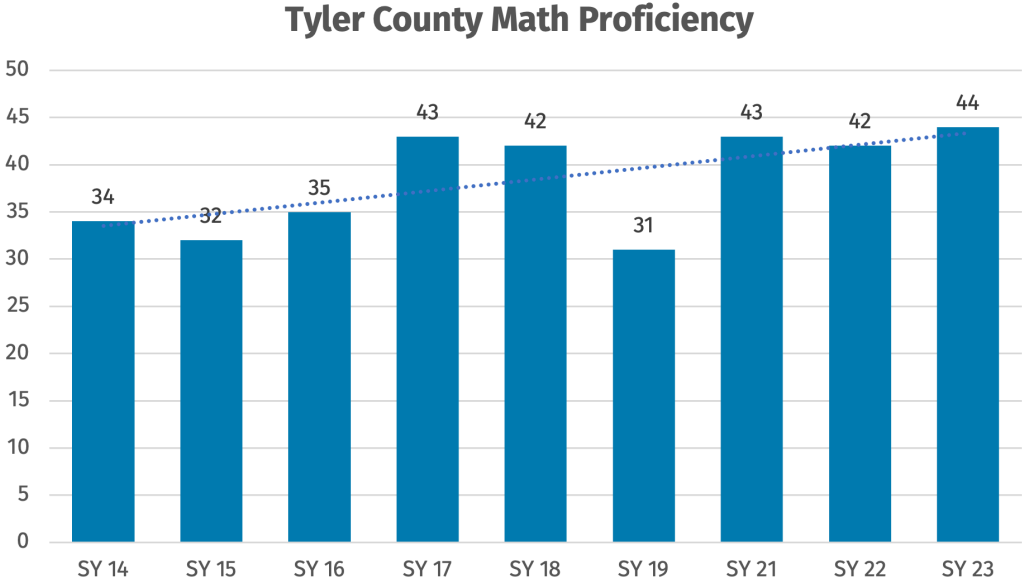
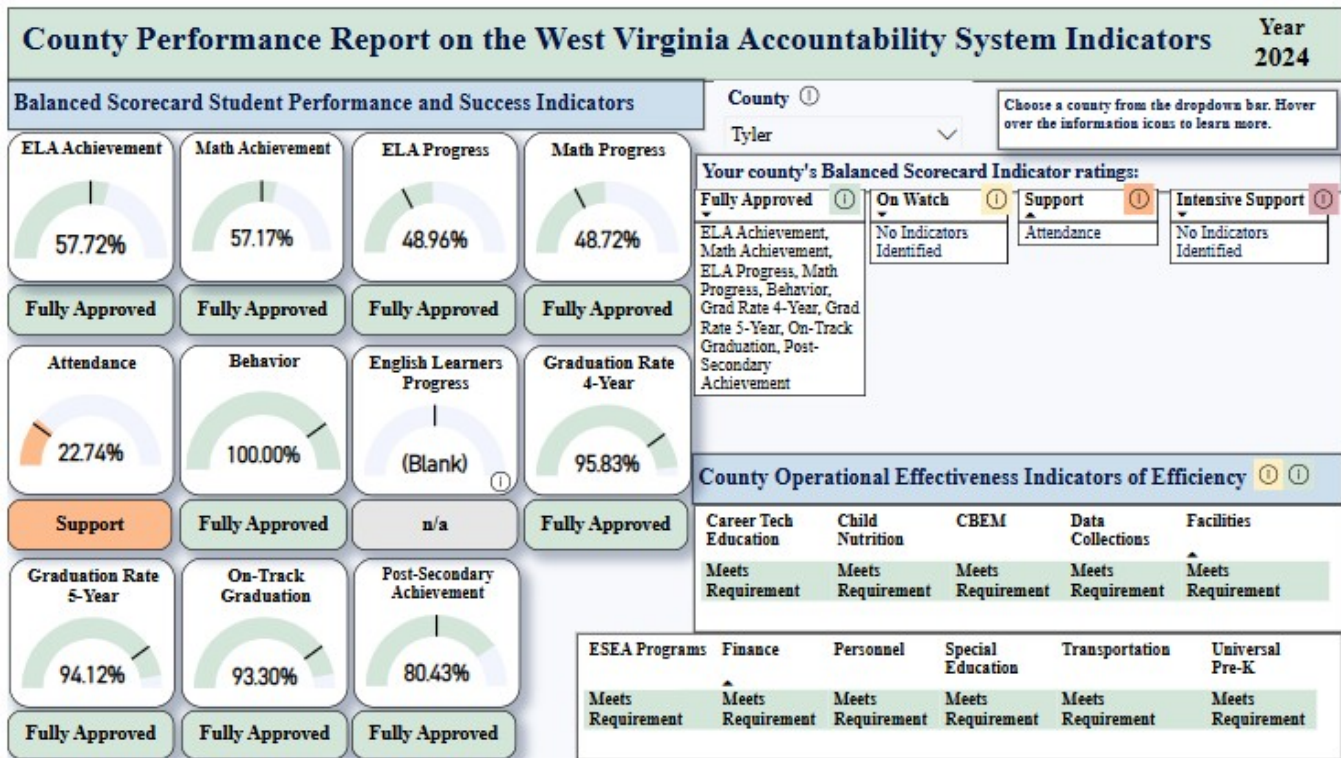


Figure 2

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. Tyler County Schools was designated as support for attendance, was fully approved for all other indicators, and met requirements for all efficiency indicators. Figure 3 illustrates the County Performance Report for Tyler County Schools for the 2023-2024 School Year.



Student enrollment in Tyler County Schools has declined in recent years. Figure 4 illustrates the total enrollment trend from 2021-2025.

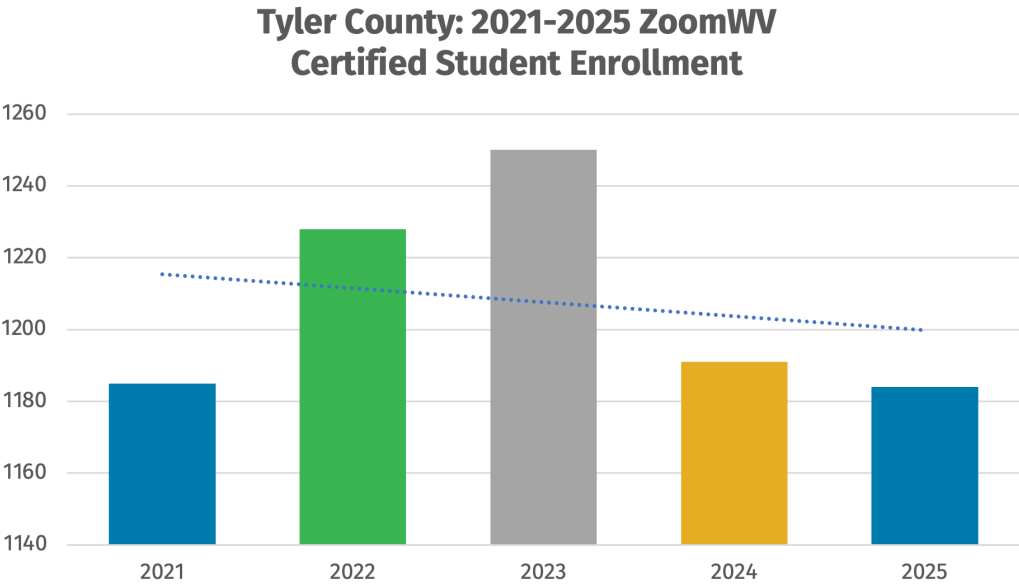


Figure 4

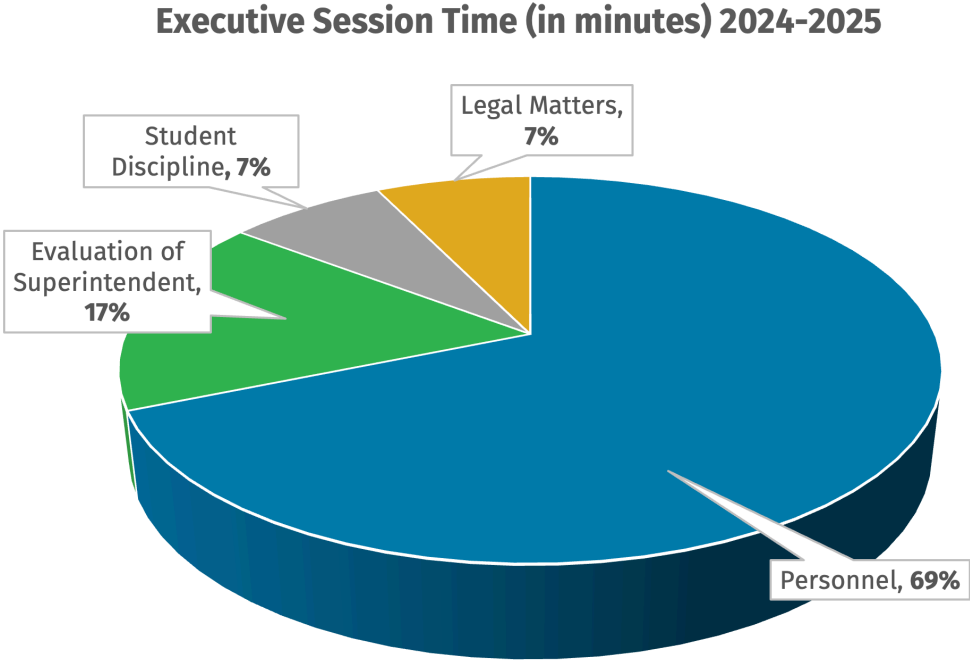


Figure 5





Michele L. Blatt  
West Virginia Superintendent of Schools