**MINUTES**

**WEST VIRGINIA BOARD OF EDUCATION**

**Capitol Building 6, Room 353**

**1900 Kanawha Boulevard, East**

**Charleston, West Virginia**

**September 8, 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 9:00 a.m. on September 8, 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 (via Teams and telephone), 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. Rotruck moved, and Mr. Dunlevy seconded, that the agenda be approved. Upon the call for the question, the motion was carried unanimously.

**III. Recognitions**

The Board recognized Ms. Katherine Miller, cafeteria manager, Wayne High School (Wayne County), as the 2022 School Service Personnel Employee of the Year, and Mr. Brian Casto, West Virginia social studies teacher, Milton Middle School (Cabell County), as the 2022 Teacher of the Year.

**IV. Delegations**

Ms. Sally N. Barton, Vice President, The Education Alliance, invited members to attend the 2021 Education Summit: Jumpstarting Career Pathways on October 13; Mr. David Gladkosky, Executive Director, West Virginia Professional Educators, congratulated the Teacher and Service Personnel employees of the year and the Department regarding COVID mitigation strategies; Mr. Fred Albert, President, American Federation of Teachers-West Virginia, congratulated the Teacher and Service Personnel employees of the year, addressed the Board regarding the teacher shortage, and spoke regarding a First Book event at Mary C. Snow/Westside Elementary (Kanawha County); Mr. Dale Lee, President, West Virginia Education Association, congratulated the Teacher and Service Personnel employees of the year, addressed the Board regarding COVID outbreaks in schools, taking health precautions based on map colors, school employees being required to take sick leave to quarantine, teachers being required to do double duty (teaching in-person and remote),

and requested that educators be placed at the top of the list for COVID booster shots; and Dr. Mickey Blackwell, Executive Director, **West Virginia** Association of Elementary/Middle School Principals, congratulated the Teacher and Service Personnel employees of the year, addressed the Board regarding teacher recruitment and morale, and stated that the National Principal of Year will be named in October.

**V. Consent Agenda**

President Hall called for a motion to approve the Consent Agenda. Mr. Campbell moved, and Mrs. Sullivan seconded, that the Consent Agenda be approved. Mrs. Sullivan requested clarification regarding the WVDE’s personnel item, requested that transfers be included on the future WVDE personnel attachments, and requested clarification of the waivers for AP® professional development. Following clarifications provided by WVDE staff, President Hall called for the question and the Consent Agenda was unanimously approved. (Copies appended to Official Minutes, Attachments A through Mc.)

* Approved August 11, 2021, WVBE minutes (Attachment A)
* Received West Virginia Department of Education (WVDE) personnel matters (Attachment B)
* Approved first time waiver requests of Policy 2510, Appendix B: *Training Required in Policy 2510*, related to professional development for Advanced Placement® (AP®) teachers submitted by: Berkeley County for a teacher of AP® U. S. Government and Politics at Musselman High School; Fayette County for a teacher of AP® Biology at Meadow Bridge High School; Hancock County for a teacher of AP® US History at Weir High School; and Mingo County for a teacher of AP® Biology at Mingo Central High School. Approval was granted for school year 2021-22 (Attachment C)
* Approved Employment of Substitute Teachers in Areas of Critical Need and Shortage policies for Boone, Brooke, Hampshire, Jackson, Lincoln, Logan, Mingo, Monongalia, Randolph, Ritchie, and Wetzel Counties, and the West Virginia Schools for the Deaf and the Blind (Attachment D)
* Approved the 2020-2030 Comprehensive Educational Facilities Plan (CEFP) submitted by the Barbour County Board of Education (Attachment E)
* Approved the Putnam County Board of Education's request to amend the 2020‑2030 CEFP to include HVAC upgrades of various types at eight elementary schools in the county, the replacement of two rooftop units at Poca High School, and the replacement of the welding exhaust system at Putnam Career and Technical Center. Also, bi-polar ionization units will be installed at Buffalo High School, Confidence Elementary, and Mountain View Elementary School. All revisions are intended to be funded with American Rescue Plan (ARP) Elementary and Secondary Schools Emergency Relief (ESSER) funds (Attachment F)
* Approved the Marion County Board of Education's request to amend the 2020‑2030 CEFP to add a new secure office entry with mantrap and vehicle visibility window to East Dale Elementary School (Attachment G)
* Placed Policy 8100.1, Computation of Average Daily Attendance (ADA) and Average Daily Membership (ADM), on public comment for 30 days (Attachment H)
* Placed Policy 5103, Prospective Employable Professional Personnel, on public comment for 30 days (Attachment I)
* Approved Clinical Teacher of Record Agreements additions for Glenville State College with Morgan County, University of Charleston with Kanawha County, Wheeling University with Ritchie County, and WVU-Parkersburg with Jackson County (Attachment J)
* Appointed Stephen McPherson, teacher in Berkeley County, to serve on the West Virginia Educator Preparation Program Review Board to fill a vacancy left by a pre-k-12 teacher representative's resignation (Attachment K)
* Appointed Charity Hightower, elementary school teacher in Cabell County, and Dana Crudup, elementary school teacher in Monongalia County, to serve three‑year terms on the West Virginia Commission for Professional Teaching Standards (Attachment L)
* Approved the West Virginia Licensure Testing Directory (Attachment M)
* Approved the West Virginia Career and Technical Education (CTE) Endorsements and Testing Manual (Attachment Mc).

**VI. Superintendent Report**

Ms. Michele Blatt (distributed information), Deputy State Superintendent, presented the Fall 2021 School Recovery and Guidance document, provided a brief demonstration of data found on the COVID-19 website, and spoke about COVID booster clinics. Discussion ensued regarding vaccinations, wearing of masks, and teachers feeling burdened; the WVDE was requested to obtain data as soon as possible regarding counties’ responses to outbreaks. Mr. Matt Hicks, Director, WVDE Accountability Services, provided an update regarding ongoing supports provided to the West Virginia Schools for the Deaf and the Blind. Ms. Georgia Hughes‑Webb (distributed information), Director, and Ms. Megan Warnock, Coordinator, WVDE Data Analysis and Research Services, presented FY 21 Instructional Modality data. (Copies appended to Official Minutes, Attachment V.)

**VII. Break**

President Hall called for a break at 11:08 a.m.

**VIII. Call to Order**

President Hall called the meeting back to order at 11:27 a.m.

**IX. Special Circumstance Review of Lincoln County Schools,**

**Board Member Effectiveness**

Mr. Hicks presented the Special Circumstance Review of Lincoln County Schools: Board Member Effectiveness report for the Board’s consideration. Mr. Jeffrey S. Kelley, Superintendent, Lincoln County Schools, addressed the Board regarding the report.

Following discussion, Ms. White moved, and Mrs. Sullivan seconded, that the Special Circumstance Review of Lincoln County Schools: Board Member Effectiveness report be approved. Upon the call for the question the motion was carried unanimously. (Copy appended to Official Minutes, Attachment N.)

**X. Amendment of Lincoln County 2020-2030 Comprehensive Educational**

**Facilities Plan (CEFP) AND Request for Waiver Policy 4336, West Virginia**

**School Bus Transportation Regulations, Procedures, and Specifications**

**for the Design and Equipment of School Buses, Transportation Time**

Ms. Amy Willard, Director, WVDE Office of School Operations and Finance, presented the amendment of the Lincoln County 2020-2030 CEFP and request for waiver of Policy 4336, transportation time, for the Board’s consideration. Mr. Kelley, Superintendent, Lincoln County Schools, addressed the Board’s questions regarding the CEFP amendments and waiver of Policy 4336.

Following discussion, Dr. Maynard moved, and Mr. Campbell seconded, that the Lincoln County Board of Education's request to amend the 2020-2030 CEFP to correct contradictory language within a section of the CEFP regarding the number of PreK-5 elementary schools the county would operate in the future and to relocate the population of Duval PreK-8 into three locations be approved for school year 2021-2022; and, request for a waiver of Policy 4336 for bus routes that exceed the recommended duration of transportation time for students be approved for school year 2021-2022. (Copy appended to Official Minutes, Attachment O.)

**XI. Limited Waiver of Policy 2436.10, Participation in Extracurricular Activities**

Ms. Blatt provided an update regarding the limited waiver of Policy 2436.10 that was granted at the August meeting and proposed, for the sport of golf, that the student’s grade be evaluated at the three week mark into the semester and if the student has obtained a 2.0 grade point average the student be allowed to compete.

Following discussion, Dr. Wilson moved, and Dr. Maynard seconded, that an exemption to the limited waiver for golf, as stated by Ms. Blatt, be allowed for Fall 2021. Upon the call for the question the motion was passed with eight members voting yes, and one member, Mrs. Sullivan, abstaining.

**XII. Policy 6202, Investigating Indoor Air Quality Complaints**

Ms. Willard presented Policy 6202 for the Board’s consideration; no comments were received during the comment period.

Following discussion, Mr. Dunlevy moved, and Mrs. Sullivan seconded, that Policy 6202 be approved and effective 30 days from filing. Upon the call for the question the motion was unanimously carried. (Copy appended to Official Minutes, Attachment P.)

**XIII. Policy 6203, West Virginia Department of Education**

**Heating, Ventilating, and Air-Conditioning (HVAC) Technicians**

Ms. Willard presented Policy 6203 for the Board’s consideration; no comments were received during the comment period.

Following discussion, Ms. White moved, and Mrs. Sullivan seconded, that Policy 6203 be approved and effective 30 days from filing. Upon the call for the question the motion was unanimously carried. (Copy appended to Official Minutes, Attachment Q.)

**XIV. Policy 6204, School Closing or Consolidations**

Ms. Willard presented Policy 6204 for the Board’s consideration; one comment was received during the comment period resulting in an amendment to the policy.

Following discussion, Mr. Campbell moved, and Dr. Wilson seconded, that Policy 6204, as amended, be approved and effective 30 days from filing. Upon the call for the question the motion was unanimously carried. (Copies appended to Official Minutes, Attachments R-1 and R‑2.)

**XV. Break**

President Hall called for a break for lunch at 12:21 p.m.

**XVI. Call to Order**

President Hall called the meeting back to order at 1:02 p.m.

**XVII. Policy 5901, Regulations for Alternative Certification Programs**

**for the Education of Teachers**

Dr. Sonya White, Teaching and Learning Officer, WVDE Office of Teaching and Learning, presented Policy 5901 for the Board’s consideration. During the comment period, three comments were received requiring amendment to the policy.

Following discussion, Mr. Dunlevy moved, and Dr. Wilson seconded, that Policy 5901, as amended, be approved and effective 30 days from filing. Upon the call for the question the motion was unanimously carried. (Copies appended to Official Minutes, Attachments S-1 and S‑2.)

**XVIII. Application from American Board for Certification of**

**Teacher Excellence to Provide a Teacher Certification Program**

**Pursuant to W. Va. Code §18A-3-2a(a)(1)(C)**

Dr. White presented an application from the American Board for Certification of Teacher Excellent to provide a teacher certification program pursuant to W. Va. Code §18A-3-2a(a)(1)(C) for the Board’s consideration.

Following discussion, Mrs. Sullivan moved, and Mr. Rotruck seconded, that the application from the American Board for Certification of Teacher Excellence to provide a program for initial teacher licensure in West Virginia be approved. Upon the call for the question the motion was unanimously carried. (Copy appended to Official Minutes, Attachment T.)

**XIX. WVBE Personnel Matters**

**Executive Session**

Mr. Campbell moved that the Board enter executive session for a personnel matter 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)]. Mrs. Sullivan seconded the motion and upon the call for the question the motion was carried unanimously. The Board entered executive session at 1:15 p.m.

**XX. WVBE Personnel Matters**

**Return from Executive Session**

President Hall announced that the Board had returned from executive session at 2:16 p.m. with no action taken.

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

**XXI. WVBE Member Updates**

Dr. Snavely spoke about the success of his COVID public service announcement. Mrs. Sullivan provided an update regarding Communities In Schools. President Hall attended a meeting of The Education Alliance. Mr. Rotruck attended a state business summit. Mr. Dunlevy attended School Building Authority of West Virginia and West Virginia Secondary School Activities Commission meetings. Dr. Wilson spoke about the development of a recruiting pamphlet for teachers. Ms. White attended a virtual meeting of the Educational Broadcasting Authority.

**XXII. Items for Future Meetings**

Mr. Rotruck requested more conversation regarding data analytics. President Hall requested further discussion regarding COVID mitigation strategies.

**XXIII. Future Meetings**

President Hall announced that the next regular meeting of the WVBE will be held October 13, 2021, at 9:00 a.m., in Charleston, West Virginia.

**XXIV. Adjourn**

President Hall called for a motion to adjourn. Mr. Campbell moved, and Mr. Rotruck seconded, that the meeting be adjourned. Upon the call for the question the meeting was adjourned at 2:25 p.m.

**Minutes approved by the Board on October 13, 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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