**MINUTES**

**WEST VIRGINIA BOARD OF EDUCATION**

**Capitol Building 6, Suite 600**

**1900 Kanawha Boulevard, East**

**Charleston, West Virginia**

**January 11, 2023**

**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 January 11, 2023, 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, 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 requested the agenda be modified moving item *V.* *Career Technical Education Law and Public Safety Programs* prior to item *III.* *Recognitions* and called for a motion to approve the agenda. Mr. Rotruck moved, and Dr. Stansbury seconded, that the agenda, as modified by President Hardesty, be approved. Upon the call for the question, the motion was carried unanimously.

**III. Career Technical Education Law and Public Safety Programs**

United States Attorney William S. Thompson, Southern District of West Virginia, addressed the Board regarding career technical education law and public safety programs.

**IV. Recognitions**

The Board again recognized 2023 Teacher of the Year Mrs. Amber Nichols, kindergarten teacher at Eastwood Elementary School (Monongalia County), and 2023 School Service Personnel Employee of the Year Ms. Jessica Grose, special education aid at Hodgesville Elementary School (Upshur County).

**V. Delegations**

Dr. Richard Duncan, representing the West Virginia Association of School Human Resources Officials, addressed the Board regarding teacher and other school personnel vacancy issues, including the coming expiration of ESSER funds, difficulties finding eligible candidates to recruit into the field, and lack of leadership candidates at all levels. Mr. Darryl Clausell, NAACP‑WV, addressed the Board regarding school discipline. Reverend Matthew J. Watts, Tuesday Morning Group (Kanawha County), addressed the Board regarding the West Side Committee Development School Project possible funding support from ARPA funds. Mr. Dale Lee, President, West Virginia Education Association, addressed the Board regarding issues facing education. Mr. Fred Albert, President, AFT-West Virginia, addressed the Board regarding recent education focus group meetings. Dr. Mickey Blackwell, Executive Director, **West Virginia** Association of Elementary/Middle School Principals, addressed the Board regarding school administrators and funding for schools.

**VI. School Safety Update: Statewide School Safety Plan**

Mr. Jonah Adkins, Coordinator, WVDE Accountability Services, and Mr. Ron Arthur, Administrator for the West Virginia Division of Protective Services, School Safety Division, provided an update regarding the statewide school safety plan.

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

Mr. Matthew Hicks (distributed information), Director, WVDE Accountability Services, presented an update regarding the Lincoln County Schools State of Emergency over the past six months and recommended that the State of Emergency in Lincoln County Schools be lifted and that the county be granted full approval status.

Following discussion, Mrs. Sullivan moved, and Mr. Gabriel seconded, that the State of Emergency in Lincoln County Schools be removed/ended and that the county be granted full approval status. Upon the call for the question the motion was carried unanimously. (Copy appended to Official Minutes, Attachment A.)

**VIII. Special Circumstance Review Report for the**

**Clay County Board of Education and Central Office**

Ms. Charlene Coburn (distributed information), Accountability Officer, WVDE Office of Support and Accountability, presented the Special Circumstance Review Report for the Clay County Board of Education and Central Office. Ms. Joan Haynie, Superintendent, Clay County Schools, addressed the Board regarding the report.

Following discussion, Ms. White moved, and Mr. Dunlevy seconded, that the Special Circumstance Review Report for the Clay County Board of Education and Central Office be accepted as presented. Upon the call for the question the motion was carried unanimously. (Copy appended to Official Minutes, Attachment J.)

**IX. Statewide Waivers of Policy 5202, Minimum Requirements for the**

**Licensure of Professional/Paraprofessional Personnel and**

**Advanced Salary Classifications, Section 11.6.b.2, and**

**Policy 5100, Approval of Educator Preparation Programs, Section 10.4.e**

Dr. Robert Hagerman (distributed information), Director, WVDE Certification Services, presented statewide waivers of Policy 5202, Minimum Requirements for the Licensure of Professional/ Paraprofessional Personnel and Advanced Salary Classifications, section 11.6.b.2, and Policy 5100, Approval of Educator Preparation Programs, section 10.4.e, for the Board’s consideration. The purpose of the waivers is to allow student teachers/resident teachers who have attempted the content Praxis two or more times without meeting the required cut score, and who have a B or better grade point average in their content area, to be eligible for a Restricted Clinical Experience Permit and complete the clinical placement under focused supervision of institutional officials and assigned supervising/cooperating teachers. If unable to meet the required scores on the content Praxis at the time of application and employment, candidates would be eligible for a one-year Temporary License.  During that year the individual must either successfully complete the Praxis content exam or the edTPA (at a WVDE-specified score) teacher performance assessment to convert it to an initial professional certificate.  Policies 5202 and 5100 are being amended to include this flexibility; both policies are anticipated to be approved and in effect no later than December 31, 2023.

Following discussion, Dr. Wilson moved, and Mrs. Sullivan seconded, that statewide waivers of Policy 5202, Minimum Requirements for the Licensure of Professional/ Paraprofessional Personnel and Advanced Salary Classifications, section 11.6.b.2, and Policy 5100, Approval of Educator Preparation Programs, section 10.4.e, be approved. (Copy appended to Official Minutes, Attachment K.)

**X. WVBE Personnel Matters and Litigation Update in 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 unanimously carried; the Board moved into executive session at 11:03 a.m.

**XI. WVBE Personnel Matters and Litigation Update in 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 11:41 a.m. with no action taken and called for a motion to approve the Board’s personnel attachment. Mrs. Sullivan moved, and Dr. Stansbury 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.)

**XII. Consent Agenda**

President Hardesty called for a motion to approve the Consent Agenda. Mr. Dunlevy 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 C through I.)

* Approved the December 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 Fayette, McDowell, Summers, and Wirt Counties (Attachment E)
* Received, for submission to the Consolidated Public Retirement Board, Employment of Substitute Teachers in Areas of Critical Need and Shortage Affidavits from Webster County (six affidavits) and Hampshire County (two affidavits) (Attachment F)
* Accepted the West Virginia Educator Preparation Program Review Board's recommendation of approval of the addition of a Clinical Teacher of Record Program for Marshall University with Jackson County and Nicholas County (Attachment G)
* Received the 2022 Summer Student Opportunities for Learning and Engagement (SOLE) Status Report (Attachment H)
* Received the West Virginia Universal Pre-K 2021 Annual Report (Attachment I).

**XIII. WVDE Reports**

Superintendent Roach, assisted by Ms. Christy Day, Director, WVDE Communications, provided an update regarding *Ready. Read. Write. West Virginia*.

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

Mrs. Sullivan requested a report on dual credit, Advanced Placement (AP®) testing, funding for AP® tests for students, and percentage of students taking AP® courses going on to further their education, funding for dual credit courses, teacher preparation for dual credit courses, and percentage of students enrolled in dual credit courses going on to further their education. Mr. Rotruck announced that the West Virginia Public Education Collaborative will conduct a meeting in Charleston on January 26. Dr. Wilson visited a low performing school.

**XV. Future Meetings**

President Hardesty announced that the next regular meeting of the WVBE will be held February 8, 2023, at 9:00 a.m., in Charleston, West Virginia.

**XVI. Adjourn**

President Hardesty called for a motion to adjourn. Dr. Snavely moved, and Dr. Stansbury seconded, that the meeting be adjourned. Upon the call for the question the meeting was adjourned at 12:08 p.m.

**Minutes approved by the Board on February 8, 2023.**

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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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