**MINUTES**

**WEST VIRGINIA BOARD OF EDUCATION**

**Capitol Building 6, Suite 600**

**1900 Kanawha Boulevard, East**

**Charleston, West Virginia**

**October 12, 2022**

**I. Call to Order**

Following the welcome and Pledge of Allegiance, President L. Paul Hardesty called the meeting of the West Virginia Board of Education (WVBE) to order at 9:00 a.m. on October 12, 2022, in Capitol Building 6, Suite 600, 1900 Kanawha Boulevard, East, Charleston, West Virginia.

The following members were present: President Hardesty, Vice President Nancy J. White, Robert W. Dunlevy (via telephone), Victor L. Gabriel, F. Scott Rotruck, Daniel D. Snavely, Christopher A. Stansbury, Debra K. Sullivan, and James S. Wilson, and ex officio David L. Roach, State Superintendent of Schools. Member absent was ex officio 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 Hardesty called for a motion to approve the agenda. Mr. Rotruck moved, and Dr. Stansbury seconded, that the agenda be approved. Upon the call for the question, the motion was carried unanimously.

**III. School Safety Update**

Mr. Jonah Adkins, Coordinator, West Virginia Department of Education (WVDE) Accountability Services, and Mr. Robert Cunningham, Deputy Cabinet Secretary, West Virginia Department of Homeland Security, provided an update regarding the West Virginia School Safety Initiative; a uniform crisis plan to that focuses heavily on detecting and preventing violence in schools.

**IV. Recognitions**

The Board recognized Dr. Kathy D’Antoni (distributed information), WVDE Assistant State Superintendent for Career Technical Education (retired), for her leadership in the development of the top-rated simulated workplace model and presented her with the West Virginia Innovator for the Simulated Workplace award. Superintendent Roach, a 1993 Milken Award winner, was presented with a long-awaited Milken Award obelisk. (Copy appended to Official Minutes, Attachment L.)

**V. Delegations**

Reverend Matthew J. Watts, Tuesday Morning Group, addressed the Board regarding the school discipline report and implementation of a West Side pilot project. President Hardesty directed that a New Business item be placed on the November agenda regarding the funding of a West Side pilot project. Mr. David Gladkosky, Executive Director, West Virginia Professional Educators, addressed the Board regarding components needed to attract and retain people to the education profession and ways to encourage educators to advance to leadership positions. Mr. Dale Lee, President, West Virginia Education Association, addressed the Board regarding stress placed on educators, service personnel, and students due to a myriad of reasons and ways to help alleviate this stress and spoke to spreading the word about good things happening in education across the state. Mr. Fred Albert, President, AFT-West Virginia, addressed the Board regarding the teacher and service personnel shortages and remarked that October is National Principals Month thanking principals for their leadership.

**VI. Update - Lincoln County Schools State of Emergency**

Mr. Matthew Hicks, Director, WVDE Accountability Services, presented an update regarding the Lincoln County Schools State of Emergency over the past month.

**VII. Policy 2419, Regulations for the Education of Students**

**with Exceptionalities**

Ms. Sheila Paitsel, Director, WVDE Special Education Services, presented Policy 2419 for the Board’s consideration. Comments received during the comment period resulted in a number of changes to the policy. Mrs. Sullivan spoke regarding the policy’s evolution over the past year. Superintendent Roach thanked Ms. Paitsel and the team who worked so diligently on the policy. Dr. Wilson questioned the comment that caused the most change to the policy; Ms. Paitsel stated that a number of comments were received regarding developmental delay.

Following discussion, Ms. White moved, and Mrs. Sullivan seconded, that Policy 2419, as amended, be approved and effective 30 days from filing. Upon the call for the question the motion was carried unanimously. (Copy appended to Official Minutes, Attachment A.)

**VIII. 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 Hardesty called for a motion to enter in executive session. Ms. White 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 10:18 a.m.

**IX. 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 Hardesty announced the Board had returned from executive session at 10:53 a.m. with no action taken and called for a motion to approve the Board’s personnel attachment. Mrs. Sullivan moved, and Mr. Gabriel seconded, that the personnel attachment be approved. Upon the call for the question the motion was carried unanimously. (Copy appended to Official Minutes, Attachment B.)

**X. Consent Agenda**

President Hardesty called for a motion to approve the Consent Agenda. Mrs. Sullivan moved, and Mr. Gabriel seconded, that the Consent Agenda be approved. Upon the call for the question the motion was carried unanimously. (Copies appended to Official Minutes, Attachments C through K.)

* Approved the September 14, 2022, WVBE minutes (Attachment C)
* Received WVDE personnel matters (Attachment D)
* Approved Employment of Substitute Teachers in Areas of Critical Need and Shortage policies for Cabell, Mason, Mineral, and Mingo Counties (Attachment E)
* Approved three first-time waivers of Policy 2510, Assuring the Quality of Education: Regulations for Education Programs, Appendix B: Training Required in Policy 2510, related to professional development for Advanced Placement® (AP®) teachers for school year 2022-2023: 1) one teacher of AP® Language at Capitol High School (Kanawha County); 2) one teacher of AP® Government and Politics at Capitol High School (Kanawha County); and 3) one teacher of AP® Language at Magnolia High School (Wetzel County). All teachers must attend AP® Summer 2023 trainings to continue teaching AP® courses (Attachment F)
* Approved Clay County’s amended Dual Credit Policy (Attachment G)
* Approved the Boone County Board of Education’s 2020-2030 Comprehensive Educational Facilities Plan(Attachment H)
* Extended the closure and consolidation expiration date of Ansted and Divide Elementary Schools from July 14, 2023, to December 31, 2023 (Fayette County)
* Extended the closure and consolidation expiration date of Buffalo Elementary into Buffalo Middle School from April 15, 2023, to December 31, 2023 (Wayne County)
* Accepted the West Virginia Educator Preparation Program Review Board’s recommendation of approval of the addition of a Clinical Teacher of Record Program for Concord University with Webster County (Attachment I)
* Appointed Mr. Frank Roberts, career technical education teacher from Cabell County, and Ms. Halie Henkes, high school teacher from Mercer County, to the West Virginia Commission for Professional Teaching Standards (Attachment J)
* Received an update from the West Virginia Schools for the Deaf and the Blind (Attachment K).

**XI. WVDE Reports**

Dr. Sara Lewis-Stankus, Deputy State Superintendent of Administration, and Mr. Tom Conzett, Senior Officer, WVDE Data Management and Information Systems, provided an update regarding the status of WVEIS 2.0.

Superintendent Roach thanked staff for making WVEIS 2.0 work; thanked Ms. Michele Blatt, Deputy Superintendent, Academic Achievement and Support, and staff for their hard work with the Communities In Schools (CIS) initiative and the Ball Toyota school partnerships; and **s**poke to the importance of reading/literacy and the development of a plan to increase reading/literacy and mathematics proficiency at the elementary level and also a plan to address discipline.

**XII. WVBE Member Updates and Requests for Information**

Mr. Gabriel met with Glenville State University education department. Mrs. Sullivan attended a safety seminar sponsored by The Education Alliance, attended a West Virginia Commission for Professional Teaching Standards meeting, completed Policy 2419 editing, attended a CIS meeting with county superintendents not currently participating in the CIS initiative, spoke about the Friends with Paws initiative, visited a juvenile facility, and provided remarks (copy appended to Official Minutes, Attachment M) regarding proposed Constitutional Amendment 4. Mr. Rotruck chaired a meeting of the West Virginia Public Education Collaborative on September 15. Dr. Stansbury thanked Homeland Security for continuing to provide updates on the safety plan update and spoke to the importance of career technical education. Dr. Wilson attended the school safety seminar and a program at John Marshall High School regarding internet predators and spoke to the possible loss of local control with the passage of proposed Constitutional Amendments 2 and 4. Ms. White spoke regarding the Board’s October 4 Finance Committee meeting and indicated that the next meeting will be scheduled in November.

**XIII. Future Meetings**

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

**XIV. Adjourn**

President Hardesty called for a motion to adjourn. Ms. White moved, and Mrs. Sullivan seconded, that the meeting be adjourned. Upon the call for the question the meeting was adjourned at 11:26 a.m.

**Minutes approved by the Board on November 9, 2022.**

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**L. Paul Hardesty, President**

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**Nancy J. White, Vice President**

Minutes were recorded by

Virginia M. Harris

Secretary to the Board

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