

WEST VIRGINIA BOARD OF EDUCATION

Capitol Building 6, Suite 600
1900 Kanawha Boulevard, East
Charleston, West Virginia

MINUTES

July 2, 2025

I. Call to Order

The special meeting opened with the Pledge of Allegiance. Vice President Victor Gabriel called the meeting of the West Virginia Board of Education (WVBE) to order at 1:00 p.m. on July 2, 2025, in Capitol Building 6, Suite 600, 1900 Kanawha Boulevard, East, Charleston, West Virginia.

The secretary called the roll and informed Vice President Gabriel that a quorum had been established. The following members were present: President Nancy White (via remote), Vice President Victor L. Gabriel, Robert W. Dunlevy, L. Paul Hardesty, Cathy L. C. Justice (via remote), F. Scott Rotruck (via remote), Debra K. Sullivan, Dr. Christopher A. Stansbury (via remote), Gregory F. Wooten, and ex officio member Michele L. Blatt, State Superintendent of Schools, West Virginia Department of Education (WVDE). Sarah Armstrong Tucker, Chancellor, West Virginia Higher Education Policy Commission and West Virginia Council for Community and Technical College Education, was absent.

II. Approval of Agenda

Vice President Gabriel called for a motion to approve the agenda. Mr. Hardesty moved, and Mr. Wooten seconded, that the agenda be approved. Upon the call for the question, the motion carried on a voice vote.

Next, Vice President Gabriel recognized Mr. Hardesty for a statement. Mr. Hardesty informed the members of the public that the Board had been named in a lawsuit and had hired Ben Bailey, Esq., with Bailey and Glasser to represent the Board. Further, Mr. Hardesty explained that the Board wanted the public to be aware that they would be entering into an executive session to discuss their legal options with counsel.

III. Discussion of Legal Matters – House Bill No. 2755 (To provide that the West Virginia Board of Education may promulgate rules or policies to be submitted to the Legislature for review); Civil Action No. 2:24-cv-18, Krystle Perry and Anthony Perry, individually and on behalf of their minor child K.P. v. Stacy Marteney, et al.; Civil Action No. CC-41-2025-C-230, Miranda Guzman v. West Virginia Board of Education, et. al.; and Discussion of Religious Exemptions from Compulsory School Vaccination Requirements.

Mr. Wooten moved, and Mrs. White seconded, that the Board enter into executive session under the attorney-client privilege exception authorized by W. Va. Code §6-9A-3 for discussion of item A

on the agenda. Upon a call for the question, the motion carried on a voice vote. The Board entered into executive session at 1:23 p.m. The Board returned from executive session at 2:35 p.m. without taking any action.

IV. Future Meetings

Vice President Hardesty announced that the next regular meeting of the West Virginia Board of Education would be on July 9, 2025, and a special meeting would be held on July 14, 2025. Both meetings would be conducted in Charleston, West Virginia.

V. Adjournment

Vice President Gabriel called for a motion to adjourn. Mr. Wooten moved, and Mr. Hardesty seconded, that the meeting be adjourned. Upon the call for the question, the meeting was adjourned at 12:25 p.m. on a voice vote.

Minutes approved by the Board on August 13, 2025

L. Paul Hardesty, President

Victor L. Gabriel, Vice President

NOTE:

All agendas, attachments, materials distributed during the meeting, and audio recordings are available through the WVBE website or office pursuant to Policy 1241, Notice and Conduct of Meetings.

Minutes were recorded by:

Tina Payne, Board Secretary

Tina.A.Payne@k12.wv.us

304-558-3660

WEST VIRGINIA BOARD OF EDUCATION

Capitol Building 6, Suite 600
1900 Kanawha Boulevard, East
Charleston, West Virginia

MINUTES

July 9, 2025

I. Call to Order

The meeting opened with the Pledge of Allegiance. President Nancy J. White called the meeting of the West Virginia Board of Education (WVBE) to order at 10:00 a.m. on July 9, 2025, in Capitol Building 6, Suite 600, 1900 Kanawha Boulevard, East, Charleston, West Virginia.

The following members were present: President White, Vice President Victor L. Gabriel, Robert W. Dunlevy, L. Paul Hardesty, Cathy L. C. Justice, F. Scott Rotruck, Debra K. Sullivan, Dr. Christopher A. Stansbury, Gregory F. Wooten, and ex officio member Michele L. Blatt, State Superintendent of Schools, West Virginia Department of Education (WVDE). Sarah Armstrong Tucker, Chancellor, West Virginia Higher Education Policy Commission and West Virginia Council for Community and Technical College Education, was absent

II. Approval of Agenda

President White called for a motion to approve the agenda. Mr. Dunlevy moved, and Dr. Stansbury seconded, that the agenda be approved. Upon the call for the question, the motion carried on a voice vote.

III. Delegations

Ms. April Estep and Mr. Jacob Massey spoke about state intervention in Boone County Schools. Ms. Brenda Isaac, Ms. Ann Bradley, Ms. Judy Hamilton, Ms. Sissy Price, and Rev. Randy Richardson spoke about the importance of upholding the vaccination statute established by West Virginia law. Ms. Tara Raymo read from the Bible. Mr. Micky Blackwell, Executive Director, West Virginia Principals Association, talked about issues surrounding the Public Employee Insurance Agency (PEIA).

IV. Consent Agenda

President White called for a motion to approve the Consent Agenda. Before approval, Ms. Sullivan was recognized for questions she had regarding statewide waivers of Policy 2510 (*Assuring the Quality of Regulations for Education Programs*) and Policy 2340 (*West Virginia Measures of Academic Progress*) on the consent agenda. After discussion, Mr. Hardesty moved, and Mr. Wooten seconded, that the Consent Agenda be approved. Upon the call for the question, the motion carried on a voice vote approving and/or receiving the following:

- Approved the WVBE minutes from June 11, 2025
- Approved the employment of substitute teachers and bus operators in areas of critical need and shortage policies for Calhoun County
- Approved a waiver extension of Policy 5100 (*Approval of Educator Preparation Programs*) for institutions of higher education for the 2025-2026 school year
- Approved a statewide waiver of Policy 2510 (*Assuring the Quality of Education: Regulations for Education Programs*) to allow students in Grades 8-12 to complete the required personal finance course and receive credit earned during the 2024-2025 school year to be applied retroactively to satisfy graduation requirements
- Approved a statewide waiver of Policy 2510 (*Assuring the Quality of Education: Regulations for Education Programs*) to allow a full-time interventionist to be assigned to two classrooms to satisfy the maximum teacher-pupil ratio in Grades 2-3, and allow a part-time interventionist to be utilized to meet the teacher-pupil ratio if they are only assigned to one classroom and a full-time interventionist is not available.
- Approved a statewide waiver of Policy 2510 (*Assuring the Quality of Education: Regulations for Education Programs*) to allow students to complete the required course in Grades 8-12, beginning with the 2027-2028 school year freshman cohort
- Approved a statewide waiver of Policy 2510 (*Assuring the Quality of Education: Regulations for Education Programs*) to allow county boards of education to permit teachers who cannot meet the AP® training requirement established in Appendix B to attend APSI training the following summer, unless a new AP® course with specialized training is implemented
- Approved Section 5.3.c.2 of Policy 2340 (*West Virginia Measures of Academic Progress*) be waived to allow public charter school teachers who are not certified, licensed, or permitted in West Virginia to proctor state assessments
- Received the annual report on Policy 4355 (*High School Diploma for Veterans*)
- Approved the Alternative Certification Educator Preparation Program Review Board's (ACEPPRB) request for Continual Approval Status for Cabell County School's GROW Educators programs for general education and special education in accordance with Policy 5901 (*Alternative Certification Programs for the Education of Teachers*)
- Approved Policy 8100 (*Public School Finance Requirements*) and the incorporated *West Virginia Public School Finance Procedures Manual* with an effective date of 30 days from final filing.
- Approved West Virginia Secondary Schools Activities Commission (WVSSAC), Series 1 (*Constitution*) with an effective date of 30 days from final filing
- Approved WVSSAC, Series 2 (*Athletics, Provisions Governing Eligibility*) with an effective date of 30 days from final filing
- Approved WVSSAC, Series 3 (*Provisions Governing Contests*) with an effective date of 30 days from final filing

- Approved WVSSAC, Series 4 (*Provisions Governing Conduct*) with an effective date of 30 days from final filing
- Approved Roane County Board of Education's request to amend their 2020-2030 Comprehensive Educational Facilities Plan (CEFP)

V. WVSSAC Leadership Introduction

Mr. Dunlevy, the WVBE's representative on the WVSSAC Board of Review, was recognized for an introduction. Mr. Dunlevy stated that the WVSSAC had a change in leadership after the retirement of its Executive Director, David Price. Mr. Dunlevy asked the newly appointed Executive Director, Wayne Ryan, to introduce the WVSSAC staff present at the meeting. First, Mr. Ryan thanked the Board and Superintendent Blatt for their work and discussed the transition that the WVSSAC office is currently experiencing, and then made the following introductions:

- Mr. Jason Bankston, Director of Compliance. Mr. Ryan explained that Mr. Bankston is serving in a new position necessary to ensure compliance with state law. Additionally, Mr. Bankston will be overseeing some sports programs.
- Mr. Chris Wells, a former principal at Ritchie County High School and athletic director, will be overseeing football, basketball, and baseball.
- Dr. Jaclyn Swain, a former principal at St. Albans High School with an extensive background in athletics as a student, school administrator, coach, and parent.
- Mr. Dan Comer, a former administrator with Berkeley County Schools, and employee of the WVSSAC for two years, who won the 5K Walk for the National Federation of High School Associations (Athletics) the prior week after having heart surgery in January 2025.

Lastly, Mr. Ryan explained that he has been with WVSSAC for nine years as an assistant or associate director. Before that, he spent 28 years in the Summers County School System as an administrator, athletic director, coach, and teacher. The board members then expressed appreciation for the WVSSAC and Mr. Ryan's role in overseeing extracurricular athletics and activities.

VI. Adoption of Policy

- Mr. Gabriel moved, and Mrs. Sullivan seconded, that Policy 4336 (*West Virginia School Transportation Requirements*) and the incorporated *West Virginia School Transportation Procedures Manual* be approved and made effective 30 days from final filing. Upon the call for the questions, the motion carried on a voice vote.

VII. County School System Reports

Roane County Schools: Mrs. Alexander Criner, Director of Accountability, presented an executive summary of findings related to the lack of the Roane County Board of Education's action to balance the budget. Mrs. Criner explained that declining enrollment, failure to approve a consolidation plan, insufficient personnel action, and other operational decisions have resulted in a significant projected budget deficit for fiscal year 2026. Mrs. Criner provided more detailed information and key findings that contributed to the financial issues in Roane County Schools. State Superintendent Michele L. Blatt asked if the newly appointed county superintendent, Michelle Stellato, or a representative from the Roane County Board of Education, would like to address the Board. After Ms. Stellato and Roane County Board of Education President Jeff Mace expressed appreciation for the extra support of the WVBE and the WVDE, answered questions, and addressed concerns from board members. Superintendent Blatt recommended that the Board declare a state of emergency in Roane County Schools, that Roane County Schools be required to work with WVDE staff to correct identified deficiencies, establish a corrective action plan and present a progress report to the State Board at its August 2025 meeting. Dr. Stansbury moved, and Mr. Dunlevy seconded, that the recommendation offered by Superintendent Blatt be approved. Upon a call for the question, the motion carried on a voice vote.

VIII. Executive Session

Mr. Gabriel moved, and Mrs. Sullivan seconded, that the Board enter executive session under the personnel, privacy, and attorney-client privilege exemption, authorized by W. Va. Code §6-9A-3 for discussion of item B (Roane County Schools Report), item C (Discussion of Legal Matters), and item D (WVBE/WVDE Personnel Matters) on the agenda. President White announced that the Board was entering executive session at 11:15 a.m. Upon the call for the question, the motion carried on a voice vote. The Board returned from executive session at 1:03 p.m. without taking any action.

IX. WVBE and WVDE Personnel Matters

President White then called for a motion to approve the WVBE personnel matters included in the agenda attachment. Mrs. Sullivan moved, and Mr. Gabriel seconded, that the WVBE personnel matters included in the agenda attachment be approved. Upon the call for the question, the motion carried on a voice vote. President White then called for a motion to approve the WVDE personnel matters included in the agenda attachment. Mr. Dunlevy moved, and Mrs. Justice seconded, that the WVDE personnel matters included in the agenda attachment be approved. Upon the call for the question, the motion carried on a voice vote.

X. Superintendent Reports

Next, Superintendent Blatt informed the State Board that they had just been made aware of a report released in June from Upswing Labs that looked at where literacy scores were improving and was pleased to announce that West Virginia was one of the top four states recognized for having sustained growth over the past three years in 3rd-grade reading. She said West Virginia had a 5% increase in achievement, which placed the state in second among the highest states.

XI. WVBE Member Updates and Requests for Information

Mr. Wooten talked about attending his grandchildren's Little League games and how he was enlightened by the words of the Little League Pledge. Mrs. Sullivan attended the Summer Policy Summit. Mr. Rotruck attended the West Virginia Nuclear Energy Summit at Superintendent Blatt's request. Mrs. Justice enjoyed an upcoming 2nd-grade student reading to her and found it rewarding when he sounded out the words to learn. Mr. Dunlevy attended the WVSSAC meeting. Mr. Gabriel made a visit to Simpson Elementary School.

XII. Future Meetings

President White announced that a special meeting would be held on July 14, 2025, at noon and that the next regular meeting would be held on August 13, 2025, in Charleston, West Virginia.

XIII. Election of Officers

President White read a statement announcing that she had decided not to seek reelection as president and expressed her heartfelt gratitude for electing her to serve as the president. She stated that it was one of the greatest honors of her professional life. President White also recognized the dedication of her fellow board members, administrators, educators, and public servants and their unwavering commitment to prioritize policies that increase student achievement, and support administrators, teachers, and school service personnel. After her statement, President White nominated Mr. Hardesty for President and recognized Mr. Dunlevy for additional nominations. Mr. Dunlevy then recommended that Mr. Gabriel be elected as the Vice President, Mr. Rotruck be elected as the Secretary, and that Mrs. White be elected as the Financial Officer. Mrs. Sullivan, Mrs. Justice, and Mr. Wooten thanked President White for her leadership as president. Mr. Wooten then moved to close nominations and call the question. Mr. Dunlevy seconded the motion. Upon the call for the question, the motion carried on a voice vote.

XIV. Adjournment

President White called for a motion to adjourn. Mr. Rotruck moved, and Mr. Dunlevy seconded, that the meeting be adjourned. Upon the call for the question, the meeting was adjourned at 1:34 p.m. on a voice vote.

Minutes approved by the Board on August 13, 2025

L. Paul Hardesty, President

ctor L. Gabriel, Vice President

Vi

NOTE:

All agendas, attachments, materials distributed during the meeting, and audio recordings are available through the WVBE website or office pursuant to Policy 1241, Notice and Conduct of Meetings.

Minutes were recorded by:

Tina Payne, Board Secretary

Tina.A.Payne@k12.wv.us

304-558-3660

WEST VIRGINIA BOARD OF EDUCATION

Capitol Building 6, Suite 600
1900 Kanawha Boulevard, East
Charleston, West Virginia

MINUTES

July 14, 2025

I. Call to Order

The special meeting opened with the Pledge of Allegiance. President L. Paul Hardesty called the meeting of the West Virginia Board of Education (WVBE) to order at noon on July 14, 2025, in Capitol Building 6, Suite 600, 1900 Kanawha Boulevard, East, Charleston, West Virginia.

President Hardesty requested a roll call. The secretary called the roll and informed President Hardesty that a quorum had been established. The following members were present: President L. Paul Hardesty, Vice President Victor L. Gabriel, Robert W. Dunlevy (via remote), Cathy L. C. Justice (via remote), F. Scott Rotruck (via remote), Debra K. Sullivan, Dr. Christopher A. Stansbury (via remote), Nancy J. White (via remote), Gregory F. Wooten (via remote), and ex officio member Michele L. Blatt, State Superintendent of Schools, West Virginia Department of Education (WVDE). Sarah Armstrong Tucker, Chancellor, West Virginia Higher Education Policy Commission and West Virginia Council for Community and Technical College Education, was absent.

II. Approval of Agenda

President Hardesty called for a motion to approve the agenda. Mr. Gabriel moved, and Mrs. Sullivan seconded, that the agenda be approved. Upon the call for the question, the motion carried on a voice vote.

III. Policy 4334, West Virginia Design and Equipment Requirements for School Transportation Vehicles.

Mr. Jimmy Lacy explained that the proposed rule is a result of separating two transportation policies. During the 30-day comment period, there were 24 comments submitted by two commenters, resulting in all comments being accepted and included in the proposed West Virginia Minimum Requirements for the Design and Equipment of School Transportation Manual. Mr. Lacy further stated that the accepted comments either provided clarification or were existing policy provisions inadvertently omitted during the process of dividing one transportation policy into two separate policies. Mr. Lacy also stated that Policy 4334 applies to charter public schools that offer school transportation.

Next, Kelli Talbott, General Counsel, explained that the purpose of the special meeting to consider what normally would be a routine policy revision was due to the West Virginia Legislature passing House Bill No. 2755 (*To provide that the West Virginia Board of Education*

may promulgate rules or policies to be submitted to the Legislature for review) which became effective July 11, 2025. She stated that the Board voted at the May 14, 2025, meeting to challenge the legislation's constitutionality because it is in direct conflict with the *West Virginia Board of Education vs. Hechler (1988)*. Ms. Talbott further explained that some legislators admitted that the bill was unconstitutional several times during the legislative process. She went on to explain that this same policy was the subject of the *Hechler* decision and that this very issue has been put before the voters as a constitutional amendment twice, and the voters rejected the amendments both times. Ms. Talbott recommended that the Board approve the rule to be filed with the West Virginia Secretary of State with an effective date of 30 days from filing so that the Board can pursue the next steps in the legal process necessary to challenge the constitutionality of House Bill No. 2755.

President Hardesty asked if there was a motion to approve Policy 4334 as presented to the Board. Mr. Gabriel moved, and Mrs. White seconded, that Policy 4334 be approved and effective 30 days from final filing. Upon a call for the question, the motion carried unanimously on a voice vote.

IV. Future Meetings

President Hardesty announced that the next regular meeting of the WVBE would be on August 13, 2025, in Charleston, West Virginia.

V. Adjournment

President Hardesty called for a motion to adjourn. Mrs. Sullivan moved, and Mr. Gabriel seconded, that the meeting be adjourned. Upon a call for the question, the meeting was adjourned at 12:25 p.m. on a voice vote.

Minutes approved by the Board on August 13, 2025

L. Paul Hardesty, President

Victor L. Gabriel, Vice President

NOTE: All agendas, attachments, materials distributed during the meeting, and audio recordings are available through the WVBE website or office pursuant to Policy 1241, Notice and Conduct of Meetings.

Minutes were recorded by:

Tina Payne, Board Secretary

Tina.A.Payne@k12.wv.us

304-558-3660