**MINUTES**

**WEST VIRGINIA BOARD OF EDUCATION**

**Capitol Building 6, Room 353**

**1900 Kanawha Boulevard, East**

**Charleston, West Virginia**

**November 12, 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 10:00 a.m. on November 12, 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, A. Stanley Maynard, 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. Oath of Office for A. Stanley Maynard**

Superintendent Burch administered the Oath of Office to Dr. Maynard.

**III. Approval of Agenda**

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

**IV. Delegations**

Mr. David Gladkosky, Executive Director, West Virginia Professional Educators, and Dr. Nicole Radabaugh, family nurse practitioner, Camden Family Health (Lewis County), submitted letters for the Board’s consideration. Ms. Rachel Kittle, Raleigh County parent, addressed the Board regarding COVID-19 school re-entry and long-term plans. Mr. Fred Albert, American Federation of Teachers-West Virginia, addressed the Board regarding grievances being filed by teachers and service staff who are being required to do more than one job and separately addressed the loss of confidence in West Virginia’s COVID-19 map. (Copies Appended to Official Minutes, Attachment L.)

**V. Communities In Schools Update**

Mrs. Sullivan provided brief remarks regarding the Communities In Schools presentation that will take place at 1:00 p.m.

**VI. Consent Agenda**

President Hall called for a motion to approve the Consent Agenda. Mr. Dunlevy moved, and Ms. White seconded, that the Consent Agenda be approved.

Mrs. Sullivan asked if Critical Need and Shortage policies could be handled via a statewide waiver; Ms. Heather Hutchens, General Counsel to the WVDE and WVBE advised that statute requires that counties submit, on an annual basis, a policy for the Board’s approval. A report is to be provided to the Board at a future meeting regarding critical need and shortage areas and teacher preparation programs. Mrs. Sullivan requested information regarding the amount of School Building Authority of West Virginia funding that will be available to fund new schools and/or projects and the disposal of closed facilities; Ms. Amy Willard, School Operations Officer, WVDE Office of School Operations and Finance, addressed Mrs. Sullivan’s questions. President Hall questioned the Policy 2510 waiver request; Dr. Jan Barth, Assistant State Superintendent, WVDE Superintendent’s Office, addressed President Hall’s question.

Upon the call for the question the Consent Agenda was unanimously approved. (Copies appended to Official Minutes, Attachments A through G.)

* Approved October 14, 2020, WVBE minutes (Attachment A)
* Received West Virginia Department of Education (WVDE) personnel matters (Attachment B)
* Approved Ohio County Schools’ request for a waiver of Policy 2510, requirement of a uniform grading system, for Wheeling Park High School for school year 2020-2021 (Attachment C)
* Approved Employment of Substitute Teachers in Areas of Critical Need and Shortage policies for Clay, Fayette, Kanawha, Marion, Mason, Raleigh, Randolph, Wayne, Webster, and Wood County Schools (Attachment D)
* Approved 2020-2030 Comprehensive Educational Facilities Plans (CEFP) for Gilmer, Jackson, Lewis, Mercer, Mingo, Monongalia, Monroe, Morgan, Randolph, Ritchie, Taylor, Tucker, Upshur, and Webster Counties, and the South Branch Career and Technical Center (Attachment E-1 through E-15)
* Accepted the West Virginia Educator Preparation Program Review Board’s recommendation to approve an addendum to the Region 3 Alternative Certification Program for general education, provided by Putnam County Schools in partnership with Marshall University, adding the endorsements of Algebra I 5-AD, General Integrated Mathematics through Algebra I 5-9, and Geometry 5-AD to the list of previously approved endorsements (Attachment F)
* Accepted the West Virginia Educator Preparation Program Review Board’s recommendation to approve educator preparation programs leading to licensure for *West Liberty University*: 1) Leadership in Educational Administration (Supervisor of General Instruction/Principal/ Superintendent); 2) Leadership in Education Administration Post Masters Certification; and 3) Leadership in Educational Administration (Supervisor of General Instruction/Principal/ Superintendent) Post Masters Certification; and, *West Virginia University‑Parkersburg*: Elementary Education with an Emphasis in Special Education: Multi-categorical K-12 (Attachments G-1 and G-2).

**VII. Policy 2436.10, Participation in Extracurricular Activities**

Ms. Sarah Stewart, Government Affairs Counsel, WVDE Office of Legal Services, presented Policy 2436.10 for the Board’s consideration. Eighteen comments were received during the comment period resulting in no changes to the policy. Mrs. Sullivan issued concern regarding the homeschool section; Ms. Stewart indicated that the policy refers to the proper West Virginia Secondary School Activities Commission (WVSSAC) rule that holds homeschool requirements and that the WVSSAC’s rule could change over time making language in Policy 2436.10 obsolete. President Hall requested a report of the number of homeschooled students participating in WVSSAC sanctioned sports.

Mr. Campbell moved, and Dr. Wilson seconded, that Policy 2436.10 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 H.)

**VIII.** **Annual County Board of Education Accountability Report**

Mr. Matt Hicks (distributed information), Director, WVDE Accountability Services, presented the Annual County Board of Education Accountability Report for the Board’s consideration. Ms. Willard provided clarification regarding financial indicators. Dr. Wilson requested an item be placed on next month’s agenda regarding this report to delve further into findings.

Following discussion regarding the process and procedure used to produce the report, Ms. White moved, and Mr. Rotruck seconded, that the Annual County Board of Education Accountability Report be approved. Upon the call for the question the motion was carried unanimously. (Copy appended to Official Minutes, Attachment I.)

**IX.** **Lincoln County Special Circumstance Review Report**

**(Finance and Transportation)**

Mr. Hicks (distributed information) presented the Lincoln County Special Circumstance Review Report (Finance and Transportation) for the Board’s consideration.

**X. Lincoln County Special Circumstance Review Report**

**(Finance and Transportation)**

**Executive Session**

Following Mr. Hicks’ presentation,President Hall called for a motion to enter into executive session.

Mr. Campbell moved, that the Board enter into executive session to take up the Lincoln County Special Circumstance Review Report (Finance and Transportation) and WVBE Personnel Matters as provided in W. Va. Code §6-9A-4(b)(2)(A) [personnel exception] and/or W. Va. Code §6‑9A-4(b)(6) [privacy exception], and/or W. Va. Code §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 at 11:02 a.m.President Hall announced that the Board would take lunch following executive session and would return at 1:00 p.m.

**XI. Lincoln County Special Circumstance Review Report**

**(Finance and Transportation) and WVBE Personnel Matters**

**Recess from Executive Session**

President Hall announced that the Board had returned with no action taken at 1:04 p.m.; Mr. Campbell announced that executive session had recessed and that the Board would return to executive session following the Communities In Schools presentation.

**XII. Communities In Schools Update**

First Lady Cathy Justice provided an overview of the Communities In Schools initiative and its continued growth throughout West Virginia. The mission of Communities In Schools is to surround students with a community of support, empowering them to stay in school and achieve in life. Ms. Cynthia Sorsaia (distributed information), Coordinator, WVDE Student Support and Well-Being Services, provided an update regarding Communities In Schools in West Virginia. (Copy appended to Official Minutes, Attachment L.)

**XIII. Lincoln County Special Circumstance Review Report**

**(Finance and Transportation) and WVBE Personnel Matters**

**Return to Executive Session**

President Hall announced that the Board was returning to executive session at 1:32 p.m.

**XIV. Lincoln County Special Circumstance Review Report**

**(Finance and Transportation) and WVBE Personnel Matters**

**Return from Executive Session**

President Hall announced that the Board had returned from executive session at 2:13 p.m. with no action taken and called for motions. Mr. Campbell moved, and Ms. White seconded, that the Special Circumstance Review Report (Finance and Transportation) for Lincoln County Schools be approved as presented. Upon the call for the question the motion was carried unanimously. (Copy appended to Official Minutes, Attachment J.)

Mr. Campbell stated that having heard and considered the result of the Lincoln County Special Circumstance Review for Finance and Transportation, including the reviews of November 12, 2020, and March 11, 2020, moved in support of Superintendent Kelley’s efforts to cure the deficits including but not limited to:

1. that the WVBE declare that a state of emergency exists in Lincoln County Schools pursuant to W. Va. Code §18-2E-5(m)(2);
2. that the State Superintendent appoint designees, which may include current WVDE employees and/or experienced education professionals to be employed pursuant to W. Va. Code §18-2E-5(j) to coordinate on-site school improvement efforts with the current county superintendent;
3. that the designees be directed to provide recommendations for correction of the extraordinary circumstances which shall be communicated to the county board; and
4. that if the progress in correcting the extraordinary circumstances is not made in six months from the time the county board receives the recommendations, the WVBE shall intervene in the operation of the school system.

Mrs. Sullivan seconded the motion and upon the call for the question the motion was carried unanimously.

President Hall called for a motion to approve the Board’s personnel matters. Mr. Campbell moved, and Mr. Dunlevy 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 K.)

**XV. Superintendent’s Report**

Superintendent Burch provided an update regarding school reentry and ongoing dialogue with local and state health officials. Ms. Shannon McBee (PowerPoint attached), Epidemiologist, Bureau of Public Health, West Virginia Department of Health and Human Resources, provided an update regarding COVID-19 trends and outbreaks in West Virginia. Superintendent Burch, assisted by Mr. Tim Conzett, Technology Officer, WVDE Technology Services, provided an update regarding certified enrollment figures for 2020-2021. Ms. Willard provided information regarding financial repercussions resulting from the loss of enrollment. Dr. Jan Barth (distributed information), Assistant Superintendent, provided an update regarding projected revision dates for WVBE policies and provided a report of policy waiver requests for July 2019 through June 2020. (Copies appended to Official Minutes, Attachment Mc.)

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

Mrs. Sullivan spoke to the amount of time students are now spending on devices and asked if the WVDE has direct involvement with students regarding safety. Superintendent Burch spoke to device safety and referred to the Board to Policy 2460, Educational Purpose and Acceptable Use of Electronic Resources, Technologies and the Internet. Mrs. Sullivan suggested the WVDE develop a public service announcement regarding internet safety.

Mrs. Sullivan requested, in addition to the teacher preparation programs update and other reports requested earlier in the meeting, that the Schools for Diversion and Transition provide an in-depth report at a future meeting; Superintendent Burch indicated that quarterly updates are scheduled and a report will be provided in December.

**XVII. Future Meetings**

President Hall announced that the next regular meeting of the WVBE will be delayed one week and will be held December 16, 2020, in Charleston, West Virginia.

**XVIII. 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 3:07 p.m.

**Minutes approved by the Board on December 16, 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

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