**MINUTES**

**WEST VIRGINIA BOARD OF EDUCATION**

**Capitol Building 6, Room 353**

**1900 Kanawha Boulevard, East**

**Charleston, West Virginia**

**October 14, 2020**

**I. Call to Order**

Following the welcome and Pledge of Allegiance, President Miller L. Hall called the meeting of the West Virginia Board of Education (WVBE) to order at 11:30 a.m. on October 14, 2020, in Capitol Building 6, Room 353, 1900 Kanawha Boulevard, East, Charleston, West Virginia.

The following members were present: President Hall, Vice President Thomas W. Campbell, Robert W. Dunlevy, David G. Perry, 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. Member absent was Sarah Armstrong Tucker, Chancellor, West Virginia Higher Education Policy Commission and West Virginia Council for Community and Technical College Education.

**II. Approval of Agenda**

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

**III. Delegations**

Mr. David Gladkosky, Executive Director, West Virginia Professional Educators, submitted a letter for the Board’s consideration, Discussion ensued regarding Mr. Gladkosky’s letter pertaining to teacher shortages. Mr. Perry asked if the *Saturday Education Map* could be released earlier than 5:00 p.m. Mr. Fred Albert, American Federation of Teachers-West Virginia, addressed the Board regarding testing, teacher shortages, and the possibility of taking temperatures in schools.

**IV. Recognitions**

The Board recognized: 1) Ms. Alicia Lett, Principal, Cranberry-Prosperity Elementary (Raleigh County), Principal of the Year for the West Virginia Association of Elementary and Middle School Principals; Mr. John Conrad, Principal, Westwood Middle School (Monongalia County), Principal of the Year for the West Virginia Association of Secondary School Principals; 3) Ms. Susie Kirkpatrick, Bus Operator, Gilmer County, West Virginia’s School Service Personnel Employee of the Year; and, 4) Ms. Erin Anderson, Teacher, Tennerton Elementary School (Upshur County), West Virginia’s 2021 Teacher of the Year.

**V. Broadband Update**

Mr. Rotruck and Mr. Tim Conzett, Technology Officer, WVDE Office of Data Management and Information Systems, provided an update regarding broadband access, broadband initiatives, Kids Connect, and availability of public WiFi.

**VI. Consent Agenda**

President Hall called for a motion to approve the Consent Agenda. Mr. Campbell moved, and Ms. White seconded, that the Consent Agenda be approved. Following discussion regarding the Department’s personnel and COVID waiver attachments, President Hall called for the question and the Consent Agenda was unanimously approved. (Copies appended to Official Minutes, Attachments A through F.)

* Approved September 9, 2020, WVBE minutes (Attachment A)
* Received West Virginia Department of Education (WVDE) personnel matters (Attachment B)
* Received notification of statewide waivers of WVBE policies, approved by the State Superintendent of Schools, due to COVID-19 school closures (Attachment C)
* Appointed Ms. Lora Adams-Cox, Teacher, Wayne County, to serve as a member of the West Virginia Educator Preparation Program Review Board in the role of teacher to fill a vacancy left by a teacher representative resignation (Attachment D)
* Approved the documentation submitted as an addendum to the RESA 6 Alternative Certification Programs for general education and special education, provided by Brooke, Hancock, Marshall, Ohio, and Wetzel Counties in partnership with West Liberty University, and approved changing the programs' names to *Region 6* Alternative Certification Program (Attachment E)
* Accepted the West Virginia Educator Preparation Program Review Board’s recommendation to approve West Virginia Wesleyan College’s addition of a TIR Program with Kanawha County (Attachment F).

**VII. Break**

President Hall called for a break for lunch at 12:42 p.m.

**VIII. Call to Order**

President Hall called the meeting back to order at 1:15 p.m.

**IX 2020-2030 Comprehensive Educational Facilities Plan (CEFP):**

**Hampshire County and Raleigh County**

Ms. Amy Willard, School Operations Officer, WVDE Office of School Operations and Finance, presented 2020-2030 CEFPs for Hampshire County and Raleigh County for the Board’s consideration. Policy 6200, Handbook on Planning School Facilities, requires all county boards of education to submit a 10-year CEFP to the WVBE and the School Building Authority of West Virginia (SBA) for approval. Approval of the 10-year CEFP is required before a county can be considered for funding from the SBA. The CEFPs were reviewed by WVDE School Facilities Services staff and the SBA for compliance with Policy 6200 and the SBA Guidelines and Procedures Handbook. Discussion ensued regarding the CEFP review process, timeline, and development of a checklist inclusive of a timeline for completion of tasks. Mr. Tommy Young, Director, and Mr. Jerry Miliken, WVDE School Facilities Services, addressed the Board regarding the CEFPs.

Mr. Dunlevy moved, and Mrs. Sullivan seconded, that 2020-2030 CEFPs submitted by Hampshire County and Raleigh County be approved. Upon the call for the question the motion was carried unanimously. (Copies appended to Official Minutes, Attachment G-1 and G-2.)

**X. Policy 4110, Attendance**

Ms. Charlene Coburn, Accountability Officer, WVDE Office of Support and Accountability, presented Policy 4110 for the Board’s consideration. Policy 4110 is being amended to comply with House Bill 206 (2019 First Extraordinary Session) to define and require meaningful contact with students to ascertain reasons for unexcused absences and assist students with attendance. Discussion ensued regarding the proposed amendments.

Mr. Campbell moved, and Mrs. Sullivan seconded, that Policy 4110 be placed on public comment for 30 days. Upon the call for the question the motion was carried unanimously. (Copy appended to Official Minutes, Attachment H.)

**XI. Policy 5310, Performance Evaluation of School Personnel**

Ms. Margaret Williamson, Director, WVDE School Improvement Services, presented Policy 5310 for the Board’s consideration. Policy 5310 is being amended to comply with W. Va. Code §18A-3C-2 (removing the inclusion of school wide state summative assessment results in the calculation of teacher and administrator summative evaluation scores). Additional amendments reflect necessary updates since the policy was last adopted. Discussion ensued regarding the proposed amendments.

Ms. White moved, and Mr. Dunlevy seconded, that Policy 5310 be placed on public comment for 30 days. Upon the call for the question the motion was carried unanimously. (Copy appended to Official Minutes, Attachment I.)

**XII. Policy 5100, Approval of Educator Preparation Programs**

Dr. Carla Warren, Director, WVDE Educator Development and Support Services, presented Policy 5100 for the Board’s consideration. Policy 5100 must be revised to reflect the needs of education and educator preparation. Discussion ensued regarding the proposed amendments. Mrs. Sullivan requested that the definitions be returned near the beginning of all policies and that definitions be marked to show amendments.

Mr. Campbell moved, and Mrs. Sullivan seconded, that Policy 5100, with revision, be placed on public comment for 30 days. Upon the call for the question the motion was carried unanimously. (Copy appended to Official Minutes, Attachment J.)

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

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

Dr. Robert Hagerman, Director, WVDE Certification Services, presented Policy 5202 for the Board’s consideration. Policy 5202 establishes the requirements regarding licensure of educators to work in the public schools of West Virginia and is critical to the success of all students. Policy 5202 must be revised to reflect changes that have occurred in the education, certification, and licensure of professional/paraprofessional personnel. Policy 5112, *Athletic and Limited Football Trainers in the Public Schools of West Virginia* (procedures and pathways to be licensed as an athletic trainer or limited football trainer) is being incorporated into Policy 5202 and recommended for repeal. Discussion ensued regarding the proposed amendments.

Dr. Snavely moved, and Ms. White seconded, that Policy 5202, with revision and inclusive of the repeal of Policy 5112, be placed on public comment for 30 days. Upon the call for the question the motion was carried unanimously. (Copy appended to Official Minutes, Attachment K.)

**XIV. New Data Collection: Digital Equity**

Mr. Conzett presented a new data collection for digital equity for the Board’s consideration. The transition to remote learning in the spring of 2020 in response to the COVID‑19 pandemic revealed that a digital divide exists in West Virginia. To ensure equitable access to high quality educational opportunities for all students, the WVDE must enable and support the collection of new information about equitable access to technology for every student. Discussion ensued regarding the new data collection.

Mr. Campbell moved, and Mrs. Sullivan seconded, that the new data element proposal for digital equity be placed on public comment for 60 days. Upon the call for the question the motion was carried unanimously. (Copy appended to Official Minutes, Attachment L.)

**XV. WVBE Statewide Policy Waivers as a Result of COVID-19 School Closures**

Superintendent Burch requested that the Board extend his authority as State Superintendent of Schools to approve waivers for WVBE policy requirements that will be impacted by COVID‑19 school closures to include school year 2020-2021, retroactive to July 2020, with a monthly report of approved waivers presented to the WVBE at its monthly business meeting.

Mr. Perry moved, and Dr. Snavely seconded, that the authority of the State Superintendent of Schools to approve waivers for WVBE policy requirements that are impacted by COVID-19 school closures be extended until the State of Emergency is ended with a monthly report of approved waivers presented to the WVBE at its monthly business meeting. Upon the call for the question the motion was carried unanimously.

**XVI. WVBE Personnel Matters**

**Executive Session**

Mr. Campbell moved, and Mr. Perry seconded, that the Board move into executive session for a litigation update 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)]. Upon the call for the question the motion was carried unanimously. The Board entered executive session at 2:42 p.m.

**XVII. Return from Executive Session**

President Hall announced that the Board returned from executive session at 4:00 p.m. with no decisions made or action taken and called for a motion to approve the Board’s personnel matters. Mr. Campbell moved, and Ms. White seconded, that the Board’s personnel items be approved. Upon the call for the question the motion was carried unanimously. (Copy appended to Official Minutes, Attachment M.)

**XVIII. Superintendent’s Report**

Superintendent Burch provided an update regarding WVDE staff meetings; spoke to updating the Board’s strategic plan adopted in January 2020; collaborative relationships across education; instituting a Superintendent’s Advisory Council to include representation from a large cross section of education from providers to those receiving services; uncertified second month report numbers regarding enrollment, in-person instruction, staff, infection rates of students and teachers, and re-entry; announced receipt of a five-year, $9 million Project AWARE (Advancing Wellness and Resiliency in Education) grant award; and, assisted by Ms. Coburn (distributed information) provided information regarding guidance for evaluators to conduct educator evaluations during school year 2020-2021. Discussion ensued regarding the reorganization of the WVDE; loss of gate receipts (sports) and financial repercussions to counties and schools; status of budget hearings; social emotional health of students as a result of COVID restrictions; teacher recruitment; and, alternative certification options. It was requested that a report be developed showing student enrollment over the past 10 years and its budgetary impact. (Copy appended to Official Minutes, Attachment Mc.)

**XIX. WVBE Member Updates and Future Items**

Mrs. Sullivan provided an update regarding Communities In Schools. Mr. Campbell visited three schools in Greenbrier County engaging in discussion regarding COVID-19 concerns. President Hall spoke to high school students regarding COVID-19 and school attendance. Dr. Snavely departed the meeting.

**XX. Items for Future Meetings**

Mr. Perry requested that Ms. Kelli Talbott, Deputy Attorney General, be invited to provide a presentation at future meeting.

**XXI. Future Meetings**

The next regular meeting of the WVBE will be held November 12, 2020, in Charleston, West Virginia.

**XXII. Adjourn**

Mr. Perry moved, and Dr. Wilson seconded, that the meeting be adjourned. Upon the call for the question the motion was carried unanimously, and the meeting was adjourned at 4:59 p.m.

**Minutes approved by the Board on November 12, 2020.**

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**Miller L. Hall, President**

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**Thomas W. Campbell, Vice President**

Minutes were recorded by

Virginia M. Harris

Secretary to the Board

WVBEMinutes10/14/20