**MINUTES**

**WEST VIRGINIA BOARD OF EDUCATION**

**Capitol Building 6, Room 353**

**1900 Kanawha Boulevard, East**

**Charleston, West Virginia**

**August 11, 2021**

**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 August 11, 2021, in Capitol Building 6, Room 353, 1900 Kanawha Boulevard, East, Charleston, West Virginia.

The following members were present: President Hall, 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. Approval of Agenda**

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

**III. Recognitions**

The Board recognized Ms. Katherine Crim, art teacher at Robert C. Byrd High School (Harrison County), who introduced the 2020 Arts Alive Poster winner, Mr. Richard Ferrell, student at Robert C. Byrd High School, and 2021 Arts Alive Poster winner, Ms. Alexis Brewer, student at Robert C. Byrd High School.

**IV. Delegations**

Mr. Fred Albert, President, American Federation of Teachers-West Virginia, addressed the Board regarding book giveaway events and the promotion of vaccinations and masks; Mr. David Gladkosky, Director, West Virginia Professional Educators, addressed the Board regarding the return to school and classroom supplies; and, Mr. Dale Lee, President, West Virginia Education Association, addressed the Board regarding assessment scores, teacher shortage, and the upcoming school year.

**V. World Language Programs and Seal of Biliteracy**

Ms. Debora Nicholson (distributed information), Coordinator, WVDE Middle and Secondary Learning Services, and Ms. Peggy Dolan, Ms. Terri Marlow, Ms. Nancy Ryan, and Mr. David Marlow (distributed information), retired West Virginia educators and members of the West Virginia Advocacy for Languages, addressed the Board regarding world language programs, the Seal of Biliteracy, and requested support for collaborative efforts. (Copies appended to Official Minutes, Attachment Mc.)

**VI. Consent Agenda**

President Hall called for a motion to approve the Consent Agenda. Mr. Dunlevy moved, and Mr. Campbell seconded, that the Consent Agenda be approved. Mrs. Sullivan spoke in support of the requested wavier regarding electronic ticketing, requested that teacher certification requirements found in Policy 2422.2 be relocated to Policy 5202 and that, going forward, all teacher requirements found in other WVBE policies be relocated to Policy 5202. Upon the call for the question the Consent Agenda was unanimously approved. (Copies appended to Official Minutes, Attachments A through H.)

* Approved July 14, 2021, WVBE minutes (Attachment A)
* Received West Virginia Department of Education (WVDE) personnel matters (Attachment B)
* Approved: 1) Kanawha County’s request for a waiver of required professional development for one AP® European History teacher at Capital High School for school year 2021-22; 2) WVDE Office of School Operations and Finance, School Finance Services, request for a waiver of Policy 1224.1 to allow for the use of third-party vendors to administer payments on behalf of the school until such a provision can be permanently incorporated into the policy with the revision scheduled for 2022; 3) WVDE Office of School Operations and Finance, School Finance Services, request for a waiver of Policy 1224.1 to allow for electronic ticketing until electronic ticketing can be permanently incorporated into the policy with the revision scheduled for 2022; 4) WVDE Office of School Operations and Finance, School Finance Services, request for a waiver of Policy 8200 to allow for electronic submission of sealed bids until the electronic submission process can be permanently incorporated into the policy with the revision scheduled for 2022; 5) WVDE Legal Services, Certification Services, request for a statewide waiver of Policy 5202, section 11.1.c.1. College/University Coursework, *“verification by the designated official at the IHE through which the program is being completed”*; and 6) Bethany College’s request for a waiver of Policy 5100, section 6.8.a, Yearlong Residency Minimum Requirements, to extend the implementation of the West Virginia Residency Model from the fall semester of 2021 as required in Policy 5100 until the Spring Semester of 2022 (Attachment C)
* Approved Summers County Board of Education’s request to amend its 2020‑2030 Comprehensive Educational Facilities Plan to: 1) renovate currently detached structure at Talcott Elementary School to make it usable for physical education, core academic instruction, special education instruction, and a gathering space capable of holding the entire student body and 2) add a dining hall/cafeteria at Hinton Area Elementary School to provide a dedicated food service area that does not conflict with the auditorium, physical education space, and bus hall. Both revisions are intended to be funded with American Rescue Plan (ARP) Elementary and Secondary Schools Emergency Relief (ESSER) funds (Attachment E)
* Placed Policy 2422.2, Driver Education Regulations, on public comment for 30 days (Attachment F)
* Placed Policy 5202, Minimum Requirements for the Licensure of Professional/ Paraprofessional Personnel and Advanced Salary Classifications, on public comment for 30 days (Attachment G)
* Placed Policy 7212, Intercounty Student Transfer Appeal, on public comment for 30 days (Attachment H).

**VII. Superintendent Report**

Superintendent Burch (distributed information), provided an update regarding: Fall 2021 school recovery and guidance; vaccination efforts; the West Virginia Schools for the Deaf and the Blind; assisted by Dr. Sonya White, Teaching and Learning Officer, WVDE Office of Teaching and Learning, provided information regarding the WVDE’s summer learning forum and credit recovery options; and, assisted by Dr. Vaughn Rhudy (distributed information), Director, WVDE Assessment Services, released the 2021 West Virginia Statewide Summative Assessment Results. (Copies appended to Official Minutes, Attachment N.)

**VIII. Break**

President Hall called for a break for lunch at 12:10 p.m.

**IX. Call to Order**

President Hall called the meeting back to order at 1:00 p.m.

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

Ms. Sarah Stewart, Government Affairs Counsel, WVDE Legal Services, presented a potential waiver of Policy 2436.10, section 3.1.a., regarding academic eligibility for the Board’s consideration. Following discussion, it was decided that action regarding this item would be taken later in the meeting to allow the crafting of a motion to reflect discussion.

**XI. Policy 2520.3C, West Virginia College- and Career-Readiness**

**Standards for Science**

Dr. White presented Policy 2520.3C for the Board’s consideration. During the comment period, 37 comments were received which resulted in changes to the policy as noted in the executive summary.

Following discussion, Dr. Wilson moved, and Mr. Campbell seconded, that Policy 2520.3C be approved as amended and effective July 1, 2022. Upon the call for the question the motion was unanimously carried. (Copies appended to Official Minutes, Attachments I-1 and I‑2.)

**XII. Policy 5309, County Superintendent Performance Evaluations**

Ms. Charlene Coburn, Senior Officer, WVDE Office of Support and Accountability, presented Policy 5309 for the Board’s consideration. During the comment period, 23 comments were received and shared with the stakeholder group which resulted in changes to the clarify the intent of the policy.

Following discussion, Mr. Campbell moved, and Mr. Dunlevy seconded, that Policy 5309 be approved as amended and effective 30 days from filing. Upon the call for the question the motion was unanimously carried. (Copies appended to Official Minutes, Attachments J-1 and J‑2.)

**XIII. SREB SMART as Alternative Certification Program Option**

**in the Content Areas of Science and Mathematics**

Dr. White presented a proposal to pilot the SREB Alternative Certification Program for the next two years as one of the programs to be established and adopted by the WVBE to address additional alternative preparation programs in the content areas of mathematics and science.

Following discussion, Mr. Campbell moved, and Dr. Wilson seconded, that the SREB SMART proposal, as an option of alternative certification in the content areas of science and mathematics, be approved. Upon the call for the question the motion was unanimously carried. (Copy appended to Official Minutes, Attachment K.)

**XIV. Authorization for the WVDE to Provide a**

**Teacher Certification Program (W. Va. Code §18A-3-1j)**

Dr. White requested the WVBE’s approval to provide a teacher certification program consisting of WVDE-approved coursework offered by West Virginia Institutions of Higher Education (IHEs).

Following discussion, Mr. Campbell moved, and Mrs. Sullivan seconded, that the WVDE be authorized to provide a teacher certification program as provided in W. Va. Code §18A‑3‑1j. Upon the call for the question the motion was carried unanimously.

**XV. Annual Appointment of WVBE Statutory Units/Liaisons**

President Hall called for a motion to reappoint Daniel D. Snavely and A. Stanley Maynard to the County Board Member Training Standards Review Committee; Nancy J. White to the Educational Broadcasting Authority; James S. Wilson to the Secondary School Activities Commission; and appoint Nancy J. White to the School Building Authority of West Virginia, effective September 4, 2021. Mr. Campbell moved, and Mrs. Sullivan seconded, the reappointments/appointment as stated by President Hall. Upon the call for the question the motion was carried unanimously.

**XVI. WVBE Personnel Matters**

President Hall called for a motion to approve the Board’s personnel attachment. Mr. Campbell moved, and Mr. Dunlevy seconded, that the personal attachment be approved. Upon the call for the question, the motion was carried unanimously. (Copy appended to Official Minutes, Attachment L.)

**XVII. Policy 2436.10, Participation in Extracurricular Activities (Continued)**

Ms. Stewart presented a motion regarding Policy 2436.10, section 3.1.a., regarding academic eligibility for the Board’s consideration. Following discussion, minor edits were requested and action regarding the motion was delayed until later in the agenda.

**XVIII. WVBE Member Updates**

Mrs. Sullivan provided an update regarding Communities In Schools and stated that she visited schools in Logan and Mercer Counties; Mr. Campbell attended a legislative forum in Greenbrier County; President Hall visited Lewis County with a leadership team from WVU; and Dr. Wilson reported that the SSAC is determined have as near normal athletic season as possible; this will be determined by student athletes’ vaccination status.

**XIX. Policy 2436.10, Participation in Extracurricular Activities (Continued)**

Ms. Stewart presented an amended motion for the Board’s consideration. Following review, Mr. Campbell moved that “a limited waiver be adopted to West Virginia Board of Education Policy 2436.10 to allow students who are academically ineligible to participate in extracurricular activities to practice and condition for the first nine weeks of school. The grades of all students practicing and conditioning under this waiver will thereafter be evaluated at two points in time:

* First, all students’ grades will be evaluated after six weeks from the start of school. If the student has obtained a 2.0 and thus achieved academic eligibility, the student will then be permitted to participate in contests, performances, and competitions. Students who have not obtained 2.0 will continue to be permitted to practice under this limited waiver until the nine-week evaluation.
* Next, all students’ grades will be evaluated after nine weeks from the start of school. If the student has obtained a 2.0 and thus achieved academic eligibility, the student will then be permitted to participate in contests, performances, and competitions. Students gaining full eligibility at six weeks must also maintain academic eligibility at the nine-week evaluation.

The limited waiver does not extend past the nine-week evaluation point. Students who fail to become academically eligible at the nine-week evaluation point will not be permitted to continue practicing and academic eligibility will thereafter be determined under the existing provisions of Policy 2436.10.”

Mr. Dunlevy seconded the motion an upon the call for the question the motion was carried unanimously.

**XX. Items for Future Meetings**

Mrs. Sullivan requested a presentation on Farm-to-School and other nutrition programs. Mr. Campbell requested a moment of silence for the loss of a Greenbrier County teacher. Dr. Maynard requested a presentation regarding schools that performed well during the summative assessment.

**XXI. Future Meetings**

President Hall called for a motion to approve the WVBE’s meeting schedule for September 2021 through August 2022. Mr. Campbell moved, and Mrs. Sullivan seconded, that the meeting schedule for September 2021 through August 22 be approved. Upon the call for the question, the motion was carried unanimously. (Copy appended to Official Minutes, Attachment M.)

President Hall announced that the next regular meeting of the WVBE will be held September 8, 2021, in Charleston, West Virginia.

**XXII. Adjourn**

President Hall called for a motion to adjourn. Mr. Campbell moved, and Mrs. Sullivan seconded, that the meeting be adjourned. Upon the call for the question the meeting was adjourned at 2:31 p.m.

**Minutes approved by the Board on September 8, 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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