**MINUTES**

**WEST VIRGINIA BOARD OF EDUCATION**

**Capitol Building 6, Room 353**

**1900 Kanawha Boulevard, East**

**Charleston, West Virginia**

***Special Meeting***

**February 23, 2021**

**I. Call to Order**

Following the welcome and Pledge of Allegiance, President Miller L. Hall called the special meeting of the West Virginia Board of Education (WVBE) to order at 10:30 a.m. on February 23, 2021, 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 (via telephone), A. Stanley Maynard, F. Scott Rotruck, Daniel D. Snavely (via Teams), Debra K. Sullivan, Nancy J. White (via Teams), and James S. Wilson, and ex officio W. Clayton Burch, State Superintendent of Schools. Member absent was ex officio 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. Rotruck moved, and Mrs. Sullivan seconded, that the agenda be approved. Upon the call for the question the motion was carried unanimously.

**III. Delegations**

Mr. Fred Albert, President, American Federation of Teachers-West Virginia, addressed the Board regarding the reopening of schools and legislation. Mr. Dale Lee (distributed information), President, West Virginia Education Association, addressed the Board regarding the reopening of schools and vaccination of educators. (Copy appended to Official Minutes, Attachment A.)

**IV. Education Bills of the 1st Session of the 85th Legislature of West Virginia**

Ms. Michele Blatt (distributed information), Deputy State Superintendent of Schools, Ms. Heather Hutchens, General Counsel to the WVDE and WVBE, Ms. Sarah Stewart, Government Affairs Counsel, WVDE Legal Services, and Ms. Amy Willard, School Operations Officer, WVDE Office of School Operations and Finance, provided information and addressed questions regarding a number of bills currently under consideration by the Legislature pertaining to education. (Copy appended to Official Minutes, Attachment B.)

**V. Break**

President Hall called for a break at 11:50 a.m.

**VI. Call to Order**

President Hall called the meeting back to order at 12:01 p.m.

**VII. In-Person Instruction Options in West Virginia Public Schools**

Superintendent Burch (distributed information) and Clay B. Marsh, MD, West Virginia Coronavirus Czar, and Vice President and Executive Dean for Health Sciences, West Virginia University, presented information regarding in-person instruction options in West Virginia public schools for the Board’s consideration. (Copies appended to Official Minutes, Attachment C).

**VIII. Break**

President Hall called for a break at 1:05 p.m.

**IX. Call to Order**

President Hall called the meeting back to order at 1:38 p.m.

**X. In-Person Instruction Options in West Virginia Public Schools (Continued)**

Following discussion of in-person instruction options, Mr. Campbell moved that the following preamble and motion be approved:

**Preamble**: Members of the West Virginia Board of Education recognize and applaud the diligence, creativity, compassion, and commitment of West Virginia educators and service personnel who have provided physical, intellectual, and emotional lifelines to our children during the pandemic. They have taken selfless and heroic measures to support students and their families during these challenging times. The current and future well-being of our children and youth is of the highest priority and those who contribute to this effort deserve our deepest appreciation and recognition.

**Motion**: That the West Virginia Board of Education (WVBE) adopt the following parameters for in-person instruction:

* The WVBE desires to return students to in-person learning and to ensure students, teachers, and staff can do so safely. The Board recognizes that in-person learning is the best mode in which to foster a student’s intellectual, social-emotional, and physical growth and well-being.
* To continue to ensure that schools remain safe for students, teachers, and staff, education leaders at the local level are directed to continue monitoring and enforcing the WVDE’s six identified mitigation strategies, especially mask wearing.
* Parents will continue to have the ability to choose a virtual learning option for their children.

For West Virginia Students in Grades Pre-K through 8

* Pre-K through 8 students will attend in-person instruction five full days per week regardless of the county’s color on the West Virginia Department of Health and Human Resources (DHHR) County Alert System Map beginning March 3rd.
* Counties do not have the option to implement full countywide remote learning for Pre-K through 8 students. However, a local county board of education retains the authority to work with local health officials and to close individual classrooms or schools when a specific health need related to that classroom or school is identified. Such closures shall be of limited duration and related to the specific health need of the school or classroom. Teachers and staff will continue to provide essential student support services including meals, student engagement, all special education services and support to at-risk students.
* Option: Counties that are utilizing classroom teachers to teach both in-person students and full-time students participating in locally designed virtual programs may submit a waiver request to the State Superintendent to request the ability to conduct in-person instruction four days per week to allow sufficient time to support full-time virtual students.
* Parents will continue to have the ability to choose a virtual learning option for their children.

Dr. Wilson seconded the motion and upon the call for the question, the motion was carried unanimously.

Mr. Campbell moved that the following motion for grades 9 through 12 be approved:

For West Virginia Students in Grades 9 through 12

* High schools will attend school in-person unless the county is red on the DHHR County Alert System Map by Order of the Governor.
* The WVBE recommends that students in grades 9-12 in counties that are not red on the DHHR County Alert Map attend school five days per week.
* Consistent with the practice that has been in place since the start of the 2020-2021 school year, high schools will move to remote learning the day after the county turns red on the DHHR County Alert System Map. County superintendents will determine if in-person instruction will resume the following Monday or sooner if the DHHR County Alert System Map allows.
* A local county board of education retains the authority to work with local health officials and to close individual classrooms or schools when a specific health need related to that classroom or school is identified irrespective of the county’s color on the DHHR County Alert System Map. Such closures shall be of limited duration and related to the specific health need of the school or classroom. Even when a county is red on the DHHR County Alert System Map, teachers and staff will continue essential student support services including meals, student engagement, all special education services and support to at-risk students.
* Parents will continue to have the ability to choose a virtual learning option for their children.

Further

The WVDE County Recovery Plans Website will be updated as counties transition to in-person instruction in compliance with this motion. The State Superintendent will notify the WVBE if any county fails to comply with the in-person instruction requirements of this motion.

Dr. Wilson seconded the motion and upon the call for the question, the motion was carried unanimously.

**XI. Future Meetings**

The next regular meeting of the WVBE will be held March 10, 2021, in Charleston, West Virginia.

**XII. Adjourn**

President Hall moved, and Mr. Campbell seconded, that the meeting be adjourned. Upon the call for the question the motion was carried unanimously; the meeting was adjourned at 2:06 p.m.

**Minutes approved by the Board on March 10, 2021.**

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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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