**MINUTES**

**WEST VIRGINIA BOARD OF EDUCATION**

**Capitol Building 6, Suite 600**

**1900 Kanawha Boulevard, East**

**Charleston, West Virginia**

**December 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 December 8, 2021, in Capitol Building 6, Suite 600, 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, Debra K. Sullivan, Nancy J. White, and James S. Wilson (via telephone), and ex officio W. Clayton Burch, State Superintendent of Schools. Members absent were Daniel D. Snavely and 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. Recognition**

The Board recognized the establishment of the STEAM Technical Assistance Center (TAC) at Mountaineer Middle School (Monongalia County). Ms. Donna Hoylman Peduto, Executive Director, West Virginia Public Education Collaborative (WVPEC), and TAC staff spoke regarding the TAC‘s development, opening ceremony, January launch, and implementation. (Recognition and press release attached to Official Minutes, Attachment O.)

**IV. Delegations**

Mr. David Gladkosky, Executive Director, West Virginia Professional Educators, addressed the Board regarding the upcoming legislative session. Dr. Mickey Blackwell, Executive Director, **West Virginia** Association of Elementary/Middle School Principals, spoke regarding principalship and leadership. Mr. Fred Albert, President, American Federation of Teachers-West Virginia, spoke regarding teacher and service personnel concerns and strengthening public education. Mr. Dale Lee, President, West Virginia Education Association, spoke regarding teacher and service personnel concerns and the substitute teacher shortage.

**V. Strategic Plan Update**

Superintendent Burch spoke briefly regarding the strategic plan and introduced Ms. Christy Schwartz (distributed report), Coordinator, WVDE Student Support and Well-being Services, who provided an update regarding the Summer SOLE Grant Program. Dr. Jan Barth (distributed information), Assistant Superintendent, provided an update regarding the WVBE’s policy forecast. (Copies appended to Official Minutes, Attachment P.)

**VI. Break**

President Hall called for a break at 10:31 a.m.

**VII. Call to Order**

President Hall called the meeting back to order at 10:44 a.m.

**VIII. 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. Upon the call for the question the motion was carried unanimously. (Copies appended to Official Minutes, Attachments A through I.)

* Approved November 10, 2021, WVBE minutes (Attachment A)
* Received West Virginia Department of Education (WVDE) personnel matters (Attachment B)
* Approved Employment of Substitute Teachers in Areas of Critical Need and Shortage policies for Calhoun and Taylor Counties (Attachment C)
* Approved Policy 2510, Assuring the Quality of Education: Regulations for Education Programs, for placement on public comment for 30 days (Attachment D)
* Approved Policy 2520.13, West Virginia College- and Career-Readiness Programs of Study/Standards for Career Technical Education, for placement on public comment for 30 days (Attachment E)
* Approved Policy 7200, Intercounty Student Transfer Arrangements, for placement on public comment for 30 days (Attachment F)
* Accepted the Council for the Accreditation of Educator Preparation’s decision and West Virginia Educator Preparation Program Review Board’s recommendation of Full Accreditation for West Virginia University (Attachment G)
* Approved Clinical Teacher of Record (CTR) Agreement additions: Davis and Elkins College/Barbour County; and CTR/School Counselor: West Virginia University/Harrison County, Marion County, Mineral County, and Preston County (Attachments H-1 and H-2)
* Approved county boards of education listed in Attachment I to execute their county superintendent evaluation process (Attachment I).

**IX. Superintendent Report**

Superintendent Burch assisted by Ms. Michele Blatt, Deputy State Superintendent, provided an update regarding COVID initiatives, clinics, and spoke about the importance of wearing masks; Superintendent Burch spoke about Common Ground (Military Partnerships) Compact resigning and recognition of Purple Star Schools, Governor’s event in Harrison County, and spotlight on Fayette County; Ms. Melanie Purkey (distributed information), Federal Programs Officer, WVDE Office of Federal Programs and Support, spoke regarding the release of information regarding students experiencing homelessness and funding for homeless students; Ms. Heather L. Hutchens, WVDE General Counsel, provided an overview of the Lawyers in Schools program; Superintendent Burch announced the expansion of funding for the Communities In Schools initiative; and, Ms. Blatt (distributed information) provided information regarding the four- and five-year adjusted cohort graduation rates that will be used for the school year 2021-2022 balanced scorecard. (Copies appended to Official Minutes, Attachment Q.)

**X. Statewide Waiver of Policy 4336, West Virginia School Bus Transportation**

**Regulations, Procedures, and Specifications for the Design and Equipment**

**of School Buses, Sections 17 and 20.7**

Dr. Barth presented statewide waivers of Policy 4336 at section 17, to permit school bus operators from other states to substitute experience as a certified school bus operator in lieu of the required 40 hours of classroom training and 12 hours of behind the wheel training (applicant shall provide proof of experience to the local school district); and at section 20.7, to permit certified school bus operators who have previously terminated employment (while in good standing) with a local school district and/or who have not renewed certification for two consecutive certification terms (school year) not be considered a new applicant as currently stated; the Operator shall complete a minimum of six hours of behind the wheel refresher, for the Board’s consideration.

Following discussion, Mr. Campbell moved, and Ms. White seconded, that statewide waivers of Policy 4336 at section 17 and section 20.7 be approved. Upon the call for the question the motion was carried unanimously. (Copy appended to Official Minutes, Attachment J.)

**XI. Policy 1242, West Virginia Board of Education Rulemaking Process**

Ms. Heather Hutchens, WVDE General Counsel, presented Policy 1242 for the Board’s consideration. Comments received during the comment period resulted in no changes to the policy.

Mrs. Sullivan spoke (submitted comments for attachment to the minutes) regarding the proposed amendment of Policy 1242 and suggested that action regarding the policy be postponed. Following discussion, President Hall called for a motion regarding Policy 1242. Mrs. Sullivan moved, and Dr. Wilson seconded, that action regarding Policy 1242 be postponed. Following further comment and discussion Mrs. Sullivan withdrew her motion.

Mr. Campbell moved, and Mr. Rotruck seconded, that Policy 1242 be approved and effective 30 days from filing. Upon the call for the question the motion was carried with seven members voting yes and one member, Mrs. Sullivan, voting no. (Copy appended to Official Minutes, Attachment K and addendum.)

**XII. Closure of Gauley Bridge Elementary School, Fayette County**

Mr. Micah Whitlow, Manager, WVDE School Facilities Services, ~~a~~nd Mr. Gary Hough, Superintendent, Fayette County Schools, presented the closure of Gauley Bridge Elementary School for the Board’s consideration. This closure was included in Fayette County’s 2020-2030 CEFP that was approved by the WVBE in December 2020 and is not contingent upon any other actions; the closure is proposed to occur at the end of the 2021-2022 school year. Applicable WVBE policies were reviewed and followed. Documents were available for public inspection for the required amount of time, and a closure hearing was held for Gauley Bridge Elementary School on November 2, 2021. A hearing for the receiving school, Valley PK-8, was held on November 3, 2021. The Fayette County Board of Education voted to approve the closure and consolidation at their board meeting on November 4, 2021.

Following discussion, Mr. Campbell moved, and Mr. Dunlevy seconded, that the closure of Gauley Bridge and its consolidation into Valley PK-8 be approved. Upon the call for the question the motion was carried unanimously. (Copy appended to Official Minutes, Attachment L.)

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

**Career and Technical Education**

Mr. Matt Hicks, Director, WVDE Accountability Services, presented the Lincoln County Special Circumstance Review Report for Career and Technical Education for the Board’s consideration.

Following discussion, Ms. White moved, and Mrs. Sullivan seconded, that the Special Circumstance Review Report: Career and Technical Education presented for Lincoln County Schools be approved. Upon the call for the question the motion was carried unanimously. (Copy appended to Official Minutes, Attachment M.)

**XIV. Update: Lincoln County Schools State of Emergency**

**Executive Session**

Mr. Hicks (distributed information) and Mr. Jeffrey Kelley, Superintendent, Lincoln County Schools, provided an update regarding progress towards addressing the findings and deficiencies outlined in the Lincoln County Schools Special Circumstance Review for the Board’s information. Following the update, Mr. Campbell moved, and Mr. Dunlevy seconded, that the Board enter in executive session as provided in W. Va. Code §6‑9A-4(b)(2)(A) [personnel exception] and/or §6-9A-4(b)(6) [privacy exception]. Upon the call for the question the motion was carried unanimously and the Board moved into executive session at 12:46 p.m.

**XV. Return from Executive Session**

President Hall announced that the Board had returned from executive session at 1:19 p.m. with no decisions made or action taken and called for motions.

Mr. Campbell moved, and Mr. Rotruck seconded, that the Lincoln County Schools State of Emergency be maintained for an additional six months. Upon the call for the question the motion was carried unanimously. (Copy appended to Official Minutes, Attachment R.)

**XVI. West Virginia Schools for the Deaf and Blind**

**Special Circumstance Review Six Month Update**

**Executive Session**

Mr. Hicks (distributed information), Ms. Melanie Hesse, Dean of Students, Mr. Josh Haza, Music Teacher, Ms. Jennifer Biddle, Elementary Teacher, West Virginia Schools for the Deaf and the Blind, Delegate Ruth Rowan (District 57), grandparent of a WVSDB student, and Ms. Mary Ann Clendenin, Director, Technical Assistance Center, presented an overview regarding the progress of correcting findings and non-compliances identified through the onsite review process for the Board’s information. Superintendent Burch spoke regarding the report; thanked WVDE staff for their work in Romney; complimented Ms. Stephanie Abraham, Attorney, WVDE Legal Services, on her personal interactions with students; and welcomed Delegate Ruth Rowan to the meeting and for participating in the presentation. Following the update Mr. Hicks recommended that the Board enter in executive session as provided in W. Va. Code §6‑9A‑4(b)(2)(A) [personnel exception] and/or §6-9A-4(b)(6) [privacy exception].

Mr. Campbell moved, and Mr. Rotruck seconded, that the Board enter into executive session as provided in W. Va. Code §6‑9A-4(b)(2)(A) [personnel exception] and/or §6-9A-4(b)(6) [privacy exception]. Upon the call for the question the motion was carried unanimously and the Board moved into executive session at 2:08 p.m.

**XVII. Return from Executive Session**

President Hall announced that the Board had returned from executive session at 2:43 p.m. with no decisions made. Mrs. Sullivan requested more in-depth information regarding what goes on in the classroom with regard to instructional materials, testing, and homework. Ms. Hesse and Mr. Hicks responded to Mrs. Sullivan’s query.

Mrs. Sullivan stated, having considered all aspects of the report delivered today, acknowledging the progress that has been made, and recognizing the progress that must still occur, moved that the WVBE direct the State Superintendent to continue to provide intensive support and monitoring of all aspects of the West Virginia Schools for the Deaf and the Blind operations: academic, residential, and administrative. Further, the West Virginia Board of Education directs the Director of the Technical Assistance Center to jointly develop, deliver, and monitor a training plan to assist teachers with evidence-based effective and on-going classroom instruction. Mr. Campbell seconded the motion and upon the call for the question the motion was carried unanimously. (Copy appended to Official Minutes, Attachment S.)

**XVIII. Amendment - West Virginia Schools for the Deaf and the Blind (WVSDB)**

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

Mr. Whitlow presented an amendment of the WVSDB 2020-2030 CEFP for the Board’s consideration. This amendment will guide the WVSDB in a more deliberate approach to becoming efficient in the facility operations of the school. Although the originally approved 2020-2030 CEFP initiated this process, the Special Circumstance Review released on June 24, 2021, highlighted the need for a more efficient facilities plan that better suited the needs of the WVSDB's population.

Following discussion, Mr. Dunlevy moved, and Ms. White seconded, that the WVSDB's request to amend their 2020-2030 CEFP be approved Upon the call for the question the motion was unanimously carried. (Copy appended to Official Minutes, Attachment Mc.)

**XIX. WVBE Personnel Matters**

President Hall called for a motion to approve the Board’s personnel attachment. Mr. Campbell moved, and Mr. Rotruck seconded, that the personnel attachment be approved. Upon the call for the question the motion was carried unanimously. (Copy appended to Official Minutes, Attachment N.) Superintendent Burch departed the meeting and Ms. Blatt took his seat.

**XX. WVBE Member Updates**

Ms. White attended a meeting of the Educational Broadcasting Authority and will attend an School Building Authority of West Virginia (SBA) meeting on December 13; Mr. Dunlevy attended a West Virginia Secondary School Activities Commission tournament and will attend an SBA meeting on December 13; Mr. Campbell attended a meeting of the WVPEC, the West Virginia Principals Conference, Game Changers event, and spoke to the teacher shortage, overwhelmed teachers, stifling of creativity, the importance of being cooperative, and simplifying the funding formula; President Hall spoke at two WVDE leadership conferences, West Virginia Principals Conference, and attended a Common Ground meeting; Mr. Rotruck chaired a meeting of the WVPEC, attended an aeronautical meeting, and will attend the STEAM TAC opening at Mountaineer Middle School; Mrs. Sullivan attended a Common Ground meeting, spoke about the Communities In Schools “Stock their Closets” winter initiative, and visited a Capitol High School (Kanawha County) classroom; and, Dr. Maynard spoke about his fifth grade teacher who changed his life by showing him the importance of getting an education, spoke about his tenure on the Board, and stated that this will be his last meeting due to a recent move to North Carolina.

**XXI. Items for Future Meetings and Requests for Information**

Mrs. Sullivan requested a report focusing on credit recovery. President Hall requested information regarding testing out of classes.

**XXII. Future Meetings**

President Hall announced that the next regular meeting of the WVBE will be held January 12, 2022, at 9:00 a.m., in Charleston, West Virginia.

**XXIII. Adjourn**

President Hall, on behalf of the Board, thanked Dr. Maynard for his service and thanked those present for an interesting and very informative meeting.

President Hall declared the meeting adjourned at 3:41p.m.

**Minutes approved by the Board on January 12, 2022.**

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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

WVBEMinutes12/8/21