

**AMENDED AGENDA**  
**WEST VIRGINIA BOARD OF EDUCATION**  
Capitol Building 6, Suite 600  
1900 Kanawha Boulevard, East  
Charleston, West Virginia  
**May 14, 2025 - 10:00 a.m.**

***NOTE: Board members and meeting attendees are requested to gather at the bottom of the staircase in the Caperton Center (Building 7) for a special presentation by Rock Branch Elementary School Choir, directed by West Virginia Teacher of the Year Seth Skiles, at 10:00 a.m. After the conclusion of the special presentation, the WVBE will begin its regularly scheduled board meeting in the State Board Room.***

- I. **Welcome - Pledge of Allegiance - Introductions - Call to Order**  
Nancy J. White, President
  
- II. **Approval of Agenda - (Action)**  
Nancy J. White
  
- III. **Delegation(s) - (Information)**  
Christy Day
  
- IV. **School Safety Update - (Information)**  
Micah Whitlow
  
- V. **Consent Agenda - (Action)**

- A. **Approval of Minutes - (Action)**

[Attachment A](#)

It is recommended that the **minutes of the April 9, 2025, meeting of the West Virginia Board of Education (WVBE)** be approved.

- B. **Routine Business**

- 1. **Employment of Substitute Teachers in Areas of Critical Need and Shortage - (Action)**  
Kelli Talbott

[Attachment B](#)

It is recommended that the **Employment of Substitute Teachers in Areas of Critical Need and Shortage Policy for Wyoming County** be approved.

- 2. **Employment of Substitute Teachers and/or Bus Drivers in Areas of Critical Need and Shortage Affidavits - (Action)**  
Kelli Talbott

[Attachment C](#)

Pursuant to W. Va. Code §18A-2-3(c)(2)(G) and §18A-4-15a(b)(2)(F), affidavits from counties must be received and approved

by the WVBE for submission to the Consolidated Public Retirement Board.

It is recommended that the **affidavits listed in the attachment be received and approved for submission to the Consolidated Public Retirement Board.**

**3. Amendment of Raleigh County Board of Education 2020-2030 Comprehensive Educational Facilities Plan (CEFP) – (Action)** [Attachment D](#)  
**Michah Whitlow**

Policy 6200 requires all local boards of education to submit amendments to CEFPs to the WVBE and the School Building Authority of West Virginia (SBA) for approval. The Raleigh County Board of Education requests approval to revise its project priority list to include HVAC replacement to the Academy of Careers and Technology. The project is planned to be funded through local funds and a grant from the SBA.

It is recommended that **Raleigh County Board of Education’s request to amend their 2020-2030 CEFP be approved.**

**4. Monongalia County Schools Request for Waiver of Policy 4321.1, Standards for School Nutrition – (Action)**  
**Tony Crago**

Monongalia County Schools has requested a waiver of Policy 4321.1, Standards for School Nutrition, to allow for a la carte food sales at University High School. This waiver was approved for the 2023-2024 and 2024-2025 school years.

It is recommended that **Monongalia County Schools Request for Waiver of Policy 4321.1, Standards for School Nutrition, be approved for the 2025-2026 school year.**

**5. Policy 4334, West Virginia Design, Equipment and Inspection Requirements for School Transportation – (Action)** [Attachment E](#)  
**Jimmy Lacy**

Policy 4334 applies to the West Virginia Schools for the Deaf and the Blind (WVSDB), the West Virginia Schools of Diversion and Transition (WVSDT), and any other public school district under the supervision of the WVBE. It is revised to require public school districts to comply with the West Virginia Minimum Requirements for the Design, Equipment and Inspection of School Transportation Manual as incorporated by reference and approved by the West Virginia Board of Education.

It is recommended that **Policy 4334 be placed on public comment for 30 days from filing.**

6. **Policy 4336, West Virginia School Transportation Requirements - (Action)** [Attachment F](#)  
**Jimmy Lacy**

This proposed rule repeals and replaces Policy 4336. The policy applies to the WVSDB, the WVSDB, and any other public school district under the supervision of the WVBE. It requires public school districts to comply with the West Virginia School Transportation Procedures Manual as incorporated by reference and approved by the West Virginia Board of Education.

It is recommended that **Policy 4336 be placed on public comment for 30 days from filing.**

7. **Policy 8100, Public School Finance Requirements – (Action)** [Attachment G](#)  
**Uriah Cummings**

This rule repeals and replaces Policy 8100. It requires public school districts to comply with the West Virginia School Transportation Procedures Manual as incorporated by reference and approved by the West Virginia Board of Education.

It is recommended that **Policy 8100 be placed on public comment for 30 days from filing.**

8. **West Virginia Secondary School Activities Commission (WVSSAC) Series 1, Constitution - (Action)** [Attachment H](#)  
**David Price**

Most secondary public schools and several private schools in West Virginia belong to the WVSSAC. Each year, the principals of member schools submit revisions to the rules and regulations. The submitted proposals are presented and voted upon at the annual Board of Control meeting. Any approved changes are then submitted to the WVBE for review and approval. This proposed rule revision was approved by the Board of Control on April 8, 2025.

It is recommended that **WVSSAC, Series 1, be placed on public comment for 30 days from filing.**

9. **West Virginia Secondary School Activities Commission (WVSSAC) Series 2, Athletics, Provisions Governing Eligibility- (Action)** [Attachment I](#)  
**David Price**

Most secondary public schools and several private schools in West Virginia belong to the WVSSAC. Each year, the principals of member schools submit revisions to the rules and regulations. The submitted proposals are presented and voted upon at the annual Board of Control meeting. Any approved changes are then submitted to the WVBE for review and approval. This proposed rule revision was approved by the Board of Control on April 8, 2025.

It is recommended that **WVSSAC, Series 2, be placed on public comment for 30 days from filing.**

**10. West Virginia Secondary School Activities Commission (WVSSAC) Series 4, Provisions Governing Conduct - (Action)**

[Attachment J](#)

Most secondary public schools and several private schools in West Virginia belong to the WVSSAC. Each year, the principals of member schools submit revisions to the rules and regulations. The submitted proposals are presented and voted upon at the annual Board of Control meeting. Any approved changes are then submitted to the WVBE for review and approval. This proposed rule revision was approved by the Board of Control on April 8, 2025.

It is recommended that **WVSSAC, Series 4, be placed on public comment for 30 days from filing.**

**VI. New Business**

**A. West Virginia Secondary School Activities Commission (WVSSAC) Series 3, Provisions Governing Contests, Provisions Governing Conduct - (Action)**

**David Price**

[Attachment K](#)

Most secondary public schools and several private schools in West Virginia belong to the WVSSAC. Each year, the principals of member schools submit revisions to the rules and regulations. The submitted proposals are presented and voted upon at the annual Board of Control meeting. Any approved changes are then submitted to the WVBE for review and approval. This proposed rule revision was approved by the Board of Control on April 8, 2025.

It is recommended that **WVSSAC, Series 3, be approved as an emergency rule, effective upon filing, and be placed on public comment for 30 days from filing.**

**B. Discussion regarding the Public Employees Insurance Agency (PEIA)  
Kelli Talbott**

Discussion of issues and concerns relating to employee insurance benefits provided through PEIA.

Motions, if any, will be determined at the meeting.

**C. Policy 4374, Personal Electronic Device Usage In Schools – (Action)  
Drew McClanahan and Deputy Superintendent Sonya White**

[Attachment L](#)

Policy 4374 is a new policy that establishes minimum standards and requirements for county boards of education to limit the use of personal electronic devices by students in Grades K-12 during instructional school days to ensure that personal electronic devices do not interfere with the educational process or infringe on the rights of other students. The policy is expected to minimize disruption during instructional time and increase academic achievement for public school students. The WVBE approved the policy to be placed on public comment at its meeting on February 12, 2025. There were 27 public comments filed resulting in three changes to the proposed policy. Additionally, the final version of the policy includes necessary changes resulting from the enactment of House Bill No. 2003 during the 2025 Regular Legislative Session.

It is recommended that **Policy 4374 be approved and made effective 30 days from filing.**

**D. Right-of-Way Agreements Between the West Virginia Board of Education and Potomac Edison – (Action)  
Micah Whitlow and Kelli Talbott**

[Attachment M](#)

The West Virginia Schools for the Deaf and Blind (WVSDB) is seeking approval to grant Potomac Edison both temporary and two permanent right-of-way agreements for the purpose of constructing, reconstructing, inspecting, operating, and maintaining an overhead and/or underground electric and communication system. This proposed removal and relocation of existing utility easements benefits the WVSDB and the current campus entry improvement project. Under the proposed work, a 235-foot underground power line and a 298-foot underground power line would be replaced by a 274-foot underground power line on the campus of the WVSDB in Romney, West Virginia. In addition, a 340-foot underground power line would be installed. Two maps depicting the location of the proposed easements are included in the attachment.

It is recommended that a **temporary construction easement and permanent power line easement be granted to Potomac Edison as requested by the WVSDB be approved.**

**E. Berkeley County Schools/Martinsburg North Middle School State of Emergency – (Action)**

**Jeff Kelley, Kelly Massinople, County Superintendent Ryan Saxe and Principal Kevin Pittsnogle**

A school environment review of Martinsburg North Middle School was conducted on April 17, 2024, at the request of the WVDE Office of District and Leadership Support. The review was presented to the WVBE on May 8, 2024, after which the WVBE declared a State of Emergency existed at Martinsburg North Middle School and directed that an action plan, in collaboration with the WVDE Division of District and School Accountability and Berkeley County Schools leadership, be developed and presented to the WVBE for action. The WVBE approved the action plan on June 12, 2024. An update on the progress of the action plan and the corrective measures was presented to the WVBE at the November 13, 2024, meeting.

It is recommended that **Berkeley County Schools be released from the State of Emergency status, provided the school district agrees to maintain the protocols and practices necessary to support continued improvement at Martinsburg North Middle School.**

**F. Update: Mingo County Schools Special Circumstance Review Report - (Information)**  
**Alexandra Criner**

[Attachment N](#)

At the March 2025 meeting, the WVBE received an update of initial findings from the Special Circumstance Review of Mingo County Schools. While the review was ongoing, the WVBE voted to intervene immediately in the operation of Mingo County Schools, as delaying action would not be in the best interest of students. The review has since been completed, and a comprehensive report of the findings will be presented to the WVBE.

**G. Tyler County Schools Special Circumstance Review Report – (Information and/or Action)**  
**Alexandra Criner**

[Attachment O](#)

The WVDE Office of Accountability conducted a Special Circumstance Review of Tyler County Schools beginning March 27, 2025, at the request of the State Superintendent of Schools. The purpose of the review was to examine county board of education member effectiveness and to verify compliance with all state and local policies and W. Va. Code. A report of the findings of the review will be presented to the WVBE for possible action.

*Discussion of this special circumstance review may involve an Executive Session as provided in W. Va. Code §6-9A-4(b)(2)(A) [personnel exception] and/or §6-9A-4(b)(6), [privacy exception]. The Board majority must vote to have an Executive Session (no action will be taken during the Executive Session).*

Motions, if any, will be determined at the meeting.

**H. Nicholas County Schools Special Circumstance Review Report – [Attachment P](#)  
(Action)**

Alexandra Criner

The Office of Accountability conducted a Special Circumstance Review of Nicholas County Schools beginning April 14, 2025, at the direction of the State Superintendent of Schools to investigate recent actions by Nicholas County Schools Board of Education members and staff, to substantiate official complaints submitted to the WVDE, and to examine processes and structures to ensure a safe and supportive learning environment. The board will be provided with an update on the findings of this review to consider action.

*Discussion of this special circumstance review may involve an Executive Session as provided in W. Va. Code §6-9A-4(b)(2)(A) [personnel exception] and/or §6-9A-4(b)(6), [privacy exception]. The Board majority must vote to have an Executive Session (no action will be taken during the Executive Session).*

Motions, if any, will be determined at the meeting.

**I. 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) and, 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., and Discussion of Religious Exemptions from Compulsory School Vaccination Requirements – (Information and/or Action)**

*Discussion of legal matters may involve an Executive Session as provided in W. Va. Code §6-9A-4 [matters involving attorney-client privilege per Peters v. County Commission, 205 W. Va. 481 (1999)]. The Board majority must vote to have an Executive Session (no action will be taken during the Executive Session).*

Motions, if any, will be determined at the meeting.

**J. WVBE and WVDE Personnel Legal Matters - (Action)  
Nancy J. White**

*Discussion of WVBE and/or WVDE personnel may involve an Executive Session as provided in W. Va. Code §6-9A-4(b)(2)(A) [personnel exception] and/or §6-9A-4(b)(6), [privacy exception]. The Board majority must vote to have an Executive Session (no action will be taken during the Executive Session).*

It is recommended that the **WVBE personnel matters included in the attachment be approved.** [Attachment Q](#)

It is recommended that the **WVDE personnel matters included in the attachment be approved.** [Attachment R](#)

**VII. WVDE Reports - (Information)**

**Superintendent Michele Blatt**

**VIII. WVBE Member Updates and Requests for Information - (Information)**

**Nancy J. White**

**IX. Future Meetings - (Information)**

**Nancy J. White**

The next regular meeting of the WVBE will be held June 11, 2025, in Charleston, West Virginia.

**X. Adjournment - (Action)**