**MINUTES**

**WEST VIRGINIA BOARD OF EDUCATION**

**Capitol Building 6, Suite 600**

**1900 Kanawha Boulevard, East**

**Charleston, West Virginia**

**June 8, 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 June 8, 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, F. Scott Rotruck, Daniel D. Snavely, Debra K. Sullivan, Nancy J. White, 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. Member absent was L. Paul Hardesty.

**II. Approval of Agenda**

President Hall called for a motion to approve the agenda. Mr. Dunlevy 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 2022 Robotics Education and Competition (REC) Foundation Aerial Drones Competition winners Drone Boyz (Lincoln County): Jack Shull, Reed Roberts, and Grayson McComas, and instructor Kim Browning. The team placed third overall and was awarded the 2022 High Flyer Award (the REC Foundation’s top overall team award).

Curator Randall Reid-Smith, West Virginia Department of Arts, Culture, and History, spoke about a number of education initiatives, recognized Mr. Tim James, Music Teacher/Band Director, Cabell Midland High School (Cabell County), winner of the West Virginia High School Governor’s Cup, and lead a demonstration of the History Bowl with students from Marshall County. Dr. Shelby Haines, Superintendent, Marshall County, was present for the demonstration and provided brief remarks.

The Board recognized the Golden Horseshoe sword design competition winner, a collaboration between two schools: Musselman High School (designers Avery Nine and Jillian Eicher), and James Rumsey Technical Institute (fabricators Gabriel Eller, Jasper Edens, Memphis Hartle, Carter Jones, Mason Nelson, and Logan Pittsnogle, and instructor Kyle Albright). Ms. Donna Van Metre, Director, James Rumsey Technical Institute, and Mr. Albright joined the meeting by telephone to talk about the competition.

**IV. Delegations**

Dr. Mickey Blackwell, Executive Director, West Virginia Association of Elementary and Middle School Principals, addressed the Board regarding the need for counselors and administrators in all schools and setting policy to address school counseling and growing your own administrators.

**V. Strategic Plan Update**

**Improve Student Achievement and Accountability:**

**Creating Data for County Board Use**

Mr. Tim Conzett (distributed information), Technology Officer, WVDE Office of Data Management and Information Systems, provided an overview the 2021 Strategic Plan regarding creating data/reports for county boards of education to utilize in responsible local decision-making. (Copy appended to Official Minutes, Attachment R.)

Mr. Joey Wiseman, Director, WVDE Middle and Secondary Learning Services, provided in-depth information about West Virginia history courses.

**VI.** **Break**

President Hall called for a break at 10:25 a.m.

**VII. Call to Order**

President Hall called the meeting back to order at 10:45 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, Mrs. Sullivan requested that Consent Agenda items 13, Policy 1461, Drug-Free Workplace, and item 14. Policy 2422.7, Standards for Basic and Specialized Health Care Procedures and Standards for the Possession and Use of Medical Cannabis By a Student, be removed from the Consent Agenda for discussion and separate action. Following discussion, President Hall moved Consent Agenda items 13. Policy 1461, Drug-Free Workplace, and item 14. Policy 2422.7, Standards for Basic and Specialized Health Care Procedures and Standards for the Possession and Use of Medical Cannabis By a Student, to New Business following New Business item A. West Virginia Schools for the Deaf and the Blind Special Circumstance Review 12-Month Update. Upon the call for the question the Consent Agenda, as amended, was unanimously approved. (Copies appended to Official Minutes, Attachments A through L, N, and O.)

* Approved the May 11, 2022, WVBE minutes (Attachment A)
* Received WVDE personnel matters (Attachment B)
* Approved the Berkeley County Board of Education’s request to amend their 2020-2030 Comprehensive Educational Facilities Plan (CEFP) to include the construction of eight new schools, additions to four schools, remodels to four existing buildings, roof replacement at three schools, window replacement at one school, HVAC system replacement at one school, and athletic facility repairs and updates to four high schools (Attachment C)
* Approved the Upshur County Board of Education’s request to amend their 2020-2030 CEFP to change the scope of plans for Buckhannon-Upshur Middle School (BUMS) and Buckhannon-Upshur High School (BUHS). BUMS is now planned to receive a new facility and become the first priority, while the existing BUHS facility will remain the county high school and only receive additions and renovations (Attachment D)
* Approved the South Branch Career and Technical Center’s request to amend their 2020-2030 CEFP to include the addition of a cosmetology classroom to the facility and transition the existing cosmetology space into a career technical education room for middle school students (Attachment E)
* Approved West Virginia University-Parkersburg’s revised program for Elementary Education K-6 with Emphasis in General Math Grade 5-Algebra 1 (Attachment F)
* Accepted the EPPRB’s recommendation of Dr. Bobbi Marshall for appointment to the EPPRB to serve as a representative of the HEPC (Attachment G)
* Approved 2022 summer school programs found in Attachment H-1 (Attachments H-1 and H-2)
* Received the 2022-2023 county school calendars

Link to School Calendars: <https://wvde.us/summary-of-county-calendar-dates/>

Link to Graduation Dates: <https://wvde.us/west-virginia-high-school-graduation-dates/>

* Approved the West Virginia School Board Association 2022 orientation program (Attachment I)
* Approved Policy 2315, Comprehensive School Counseling Program, effective 30 days from filing (Attachment J)
* Approved Policy 2340, West Virginia Measures of Academic Progress, effective 30 days from filing (Attachment K)
* Approved Policy 5500, Professional Learning for West Virginia Educators, effective 30 days(Attachment L)
* Approved Policy 2422,2, Regulations for Driver Education and Student Licensing, for placement on public comment for 30 days (Attachment N)
* Approved Policy 2525, West Virginia’s Universal Access to a Quality Early Education Systems, for placement on public comment for 30 days (Attachment O).

**IX. Superintendent Report**

Superintendent Burch spoke about his visits throughout the state for the Grow Your Own initiative as well as other events and recognitions; provided an update regarding Dolly Parton’s August 9 visit at The Clay Center for the Arts and Sciences (this event is by invitation only and the event will be live streamed on PBS); assisted by Ms. Heather Hutchens, WVDE General Counsel, Mr. Sam Pauley, School Operations Officer, WVDE Office of School Operations and Finance, and Mr. Conzett provided an update regarding charter public schools and the HOPE Scholarship (distributed information) – concern was issued regarding funding and it was requested that student attendance numbers be provided at a future meeting for all enrollment configurations (public school, home school, non-public, and charter public school); the Board observed a moment of silence for those impacted by the Robb Elementary School, Uvalde, Texas, tragedy; assisted by Mr. Jonah Adkins (distributed information), Coordinator, WVDE Accountability Services, provided an update regarding school safety (President Hall directed that student safety be top priority on the Board’s July agenda and stated that all schools need to be continually vigilant, trained, and prepared); assisted by Mr. Clinton Burch, Technical Education Officer, WVDE Office of Technical and Adult Education, provided an update regarding *Classroom2Career Navigator*; and assisted by Mr. Conzett and Ms. Nanette Argabrite, Director, WVDE West Virginia Education Information Systems (WVEIS), provided an update regarding WVEIS 2.0. Chancellor Tucker departed the meeting. (Copies appended to Official Minutes, Attachment S.)

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

**Special Circumstance Review 12‑Month Update**

Mr. Matthew Hicks, Director, WVDE Accountability Services, presented the 12-month progress update for the West Virginia Schools for the Deaf and the Blind (WVSDB) Special Circumstance Review for the Board’s consideration. Ms. Melanie Hesse, Executive Director/Dean of Students, WVSDB, spoke about plans to continue progress toward resolving the report’s findings and continuing student success. Ms. Christina Payne, parent of a WVSDB student, addressed the Board regarding the care and education now being provided to WVSDB students.

Following discussion, Mr. Campbell moved, and Mrs. Sullivan seconded, that the West Virginia Schools for the Deaf and the Blind Special Circumstance Review 12‑Month Update be approved. Upon the call for the question the motion was carried unanimously. (Copy appended to Official Minutes, Attachment P.)

**XI. Policy 1461, Drug-Free Workplace**

**Policy** **2422.7, Standards for Basic and Specialized Health Care Procedures**

**and Standards for the Possession and Use of Medical Cannabis By a Student**

Ms. Hutchens, assisted by Ms. Kelli Talbott, Attorney, WVDE Legal Services, presented Policy 1461 and Policy 2422.7 for the Board’s consideration. Both policies are being amended to implement a directive to the WVBE in the West Virginia Medical Cannabis Act to promulgate rules to address the possession and use of medical cannabis by employees and students while on the grounds of a preschool, primary school, and a secondary school.

Following discussion, Mr. Campbell moved, and Mrs. Sullivan seconded, that Policy 1461 and Policy 2422.7 be placed on public comment for 30 days. Upon the call for the question the motion was carried unanimously. (Copies appended to Official Minutes, Attachments M and Mc.)

**XII. WVBE Personnel Matters, Inclusive of Annual Evaluation**

**of the State Superintendent of Schools and WVBE Secretary, 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 1:22 p.m.

**XIII. WVBE Personnel Matters, Inclusive of Annual Evaluation**

**of the State Superintendent of Schools and WVBE Secretary, 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 3:38 p.m. with no action taken.

Vice President Campbell requested a motion to approve the Board’s personnel attachment. Dr. Wilson 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 Q.)

Vice President Campbell, in accordance with W. Va. Code §18-3-1, *The state board annually shall evaluate the performance of the state superintendent and publicly announce the results of the evaluation,* moved that the Board found that *Superintendent Burch did a wonderful job. He met all the criteria we had to keep performance responsibilities that we had given him*. Ms. White seconded the motion and upon the call for the question the motion was carried unanimously.

**XIV. WVBE Member Updates**

Ms. White attended School Building Authority and Education Broadcasting Authority meetings. Dr. Wilson spoke regarding a conversation with recent college graduates and their perception regarding preparedness for college. Mr. Dunlevy attended a School Building Authority meeting. President Hall attended a Game Changer event and a West Virginia Association of School Administrators’ meeting. Mr. Rotruck served as emcee at a gathering during legislative interims in Monongalia County. Mrs. Sullivan worked on several policies with WVDE and WVDE staff, previewed Communities In Schools data, participated in a West Virginia Commission for Professional Teaching Standards meeting, participated in a Read Aloud event at Chesapeake Elementary (Kanawha County), attended a girls robotics competition in Charleston, and attended the state track meet and state baseball tournament. Dr. Snavely spoke regarding a recent medical event and recognized Ms. Kim Mills, Principal at Dunlow Elementary (Wayne County) and a paramedic, who was instrumental in assessing the medical event and saving a life.

**XV. Requests for Information**

Mrs. Sullivan requested comparison data among public, non-public, homeschool, and charter public schools; and President Hall reiterated that school safety is to be taken up at the July meeting. The Board thanked students and staff from Herbert Hoover High School, Kanawha County for the crafting and installment of wainscoting panels in the Board room.

**XVI. Future Meetings**

President Hall announced that the next regular meeting of the WVBE will be held July 13, 2022, at 9:00 a.m., in Charleston, West Virginia.

**XVII. Adjourn**

President Hall called for a motion to adjourn. Mr. Dunlevy moved, and Mr. Campbell seconded, that the meeting be adjourned. Upon the call for the question the meeting was adjourned at 3:50 p.m.

**Minutes approved by the Board on July 13, 2022.**

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**Miller L. Hall, President**

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**F. Scott Rotruck, Financial Officer**

Minutes were recorded by

Virginia M. Harris

Secretary to the Board

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