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## DECLARATION

- 1) That the West Virginia Board of Education (WVBE) declares that extraordinary circumstances exist in Nicholas County Schools that warrant immediate intervention pursuant to W. Va. Code §18-2E-5;
- 2) That nonapproval status shall be assigned to Nicholas County Schools;
- 3) That the conditions precedent to WVBE intervention in a county school system exist and delaying the intervention would not be in the best interests of the students or the staff of Nicholas County Schools;
- 4) That the Nicholas County Board of Education failed to act on a statutory obligation which interrupted the day-to-day operations of the school system.
- 5) That the authority of the Nicholas County Board of Education shall be limited in areas that compromise the delivery of a thorough and efficient education to its students as designated by the WVBE by rule, which may include, but is not limited to, delegating decision-making authority regarding these matters to the State Superintendent or her designee;
- 6) That the WVBE declares the Office of the County Superintendent of Nicholas County Schools be vacated at 4:00 p.m. on May 14, 2025, and that his existing contract be voided;
- 7) That the WVBE declares the Office of the Assistant Superintendent of Nicholas County Schools be vacated at the end of the business day at 4:00 p.m. on May 14, 2025, and that her existing contract be voided;
- 8) That the WVBE appoints Terry George to be the interim to serve as Superintendent of Nicholas County Schools starting May 15, 2025, at a salary to be determined by the State Superintendent or her designee;
- 9) That the WVBE delegates to the State Superintendent or her designee the authority to fill positions of administrators and principals with individuals determined by the State Superintendent or her designee to be the most qualified for the positions;

- 10) That the WVBE grants the State Superintendent or her designee the authority to take action necessary to correct the extraordinary circumstances;
- 11) That the WVBE voids the authority of the Nicholas County Board of Education as to finances, personnel, federal programs, and any other areas designated by the WVBE by rule and delegate decision-making authority to the State Superintendent or her designee regarding those matters;
- 12) That the WVBE delegates to the State Superintendent or her designee the authority to conduct hearings on personnel matters, the referral of investigations to other agencies and the authority to appoint a designee for the limited purpose of conducting hearings while reserving to the State Superintendent the authority to render the resulting decision, if needed;
- 13) That the WVBE voids the authority of the Nicholas County Board of Education as to the ability to conduct real estate transactions and delegates to the State Superintendent or her designee the authority to act in lieu of the Nicholas County Board of Education in a transfer, sale, purchase, or other transaction regarding real estate;
- 14) That the WVBE delegates to the State Superintendent or her designee the authority to replace administrators and principals in low-performing schools and to transfer them to alternate professional positions within the county at her discretion;
- 15) That the WVBE delegates to the State Superintendent or her designee the authority to fill positions of administrators and principals with individuals determined by the State Superintendent to be the most qualified for the positions;
- 16) That the WVBE directs the current and future Nicholas County superintendents and the State Superintendent, after consultation with the Nicholas County Board of Education, to jointly develop and present to the WVBE at a future meeting a set of standards and/or a strategic plan that must be implemented in order for the Nicholas County Board of Education to regain control of the school system; and,
- 17) That the WVBE directs the current and future Nicholas County superintendents to provide written and/or oral progress reports to the WVBE as requested.

  
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Nancy J. White  
President

May 14, 2025  
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Date