**MINUTES**

**WEST VIRGINIA BOARD OF EDUCATION**

**Capitol Building 6, Room 353**

**1900 Kanawha Boulevard, East**

**Charleston, West Virginia**

**February 12, 2020**

**I. Call to Order**

Following the welcome and Pledge of Allegiance, President David G. Perry called the meeting of the West Virginia Board of Education (WVBE) to order at 10:01 a.m. on February 12, 2020, in Capitol Building 6, Room 353, 1900 Kanawha Boulevard, East, Charleston, West Virginia.

The following members were present: President Perry, Vice President Miller L. Hall, Thomas W. Campbell, Robert W. Dunlevy, F. Scott Rotruck, Daniel D. Snavely, Debra K. Sullivan, Nancy J. White (via telephone), and James S. Wilson. Members absent were ex officios Steven L. Paine, State Superintendent of Schools, and Sarah Armstrong Tucker, Chancellor, West Virginia Council for Community and Technical College Education, and Interim Chancellor, West Virginia Higher Education Policy Commission.

**II. Approval of Agenda**

President Perry called for a motion to approve the agenda. Mr. Hall moved, and Mr. Rotruck seconded, that the agenda be approved. Upon the call for the question the motion was carried unanimously.

**III. Remarks from Governor’s Office, Legislative Leaders, and**

**Leaders of State Education Associations/Organizations**

Delegate Chris Toney, 31st District, extended his appreciation to the members for their service. Delegate Evan Worrell, 18th District, addressed the Board regarding Local School Improvement Councils (LSICs). Mr. David Gladkosky, Executive Director, West Virginia Professional Educators Association, addressed the Board regarding the State Superintendent’s retirement, full day faculty senate days, ReclaimWV, and the Love My WV School initiative. Mr. Fred Albert, President, American Federation of Teachers-West Virginia, addressed the Board regarding the State Superintendent’s retirement, policies on the agenda, Reconnecting McDowell initiative, and other national revitalizing rural community projects. Dr. Mickey Blackwell, Executive Director, West Virginia Association of Middle and Secondary Principals, addressed the Board regarding the State Superintendent’s retirement, invited members to attend a school on Friday, Black History Month (February), premiere of a movie titled “River of Hope” (showcasing West Virginia State University’s history), support for the public school system, Policy 3300 (specifically transfer and return clauses), full day faculty senate days, and Read Aloud WV Day (April). Mr. Dale Lee, President, West Virginia Education Association, addressed the Board regarding the State Superintendent’s retirement and the need for stability, progress, staying the course, and discipline in schools.

**IV. Break**

President Perry called for a break at 10:43 a.m. to attend a performance of the West Virginia Schools for the Deaf and the Blind’s Tapestry and Melodies in House Chambers. Mr. Rotruck departed the meeting.

**V. Call to Order**

President Perry called the meeting back to order at 11:45 a.m.

**VI.**  **Delegations**

Ms. Natalie Laliberty (distributed information), Principal, Ruthlawn Elementary (Kanawha County), addressed the Board regarding the State Superintendent’s retirement and school attendance reporting requirements. Ms. Amanda Kinder, parent, and Ms. Kasey Thompson, student, residents of Cabell County, addressed the Board regarding LSICs. (Copy appended to Official Minutes, Attachment I.) Mr. Rotruck rejoined the meeting by telephone.

**VII. Consent Agenda**

President Perry called for a motion to approve the Consent Agenda. Mr. Dunlevy moved, and Mrs. Sullivan seconded, that the Consent Agenda be approved. Upon the call for the question the Consent Agenda was unanimously approved. (Copies appended to Official Minutes, Attachments A through D.)

* Approved January 8, 2020, minutes (Attachment A)
* Received West Virginia Department of Education (WVDE) personnel matters (Attachment B)
* Approved Employment of Substitute Teachers in Areas of Critical Need and Shortage policies for Berkeley, Brooke, Hardy, McDowell, Mingo, Ohio, and Ritchie County Schools (Attachment C)
* Received Substitute Teachers in Areas of Critical Need and Shortage affidavits from Clay (three), Kanawha (19), Marion (one), Morgan (one), Pendleton (one), Raleigh (13), Randolph (one), Taylor (two), Webster (three), Wetzel (three), Wood (one), and Wyoming (six) County Schools and the West Virginia Schools for the Deaf and the Blind (two)

* Appointed Dr. Victor V. Fisher, Supervisor of Pupil Services at Harrison County Schools, to the Alternative Certification Educator Preparation Program Review Board (Attachment D).

**VIII. Superintendent Report**

Mr. W. Clayton Burch, Associate State Superintendent, addressed the Board regarding the use of the recently approved joint strategic plan during the legislative session and read the mission statement. Ms. Erika Klose, Assistant Director, WVDE Office of Middle and Secondary Learning, provided an update regarding computer science. Ms. Monica DellaMea (distributed information), Executive Director, WVDE Office of Early and Elementary Education, provided an update regarding early literacy efforts. (Copy appended to Official Minutes, Attachment J.)

**IX. Overview of Local School Improvement Council (LSIC) Responsibilities**

Ms. Charlene Coburn, Senior Administrator, WVDE Office of District and School Advancement, and Ms. Jenny Anderson (distributed information), Director, Families Leading Change WV, provided an overview of LSIC responsibilities, provisions of House Bill 206, and feedback from several counties. (Copy appended to Official Minutes, Attachment K.)

**X. Break**

President Perry called for a break for lunch at 12:43 p.m.

**XI. Call to Order**

President Perry called the meeting back to order at 1:30 p.m.

**XII. Policy 2322, West Virginia System of Support and Accountability**

Ms. Coburn presented Policy 2322, inclusive of the repeal of Policy 2200, Local School Improvement Councils: Engaging Parents, Families, Students, Business and Community in Education, for the Board’s consideration.

Following discussion, Mr. Hall moved, and Mrs. Sullivan seconded, that Policy 2322, as amended as a result of comments received during the comment period, and inclusive of the repeal of Policy 2200, be approved and effective 30 days from filing. Upon the call for the question the motion was carried unanimously. (Copy appended to Official Minutes, Attachment E-1 and E-2.)

**XIII. Policy 2510, Assuring the Quality of Education:**

**Regulations for Education Programs**

Dr. Jan Barth, Assistant State Superintendent, WVDE Division of Teaching and Learning, presented Policy 2510 for the Board’s consideration.

Following discussion, President Perry moved, and Mr. Campbell seconded, that the word “consecutive” be changed to “designated” in the chart located at section 6.3. Dr. Kathy D’Antoni, Associate State Superintendent, WVDE Division of Technical Education and Governor’s Economic Initiatives, was called upon to address the motion. Following discussion, the question was called and the motion was defeated with four members voting yes and five members voting no.

Mrs. Sullivan moved, and Dr. Wilson seconded, that Policy 2510, as amended as a result comments received during the comment period, be approved and effective July 1, 2020. Upon the call for the question the motion was carried unanimously. (Copy appended to Official Minutes, Attachment F-1 and F-2.)

**XIV. Policy 3300, Charter Public Schools**

Ms. Sarah Stewart (distributed information), Government Affairs Counsel, WVDE Office of Legal Services, presented Policy 3300 for the Board’s consideration.

Following discussion, Mr. Dunlevy moved, and Mr. Hall seconded, that Policy 3300, as amended as a result of comments received during the comment period and with a technical edit (date correction) at section 5.5.g., be approved and effective 30 days from filing. Mrs. Sullivan issued the following statement and requested that it be made part of the minutes.

*“While I have grave misgivings about the introduction of charter schools into West Virginia, this policy clearly sets forth responsibilities, expectations, and deadlines for both counties and for charter school applicants. The policy reflects the most current national research on charter schools. It leaves the choice to have or not have a charter school up to the counties.*

*My concerns are less with the policy than with the idea of charter schools.*

*We hear about funds being diverted from existing schools. That is, indeed, something to be concerned about. The fixed costs of operating existing schools will not change. In trying to stretch already dwindling dollars even farther, will counties increase class sizes? Cut already strapped extracurricular programs? Defer much need maintenance on building – again? Close schools?*

*A much less talked about issue is the diversion of human resources, again to the detriment of existing public schools in a county. The amount of time and expertise that will be demanded of county personnel to manage the charter school application process from start to finish, to meet deadlines for everything from collaborative meetings to dispersal of funds, to monitor the school’s progress, to arrange for requested transportation and nutrition services, to calculate and shift funds, to ensure that special education and other state and federal mandates are being met, and so on, is immense.*

*Every minute spent on charter schools is time not focused on the critical business at hand, operating all schools to meet the needs of children enrolled in all of the schools in a county.*

*I am not convinced that the way to strengthen our public schools is by diverting public funds to support a parallel set of schools or educational options.*

*What we do need are very good, more than adequately supported public schools that are accessible to all young West Virginians, regardless of where they live or the circumstances in which they find themselves.”*

Upon the call for the question the motion was carried with eight members voting yes and one member, Mrs. Sullivan, voting no. (Copy appended to Official Minutes, Attachment G-1 and G-2 and addendum).

President Perry reordered the agenda moving item *D. WVBE Resource Recommendations* to follow item *E. WVBE Personnel Matters Inclusive of Employment Matters Related to the State Superintendent of Schools, His Retirement, and Upcoming Search Actions*.

**XV. WVBE Personnel Matters Inclusive of Employment Matters**

**Related to the State Superintendent of Schools, His Retirement,**

**and Upcoming Search Actions**

**Executive Session**

Mr. Hall moved that the Board enter in executive session for a personnel matter as provided in W. Va. Code §6-9A-4(b)(2)(A) [personnel exception] and/or §6-9A-4 [matters involving attorney‑client privilege per Peters v. County Commission, 205 W. Va. 481 (1999)]. Mr. Campbell seconded the motion and upon the call for the question the motion was carried unanimously. The Board entered into executive session at 3:28 p.m. President Perry announced that no action would be taken in executive session.

**XVI. WVBE Personnel Matters Inclusive of Employment Matters**

**Related to the State Superintendent of Schools, His Retirement,**

**and Upcoming Search Actions (Continued)**

**Return from Executive Session**

President Perry called for a motion to return from executive session. Mrs. Sullivan moved, and Dr. Snavely seconded, that that the Board return from executive session. Upon the call for the question the motion was carried unanimously and the Board returned from executive session at 5:34 p.m.

President Perry made available to members a proposed search process timeline for the Board’s consideration.

Dr. Snavely moved, and Dr. Wilson seconded, that the timeline be accepted with adjustment as needed. Upon the call for the question the motion was carried unanimously.

President Perry made available to members the proposed job posting for the Board’s consideration with one amendment under qualifications to bring the posting into compliance with W. Va. Code §18-3-1.

Mr. Dunlevy moved, and Dr. Snavely seconded, that the amended job posting be approved. Upon the call for the question the motion was carried unanimously.

**XVII. WVBE Resource Committee Recommendations**

Mr. Campbell provided an update and stated that the committee will continue to meet at 9:00 a.m. on Wednesdays prior to routine WVBE business meetings.

**XVIII. WVBE Personnel Matters (Continued)**

President Perry called for a motion to approve the Board’s personnel matters. Ms. White moved, and Mrs. Sullivan seconded, that the personnel items be approved. Upon the call for the question the motion was carried unanimously. (Copy appended to Official Minutes, Attachment H.)

**XIX. WVBE Member Updates**

Mr. Rotruck spoke at the Honey Rubenstein Center School graduation ceremony and attended a science bowl event at West Virginia University. Mr. Dunlevy attended the WVASA Winter Conference.

**XX. Items for Future Meetings**

No items were requested.

**XXI. Future Meetings**

The next regular meeting of the WVBE will be held March 11, 2020, in Charleston, West Virginia. The meeting will continue on March 12, 2020, if the agenda is not completed on March 11, 2020.

**XXII. Adjourn**

Mr. Campbell moved, and Dr. Snavely seconded, that the meeting be adjourned. Upon the call for the question the motion was carried unanimously and the meeting was adjourned at 5:50 p.m.

**Minutes approved by the Board on March 11, 2020.**

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**David G. Perry, President**

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**Miller L. Hall, Vice President**

**Minutes were recorded by**

**Virginia M. Harris**

**Secretary to the Board**

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