**MINUTES**

**WEST VIRGINIA BOARD OF EDUCATION**

**Capitol Building 6, Suite 600**

**1900 Kanawha Boulevard, East**

**Charleston, West Virginia**

**February 9, 2022**

**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 February 9, 2022, 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, L. Paul Hardesty, F. Scott Rotruck, Daniel D. Snavely, Debra K. Sullivan, Nancy J. White (via Teams and telephone), and James S. Wilson and ex officios W. Clayton Burch, State Superintendent of Schools, 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. Hardesty moved, and Dr. Wilson seconded, that the agenda be approved. Upon the call for the question, the motion was carried unanimously.

**III. Recognitions**

The Board recognized Mr. Kevin Warfield (distributed information), teacher, and the Greenbrier East High School (Greenbrier County) InvenTeam, for its development of a Digital Junction Tracker for Caves. Mr. Jeffrey Bryant, Superintendent, Greenbrier County Schools, and Ms. Debbie McClintic, Director of Secondary Education, Career Technical Education, and Licensed Practical Nurse Programs, addressed the Board regarding the InvenTeam’s success. The Board also recognized and extended appreciation to Kanawha County’s Carver Career Center Carver Café, a Simulated Workplace company, for providing catering services at WVBE meetings.

**IV. Delegations**

Mr. Fred Albert, President, American Federation of Teachers-West Virginia, spoke regarding the teacher and service personnel shortages and current legislative bills. Mr. Dale Lee, President, West Virginia Education Association, spoke about shortages and avenues to pursue to revamp educator preparation. Mr. David Gladkosky (distributed information), Executive Director, West Virginia Professional Educators, addressed the Board regarding West Virginia Professional Educators’ day at the legislature and several legislative bills under consideration. Dr. Mickey Blackwell, Executive Director, **West Virginia** Association of Elementary/Middle School Principals, addressed the Board regarding several legislative bills under consideration, recognized Black History Month, and spoke about West Virginia State University’s Master of Education in Instructional Leadership degree program being national ranked as third in the nation by Best Accredited Colleges.

**V. Strategic Plan Update**

Dr. Jan Barth (distributed information), Assistant Superintendent, Superintendent’s Office, provided an overview of the strategic plan update: Goal 1/Objective 1: Policy, Funding, and Legislative Collaboration. Mr. Drew McClanahan, Director, West Virginia Department of Education (WVDE) Government Relations, and Mr. Sam Pauley, School Operations Officer, WVDE Office of School Finance and Operations, assisted with the presentation and addressed questions from WVBE members; Ms. Heather Hutchens, WVDE General Counsel, and Mr. Joey Wiseman, Director, WVDE Middle and Secondary Learning Services, also assisted in answering questions from WVBE members. (Copy appended to Official Minutes, Attachment O.)

**VI. Break**

President Hall called for a break at 10:36 a.m.

**VII. Call to Order**

President Hall called the meeting back to order at 11:00 a.m. Chancellor Tucker departed the meeting.

**VIII. Consent Agenda**

President Hall called for a motion to approve the Consent Agenda. Mr. Campbell moved, and Mr. Dunlevy 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 K.)

* Approved January 12, 2022, WVBE minutes (Attachment A)
* Received West Virginia Department of Education (WVDE) personnel matters (Attachment B)
* Extended the authority of the State Superintendent of Schools to approve waivers for WVBE policy requirements to include school year 2021-22 and school year 2022-23 that will be impacted by COVID-19 and other declared state of emergencies with a report of said approved waivers to be presented to the WVBE at its monthly business meetings
* Approved a first-time waiver request of Policy 2510, Appendix B: *Training Required in Policy 2510*, related to professional development for Advanced Placement® (AP®) teachers, submitted by WVDE for a teacher to teach second semester AP® Chemistry, AP® Physics I, AP® Physics II, and AP® Physics C courses for the WVVS be approved for school year 2021-22 (Attachment C)
* Approved Employment of Substitute Teachers in Areas of Critical Need and Shortage policies for Jefferson, Lewis, Mineral, Summers, and Wirt Counties and the West Virginia Schools of Diversion and Transition (Attachment D)
* Approved Employment of Substitute Teachers in Areas of Critical Need and Shortage Affidavits from Barbour, Berkeley, Braxton, Hardy, Harrison, Kanawha, Mineral, Raleigh, Taylor, and Wayne Counties for submission to the Consolidated Public Retirement Board (Attachment E)
* Approved the Ritchie County Board of Education’s request to amend the 2020‑2030 Comprehensive Educational Facilities Plan to include the addition of a School‑Based Wellness Center at Smithville Elementary School and to update their priority list to reflect current funding availability, project costs, and completion statuses. The wellness center is intended to be funded with American Rescue Plan (ARP) Elementary and Secondary Schools Emergency Relief (ESSER) funds (Attachment F)
* Approved the Wirt County Board of Education’s request to amend the 2020‑2030 Comprehensive Educational Facilities Plan to include HVAC upgrades and improvements to Wirt County Middle School and renovations to Wirt County High School’s Auditorium. The auditorium renovations will create an additional instructional area and improve the school’s social distancing capability. All projects included in the revisions are intended to be funded with American Rescue Plan (ARP) Elementary and Secondary Schools Emergency Relief (ESSER) funds (Attachment G)
* Approved Policy 2510, Assuring the Quality of Education: Regulations for Education Programs, as amended, effective July 1, 2022 (Attachment H-1 and H-2)
* Approved 2520.13, West Virginia College- and Career-Readiness Programs of Study/Standards for Career Technical Education, as amended, effective July 1, 2022 (Attachment I-2 and I-2)
* Approved Policy 7200, Intercounty Student Transfer Arrangements, effective July 1, 2022 (Attachment J)
* Approved Policy 2417, Regulations and English Language Proficiency Standards for English Learners and Alternate English Language Proficiency Standards for English Learners with Significant Cognitive Disabilities, for placement on public comment for 30 days (Attachment K).

**IX. Update: Kanawha County and Nicholas County**

**School Construction Projects**

Mr. Micah Whitlow, Director, WVDE School Facilities Services, provided an update and answered questions regarding Kanawha County and Nicholas County school construction projects. President Hall indicated that answers to questions posed by Board members and members of the Kanawha and Nicholas County communities will be taken up at the March meeting.

**X. Superintendent Report**

Superintendent Burch recognized the 2021-2022 West Virginia Youth in Government Secretary of Education, Mr. Cameron Ross, Lewis County High School (Lewis County); announced that the National Science Foundation has notified the WVDE that two teachers have been selected to receive a Presidential Award for Excellence in Mathematics and Science Teaching: Mathematics - Ms. Joni Jones, Suncrest Elementary School (Monongalia County), and Science - Ms. Tiffany Pace, Weberwood Elementary School (Kanawha County); recognized Mr. Albert, Mr. Gladkosky, Mr. Lee, and Mr. Joe White, Executive Director, West Virginia School Service Personnel Association, for their work with the WVDE on a number of initiatives; assisted by Mr. McClanahan, provided a legislative update; provided an overview (distributed document) of the past decade entitled *Then vs. Now*; assisted by Dr. Monica DellaMea, Director, WVDE Early and Elementary Learning Services, provided information regarding an initiative to assist kindergarten through grade three teachers hyperfocus on reading and mathematics instruction; indicated that a new and improved job bank will be revealed at the March meeting; and assisted by Dr. Carla Warren (distributed information), Director, WVDE Educator Development and Support Services, unveiled and demonstrated the TeachWV.com website. (Copies appended to Official Minutes, Attachment P.)

**XI.** **Policy 2315, Comprehensive School Counseling Programs,**

**and Other Student Support Services**

Mr. David Lee (distributed information), Director, and Ms. Stephanie Hayes, Coordinator, WVDE Student Support and Well-being Services, provided information regarding technical support and services provided to students and teachers and provided an overview of school counseling programs. (Copy appended to Official Minutes, Attachment Q.)

**XII. Break**

President Hall called for a break for lunch at 1:15 p.m.

**XIII. Call to Order**

President Hall called the meeting back to order at 1:45 p.m.

**XIV. Progress Report: Jefferson County Special Circumstance**

**Review Report: High School Counseling**

Mr. Matt Hicks, Director, WVDE Accountability Services, presented the six month progress report for the Jefferson County Special Circumstance Review Report: High School Counseling for the Board’s consideration. Dr. Bondy Shay Gibson, Superintendent, Jefferson County Schools, participated in the meeting via Teams.

Following discussion, Mr. Campbell moved, and Mrs. Sullivan seconded, that the progress report presented for the Jefferson County Special Circumstance Review Report: High School Counseling be approved. Upon the call for the question the motion was carried unanimously. (Copy appended to Official Minutes, Attachment L.)

**XV. County Board of Education (CBEM) Annual Self-appraisal Instrument**

Ms. Charlene Coburn, Accountability Officer, WVDE Office of Support and Accountability, presented the County Board of Education (CBEM) Annual Self-appraisal instrument for the Board’s consideration.

Following discussion, Mr. Campbell moved, and Ms. White seconded, that the CBEM annual self‑appraisal instrument found in Attachment M be approved and that self‑appraisal instruments currently utilized by CBEMs be declared obsolete effectively immediately. Upon the call for the question the motion was carried unanimously. (Copy appended to Official Minutes, Attachment M.)

**XVI. WVBE Personnel Matters and Litigation Updates in**

**Travis Beaver, et al. v. Riley Moore, et al., Civil Action Numbers 22-P-24,**

**22-P-25, and 22-P-26; and B.P.J. by her next friend and mother,**

**Heather Jackson v. WVBE, et al., Civil Action No. 2:21-cv-00316**

**Executive Session**

President Hall called for a motion to enter in executive session. Mr. Campbell moved, and Mrs. Sullivan seconded, that the Board enter in executive session for WVBE personnel and/or legal matters 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)]. Upon the call for the question the motion was carried; the Board moved into executive session at 2:13 p.m.

**XVII. WVBE Personnel Matters and Litigation Updates in**

**Travis Beaver, et al. v. Riley Moore, et al., Civil Action Numbers 22-P-24,**

**22-P-25, and 22-P-26; and B.P.J. by her next friend and mother,**

**Heather Jackson v. WVBE, et al., Civil Action No. 2:21-cv-00316**

**Return from Executive Session**

President Hall announced that the Board had returned from executive session at 2:56 p.m. with no action taken and called for a motion to approve the Board’s personnel attachment. Mr. Dunlevy moved, and Dr. Wilson seconded, that the personnel attachment be approved. Upon the call for the question the motion was carried unanimously. (Copy appended to Official Minutes, Attachment Mc.)

**XVIII. WVBE Member Updates**

Mrs. Sullivan continues to work with WVDE staff on policies, Communities In Schools planning, and attended Teacher of the Year sponsor presentations; Mr. Rotruck requested that Dr. Sonya White, Teaching and Learning Officer, WVDE Office of Teaching and Learning, provide an update regarding West Virginia University’s STEAM-TAC program; President Hall visited several high schools and spoke with counselors; Mr. Campbell provided information regarding a student program called High Rocks and spoke about student concerns regarding access to counselors, diversity, and teacher caseloads; and Ms. White attended meetings of the School Building Authority of West Virginia.

**XIX. Requests for Information**

Mrs. Sullivan would like a discussion of disaggregate data regarding student discipline. Mr. Hardesty suggested members talk to staff in counties and schools to ascertain local concerns.

**XX. Future Meetings**

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

**XXI. Adjourn**

President Hall called for a motion to adjourn. Mr. Campbell moved, and Dr. Snavely seconded, that the meeting be adjourned. Upon the call for the question the meeting was adjourned at 3:13 p.m.

**Minutes approved by the Board on March 9, 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

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