

AGENDA
WEST VIRGINIA BOARD OF EDUCATION
Capitol Building 6, Suite 600
1900 Kanawha Boulevard, East
Charleston, West Virginia
July 12, 2023 – 9:00 a.m.

- I. **Welcome – Pledge of Allegiance – Introductions – Call to Order**
L. Paul Hardesty
- II. **Approval of Agenda – (Action)**
L. Paul Hardesty
- III. **Ceremonial Oath of Office – Michele L. Blatt, State Superintendent of Schools**
L. Paul Hardesty
- IV. **Recognitions(s)**
- V. **Delegations**
- VI. **School Safety – (Information)**
Jonah Adkins
- VII. **Consent Agenda – (Action)**

- A. **Approval of Minutes – (Action)**

[Attachment A](#)

It is recommended that the **minutes of the June 14 and 23, 2023, meetings of the West Virginia Board of Education (WVBE) be approved.**

- B. **Routine Business**

- 1. **Waivers of WVBE Policies and Regulations, Superintendent’s Interpretations, State Statutes, and Legislative Rules – (Action)**
Sonya White

[Attachment B](#)

One Year Waivers of HB 3271. Relating to Increasing Monitoring of Special Education Classrooms.

HB 3271 requires that all West Virginia public schools have audio recording devices in every bathroom of a self-contained classroom prior to August 1, 2023. The legislation allows a one year waiver not to extend beyond August 1, 2024. While many counties can comply with this legislation, several require additional time to receive and install the recording devices.

It is recommended that the WVBE **approve the attached county requested audio recording device waivers that will expire on August 1, 2024.**

**2. Marshall County Board of Education Request for Waiver of Policy 6200, Handbook of Planning School Facilities – (Action)
Micah Whitlow**

[Attachment C](#)

The Marshall County Board of Education requests a waiver of Policy 6200, Handbook on Planning School Facilities, Sections 400.01 and 203.3, to allow for the construction of a new Sand Hill Elementary School that is below the minimum design enrollment of 240 and below the minimum site size of five acres. This waiver is requested for the duration of time the school operates at its current location.

Sand Hill Elementary School has a current enrollment of 51 students and is comprised of three deteriorating structures on 3.4 acres in the remote Marshall County community of Dallas, WV. The new school is proposed to be constructed on the existing 3.4 acres.

Marshall County has verified that the site design of the replacement school has appropriately sized access roads, parking lots, loading zones, service areas, and utility access. Additionally, the students will be provided with playgrounds, gardening areas, and the school will have access to the adjacent community center when needed.

The new Sand Hill Elementary School has a proposed design capacity of 100 students and will provide students with a modern educational environment. The project was included in Marshall County's approved Comprehensive Educational Facilities Plan and is funded by the Citizens of Marshall County through the passage of an operating levy in November of 2022.

Approval of this proposed waiver will allow Marshall County to keep students in their community, limit excessive travel times, and continue to provide Sand Hill Students with a high-quality education.

WVDE staff have reviewed the waiver request and recommend that **Marshall County be approved to construct a replacement school for Sand Hill Elementary School that is below the minimum design enrollment of 240 and below the minimum site size of five acres.**

**3. West Virginia Alternative Certification Educator Preparation Program Review Board (ACEPPRB) Recommendation to Approve a Revision to the Cabell County Schools: GROW Educators (Guide, Retain, Orient, and Welcome) Alternative Certification Program for Special Education, in Partnership with the West Virginia Department of Education (WVDE) – (Action)
Carla Warren**

[Attachment D](#)

ACEPPRB members voted to recommend proposed revisions be approved for the Cabell County Schools: GROW Educators alternative certification program for special education, in partnership with the WVDE, to add the Preschool Special Needs PreK-K endorsement. The main function of the ACEPPRB is to review and make recommendations to the WVBE regarding

the approval of alternative certification educator preparation programs of study leading to teacher certification. The ACEPPRB structure supports the intended collaborative process to ascertain effective alternative certification educator preparation programs in West Virginia school districts, filling critical need and shortage teacher vacancies with educators that are appropriately prepared and qualified. Policy 5901 provides guidelines and procedures for the approval of alternative certification educator preparation programs leading to licensure in West Virginia and Policy 5202 provides guidelines and procedures for the issuance of licensure including the Alternative Teaching Certificate.

It is recommended that the WVBE **approve proposed revisions to the Cabell County Schools: GROW Educators alternative certification program for special education, in partnership with the WVDE, to add the Preschool Special Needs PreK-K endorsement.**

4. **West Virginia Alternative Certification Educator Preparation Program Review Board (ACEPPRB) Recommendation to Approve a Revision to the Kanawha's BEST Alternative Certification Program for Special Education, in Partnership with the West Virginia Department of Education (WVDE) – (Action)**
Carla Warren

[Attachment E](#)

ACEPPRB members voted to recommend proposed revisions be approved for the Kanawha's BEST alternative certification program for special education, in partnership with the WVDE, to add the endorsements of Preschool Special Needs PreK-K and Severe Disabilities K-Adult. The main function of the ACEPPRB is to review and make recommendations to the WVBE regarding the approval of alternative certification educator preparation programs of study leading to teacher certification. The ACEPPRB structure supports the intended collaborative process to ascertain effective alternative certification educator preparation programs in West Virginia school districts, filling critical need and shortage teacher vacancies with educators that are appropriately prepared and qualified. Policy 5901 provides guidelines and procedures for the approval of alternative certification educator preparation programs leading to licensure in West Virginia and Policy 5202 provides guidelines and procedures for the issuance of licensure including the Alternative Teaching Certificate.

It is recommended that the WVBE **approve proposed revisions to the Kanawha's BEST alternative certification program for special education, in partnership with the WVDE, to add the endorsements of Preschool Special Needs PreK-K and Severe Disabilities K-Adult.**

5. **West Virginia Alternative Certification Educator Preparation Program Review Board (ACEPPRB) Recommendation to Approve a Revision to the Alternative Certification Through Innovation Alternative Certification Program for Special Education, in Partnership with the West Virginia Department of Education (WVDE) – (Action)**
Carla Warren

[Attachment F](#)

ACEPPRB members voted to recommend proposed revisions be approved for the Alternative Certification Through Innovation alternative certification program for special education, provided by Lincoln County Schools, Mason County Schools, and Mingo County Schools, in partnership with the WVDE, to add the endorsements of Autism PreK-PreK, Autism K-6 and Autism 5-Adult. The proposal would also add Marshall University as an official partner for the primary purpose of providing coursework for the Autism endorsements. The main function of the ACEPPRB is to review and make recommendations to the WVBE regarding the approval of alternative certification educator preparation programs of study leading to teacher certification. The ACEPPRB structure supports the intended collaborative process to ascertain effective alternative certification educator preparation programs in West Virginia school districts, filling critical need and shortage teacher vacancies with educators that are appropriately prepared and qualified. Policy 5901 provides guidelines and procedures for the approval of alternative certification educator preparation programs leading to licensure in West Virginia and Policy 5202 provides guidelines and procedures for the issuance of licensure including the Alternative Teaching Certificate.

It is recommended that the WVBE **approve proposed revisions to the Alternative Certification Through Innovation alternative certification program for special education, provided by Lincoln County Schools, Mason County Schools, and Mingo County Schools, in partnership with the WVDE, to add the endorsements of Autism PreK-PreK, Autism K-6 and Autism 5-Adult with Marshall University as an official partner.**

- 6. Recommendation to Approve edTPA (Pearson), PPAT (ETS), and WVTPA (West Virginia Educator Preparation Program Stakeholders) as WVBE Approved Performance Assessment Instruments to Stand Alone as Having Technical Soundness and Meeting the Requirements for Reliability and Validity Evidence Outlined in Policy 5100 – (Action)**
Carla Warren

[Attachment G-1](#)
[Attachment G-2](#)

Policy 5100, section 6.7.b.2, stipulates that a formal review of technical soundness must be conducted of all Teacher Performance Assessments (TPA) instruments used in West Virginia. To meet this requirement, a review team comprised of five WVDE staff from various offices reviewed three TPA instruments that have been used by institutions in WV: edTPA (developed by Pearson), PPAT (developed by ETS), and WVTPA (developed by stakeholders in West Virginia). The evaluative framework included 15 critical elements that spanned five evidence categories and was bolstered by alignment with national accreditor guidelines (i.e., CAEP and AAQEP) as well as industry accepted assessment standards (i.e., Title I Part A Federal Assessment Peer Review, expert vetted evaluation checklists, and the Standards for Educational and Psychological Testing). The resource manual for scoring procedures has been attached for those interested in more details.

The recommendation of the review team is that the following TPA instruments have met the requirements for reliability and validity evidence outlined in Policy 5100 and can formally be approved for use by Institutions of Higher Education (IHE) in WV: edTPA, PPAT, and WVTPA.

It is recommended that the WVBE **approve edTPA (developed by Pearson), PPAT (developed by ETS), and WVTPA (developed by stakeholders in West Virginia) to stand alone as teacher performance assessments having technical soundness and meeting the requirements for reliability and validity evidence outlined in Policy 5100.**

- 7. Appointment to the West Virginia Secondary School Activities Commission Board of Review – (Action)**
Michele L. Blatt

WVSSAC Series 1, Constitution, states: “The WVSSAC Review Board shall consist of seven members to be appointed by the WVBE upon recommendation by the State Superintendent.”

It is recommended that **William P. Hosaflook, Superintendent of Jackson County Schools, be appointed to replace C. David Price, former Superintendent of Raleigh County Schools, to represent the West Virginia Association of School Administrators.**

- 8. Annual Report on the Number of High School Diplomas Issued in Accordance with Policy 4355, High School Diplomas for Veterans – (Information)**
Carla Warren

[Attachment H](#)

W. Va. Code §18-2-5, §18-2-34, and WVBE Policy 4355 establish the rules, procedures and regulations for providing a high school diploma to surviving veterans of World War II, the Korean War, and the Vietnam Conflict. This report provides the total number of individuals issued a diploma in accordance with this policy, including a breakdown of the total into individual categories for each war or conflict.

- 9. Policy 2520.2B, West Virginia College- and Career-Readiness Standards for Mathematics – (Action)**
Sonya White

[Attachment I-1](#)
[Attachment I-2](#)

Policy 2520.2B is being revised to update and align high-quality content standards to mathematics per W. Va. Code §18-2-39 related to the college- and career-readiness initiative and to address requirements found in House Bill 3055 (West Virginia Legislature, 2023 Regular Session). Revisions include aligning grade-level and course-specific standards to reflect a more coherent progression of developmentally-appropriate mathematics learning, reorganizing of standards and courses to articulate horizontal and vertical connections, revising language to add clarity and reduce redundancies, and establishing a set of knowledge and skills that all

individuals need to transition into employment, enlistment, and higher education. Two appendices are now included with the policy.

Following the comment period, an external stakeholder group expressed concern with the proposed name of the course (Mathematics – Technical Transition Mathematics) that was created to address requirements found in House Bill 3055 as the name was similar to a current math course. Although the current math course is being phased out, it was decided to eliminate confusion by giving the new course a different name (Mathematics - Introduction to Mathematical Applications). Prior to finalizing the name change, the WVDE contacted the group of external stakeholders who participated in the initial review of Policy 2520.2B to review and approve the course name change.

It is recommended that **Policy 2520.2B be approved and effective July 1, 2024.**

10. Policy 5901, Alternative Certification Programs for the Education of Teachers – (Action)
Carla Warren

[Attachment J](#)

Proposed revisions to Policy 5901 were placed on public comment during the May WVBE meeting for the purpose of aligning program eligibility criteria pertaining to educational qualifications in sections 7.2.a.3 and 12.1 to accept newly approved exemptions of the West Virginia Licensure Testing Directory. Revisions also cover provisions of House Bill 3035 pertaining to educator preparation program instructional requirements. No comments were received during the comment period.

It is recommended that **Policy 5901 be approved and effective 30 days from filing.**

11. Policy 6204, School Closings or Consolidations – (Action)
Micah Whitlow

[Attachment K](#)

In accordance with Senate Bill 51, passed during the 2023 regular session, Policy 6204 is being amended to include statutory language changes regarding the requirement for impact statements. Additionally, the amended policy enhances, clarifies, and technically corrects requirements that guide the development and dissemination of documents that support closure or consolidation proposals. No comments were received during the comment period.

It is recommended that **Policy 6204 be approved and effective 30 days from filing.**

12. Policy 5310, Performance Evaluation of School Personnel – (Action)
Margaret Williamson

[Attachment L](#)

Policy 5310 is being revisited due to a legislative change in HB 2597. Inclusion of data and an explanation of the rating of less than

accomplished will provide educators with information to support professional growth.

It is requested that **Policy 5310 be placed on public comment for 30 days.**

- 13. West Virginia Schools for the Deaf and the Blind Monthly Update – (Information)** [Attachment M](#)
Clayton Burch, Superintendent, West Virginia Schools for the Deaf and the Blind

VIII. NEW BUSINESS

- A. West Virginia Secondary School Activities Commission (WVSSAC) Series 1, Constitution, Series 2, Athletics, Provisions Governing Eligibility, Series 3, Provisions Governing Contests, and Series 4, Provisions Governing Conduct – (Action)**
C. David Price, Interim Director, WVSSAC

The majority of public and most private schools in West Virginia belong to the WVSSAC. Each year, principals of member schools submit revisions to the rules and regulations. The submitted proposals are presented and voted upon at the annual Board of Control meeting. Any approved changes are then submitted to the WVBE for its review and approval. The proposed amendments are brought forth to keep the WVSSAC current and updated on changes, trends and issues in the band and athletic programs. This year 27 proposals, found in the attachment, were submitted by member schools for consideration; 22 proposals were approved. Series 2 is being further amended to comply with recent legislative action. Comments received during the comment period resulted in one change to Series 2 (section 3.11.c was removed).

The WVSSAC recommends and a motion is requested that **Series 1, Constitution, be approved and effective 60 days from filing.** [Attachment Mc](#)

The WVSSAC recommends and a motion is requested that **Series 2, Athletics, Provisions Governing Eligibility, be approved and effective 60 days from filing.** [Attachment N-1](#)
[Attachment N-2](#)

The WVSSAC recommends and a motion is requested that **Series 3, Provisions Governing Contests, be approved and effective 60 days from filing.** [Attachment O](#)

The WVSSAC recommends and a motion is requested that **Series 4, Provisions Governing Conduct, be approved and effective 60 days from filing.** [Attachment P](#)

- B. Update: Logan County Schools Intervention – (Information)**
Jeffrey Kelley and Jeff Huffman, Superintendent, Logan County Schools

An update regarding progress addressing the findings and deficiencies outlined in the Logan County Schools Special Circumstance Review Report will be provided.

**C. Update: Upshur County Schools Intervention – (Information)
Jeffrey Kelley**

An update regarding additional non-compliance and progress toward addressing previously identified non-compliances in the Upshur County Schools Special Circumstance Review will be provided.

D. WVBE Personnel Matters, WVDE Personnel Matters, and Litigation Update in B.P.J. by her next friend and mother, Heather Jackson v. WVBE, et al. – (Action)

L. Paul Hardesty

WVBE personnel and/or legal matters may involve an Executive Session 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)]. The Board majority must vote to have an Executive Session. **(No action will be taken in Executive Session.)**

It is recommended and a motion is requested that the **WVBE personnel matters, inclusive of the WVSDB's vacation/annual leave policy (4400.01), found in the attachment be approved.**

[Attachment Q-1](#)

It is recommended and a motion is requested that the **WVDE personnel matters found in the attachment be approved.**

[Attachment Q-2](#)

IX. Superintendent Reports – (Information)

- Literacy and Numeracy Updates
- COVID Relief Funds Monitoring Summary
- Required Training per Federal Law, W. Va. Code, or WVBE Policy

X. WVBE Member Updates and Requests for Information – (Information)

L. Paul Hardesty

XI. Future Meetings – (Information)

L. Paul Hardesty

The next regular meeting of the WVBE will be held August 9, 2023, in Charleston, West Virginia.

XII. Election of WVBE Officers – (Action)

L. Paul Hardesty

XIII. Adjournment – (Action)