**MINUTES**

**WEST VIRGINIA BOARD OF EDUCATION**

**Capitol Building 6, Room 353**

**1900 Kanawha Boulevard, East**

**Charleston, West Virginia**

**March 11, 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 10:05 a.m. on March 11, 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, Robert W. Dunlevy (via telephone), F. Scott Rotruck, Daniel D. Snavely, Debra K. Sullivan, Nancy J. White, and James S. Wilson, and ex officio W. Clayton Burch, State Superintendent of Schools. Members absent were Thomas W. Campbell and ex officio 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**

Mr. Fred Albert, President, American Federation of Teachers-West Virginia, addressed the Board regarding the National Board Certified Teacher recognitions, visits to schools, and concerns regarding COVID-19.

**IV. Recognitions**

The Board recognized West Virginia’s 2019 Milken Educator Award Winner, Mr. Brian Allman, social studies teacher at Buckhannon-Upshur Middle School (Upshur County).

**V. Consent Agenda**

President Perry called for a motion to approve the Consent Agenda. Ms. White 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 E.)

* Approved February 12 and February 21, 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 Doddridge, Mason, Mineral, Pleasants, Putnam, Raleigh (amended), and Wirt (amended) County Schools, and the West Virginia Schools for the Deaf and the Blind (amended) (Attachment C)
* Received Substitute Teachers in Areas of Critical Need and Shortage affidavits from Boone (11), Cabell (two), Calhoun (two), Hampshire (one), Harrison (six), Kanawha (one), Lincoln (one), Logan (11), Mercer (13), Mingo (one), McDowell (10), Ohio (one), Summers (one), Wayne (one), and Wood (three) County Schools, and the West Virginia Schools for the Deaf and the Blind (one)

* Approved two requests for waivers of Policy 2510, Assuring the Quality of Education: Regulations for Education Programs: 1) Berkeley County Schools, section 7.5.c.8.A, required training for teachers of Advanced Placement (AP) courses (waiver #1436); and 2) Raleigh County Schools, section 5.4.f.2, 90 consecutive minutes of instruction (waiver #1435) (Attachment D)
* Approved revisions to the West Virginia Career and Technical Education Endorsement and Testing Manual (Attachment E**)**
* Approved an amendment to the South Branch Career and Technical Center Comprehensive Educational Facilities Plan (CEFP) for facility improvements to allow work to begin on a special project to: 1) improve overall campus security and safety by installing additional video monitoring systems at the exterior and interior of the buildings; 2) replace exterior overhead garage doors and select main doors that have deteriorated and are malfunctioning; 3) improve the rainwater drainage near the welding shop; and 4) install access control within the interior of Building C
* Appointed Debra K. Sullivan to replace Thomas W. Campbell on the West Virginia Commission on Holocaust Education.

**VI. Mercer County Schools - Closure of Bluewell Elementary School**

**and Brushfork Elementary School**

Mr. Tommy Young, Executive Director, WVDE Office of School Facilities and Transportation, and Dr. Deborah S. Akers, Superintendent, Mercer County Schools, presented the closure and consolidation of Bluewell Elementary School and Brushfork Elementary School for the Board’s consideration. Dr. Wilson departed the meeting.

Following discussion, Mrs. Sullivan moved, and Mr. Rotruck seconded, the closures of Bluewell Elementary School and Brushfork Elementary School and consolidation of the two schools into a new elementary school be approved. Upon the call for the question the motion was carried unanimously. (Copy appended to Official Minutes, Attachment F.)

**VII. Policy 5202, Minimum Requirements for the Licensure of**

**Professional/Paraprofessional Personnel and Advanced Salary Classifications**

Ms. Michele Blatt, Assistant State Superintendent, Division of Support and Accountability, presented Policy 5202 for the Board’s consideration. Dr. Wilson returned to the meeting.

Following discussion, Mrs. Sullivan moved, and Dr. Snavely seconded, that Policy 5202, as amended, be approved and effective 30 days from filing. Upon the call for the question the motion was carried unanimously. (Copy appended to Official Minutes, Attachments G-1 and G‑2.)

**VIII. WVBE Personnel Matters Inclusive of Matters Related to the**

**State Superintendent of Schools Search**

President Perry provided a brief update regarding the State Superintendent of Schools search and called for a motion to approve the Board’s personnel matters. Ms. White moved, and Dr. Wilson 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.)

**IX. Special Circumstance Review of Guyan Valley Middle School (Lincoln County)**

Ms. Blatt and Mr. Matthew Hicks, Assistant Director, WVDE Office of District and School Advancement, presented information regarding the special circumstance review of Guyan Valley Middle School for the Board’s consideration and requested an executive session for student and personnel privacy issues.

**X. WVBE Personnel Matters Inclusive of Matters Related to the**

**State Superintendent of Schools Search and Special Circumstance**

**Review of Guyan Valley Middle School (Lincoln County)**

**Executive Session**

Following discussion, Mr. Hall moved that the Board enter in executive session for personnel matters involving the State Superintendent of Schools search and the review of Guyan Valley Middle School, as provided in W. Va. Code §6-9A-4(b)(2)(A) [personnel exception] and/or §6‑9A-4(b)(6) [privacy exception], and/or §6‑9A‑4 [matters involving attorney‑client privilege per Peters v. County Commission, 205 W. Va. 481 (1999)]. Mr. Rotruck seconded the motion and upon the call for the question the motion was carried unanimously. The Board entered executive session at 11:03 a.m.

**XI. Recess of Executive Session**

President Perry reported that the Board was recessing executive session at 11:46 a.m. for lunch until approximately 1:00 p.m. at which time the Board would return to executive session.

**XII. Return to Executive Session**

President Perry announced that the Board had returned from lunch at 1:01 p.m. and was resuming executive session.

**XIII. Return from Executive Session**

President Perry announced that the Board had returned from executive session at 1:36 p.m. with no decisions made or action taken and called on Ms. Blatt to continue the presentation regarding the special circumstance review, report, and recommendations regarding Guyan Valley Middle School. Mr. Jeff Midkiff, Superintendent, Lincoln County Schools, and Mr. Steve Priestly, President, Lincoln County Board of Education, addressed the Board regarding the steps the county has taken to address the issues stated in the report.

**XIV. Executive Session**

Following discussion, Mr. Hall moved that the Board enter in executive session for personnel matters involving Guyan Valley Middle School, as provided in W. Va. Code §6‑9A‑4(b)(2)(A) [personnel exception] and/or §6‑9A-4(b)(6) [privacy exception], and/or §6‑9A‑4 [matters involving attorney‑client privilege per Peters v. County Commission, 205 W. Va. 481 (1999)]. Mr. Dunlevy seconded the motion and upon the call for the question the motion was carried unanimously. The Board entered executive session with Superintendent Midkiff and President Priestly at 2:15 p.m. Superintendent Midkiff and President Priestly departed executive session at 3:03 p.m. Superintendent Burch departed the meeting at 3:10 p.m. to attend a press conference regarding COVID-19.

**XV. Return from Executive Session**

President Perry announced that the Board had returned from executive session at 3:20 p.m. with no action taken and distributed several recommendations for the Board’s consideration regarding the Special Circumstance Review Report prepared for Guyan Valley Middle School.

President Perry recommended that the WVBE accept the On-Site Review Report prepared by the Department of Education for Guyan Valley Middle School and adopt the recommendations and corrective actions specified by the on-site review team. In addition to complying with the recommendations in the report, the Lincoln County Board of Education must take immediate action to ensure that full time counseling services are available to the students at Guyan Valley Middle School.

Mrs. Sullivan moved, and Mr. Rotruck seconded, that the recommendation be accepted. Upon the call for the question the motion was carried unanimously.

President Perry issued the following statement: “The WVBE is gravely concerned at the findings in this report and is likewise concerned that similar conditions could be present in other schools in Lincoln County. The Board also questions the capacity of the central office to address the deficiencies at Guyan Valley Middle School and in the county as a whole.”

Mr. Hall moved, and Mrs. Sullivan seconded, agreement with the statement. Upon the call for the question the motion was carried unanimously.

President Perry recommended therefore, as the constitutional body charged with the general supervision of public schools in West Virginia, the Board direct the State Superintendent to conduct a comprehensive countywide on-site review of Lincoln County pursuant to WVBE Policy 2322 and W. Va. Code §18-2E-5 as soon as possible.

Mrs. Sullivan moved, and Dr. Wilson seconded, that the recommendation be accepted. Upon the call for the question the motion was carried unanimously.

President Perry recommended as part of the countywide review, the on-site team in consultation with the West Virginia School Board Association determine necessary additional training and/or actions to be taken by the local board and central office staff.

Ms. White moved, and Mr. Dunlevy seconded, that the recommendation be accepted. Upon the call for the question the motion was carried unanimously.

President Perry recommended that the current findings and documentation of the on-site team be referred to the state superintendent to begin an investigation to determine whether action should be taken against the certification of any individuals in the county.

Mr. Rotruck moved, and Mrs. Sullivan seconded, that the recommendation be accepted. Upon the call for the question the motion was carried unanimously. (Copy of report appended to Official Minutes, Attachment I.)

**XVI. Overview of Personalized Education Plan (PEP)**

Dr. Jan Barth (distributed information), Assistant State Superintendent, Division of Teaching and Learning, and Ms. Stephanie Hayes, Coordinator, WVDE Office of Special Education and Student Support, presented and overview of the PEP. It was suggested that a signature page be added to the online PEP; it was stated that a check-off area will be added for the review of the FAFSA and the form will interface with the master schedule. At the request of Mrs. Sullivan, Dr. Barth provided an update regarding the counselor and compassionate care conferences. (Copies appended to Official Minutes, Attachment J.)

**XVII. Superintendent Report**

Dr. Carla Warren, Special Assistant to the State Superintendent, introduced Dr. Corley Dennison, Vice Chancellor for Academic Affairs, West Virginia Higher Education Policy Commission, who provided an overview of the Underwood Smith Scholars Program. Dr. Warren introduced, Dr. Lydotta M. Taylor, President and CEO, The EdVenture Group, Inc., who provided an overview of the program and introduced the WVDE’s Elevated Leadership inaugural class of 2020: Jessica Austin, Susan Beck, Janet Bock-Hager, Cindy Burkhamer, Timothy Butcher, Uriah Cummings, Monica DellaMea, Renee Ecckles-Hardy, Teresa Hammond, Debra Harless, Matthew Hicks, David Hudnall, Georgia Hughes-Webb, Erika Klose, Andrea Lemon, Maggie Luma, Eva Markham, Andrew Pense, Lisa Ray, Vaughn Rhudy, Lori Whitt, Erin Williams, and Joey Wiseman. Dr. Warren reported that Superintendent Burch would provide an update to members regarding COVID‑19 via email. At the request of President Perry, Ms. Taran Wolford, Executive Director, WVDE Office of Human Resources, provided an update regarding WVDE vacancies.

**XVIII. Legislative Update**

Ms. Sarah Stewart (distributed information), Government Affairs Counsel, WVDE Office of Legal Services, provided an overview of recently completed education legislation. (Copy appended to Official Minutes, Attachment K.) Superintendent Burch returned to the meeting and departed the meeting near the end of the legislative update.

**XIX. WVBE Member Updates**

Ms. White attended a meeting of the West Virginia Educational Broadcasting Authority; Mr. Hall spoke at Oak Hill High School; and, Mrs. Sullivan attended CTE day at the Capitol. Several members attended the counselors conference and National Board Certified Teacher recognition ceremony.

**XX. Items for Future Meetings**

Dr. Wilson questioned a way to compare NAEP scores with demographically similar states and requested an update regarding the impact of artificial intelligence on jobs.

**XXI. Future Meetings**

The next regular meeting of the WVBE will be held April 8, 2020, in Charleston, West Virginia. The meeting will continue on April 9, 2020, if the agenda is not completed on April 8, 2020.

**XXII. Adjourn**

Dr. Snavely moved, and Ms. White seconded, that the meeting be adjourned. Upon the call for the question the motion was carried unanimously and the meeting was adjourned at 5:20 p.m.

**Minutes approved by the Board on April 8, 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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