

**AGENDA**  
**WEST VIRGINIA BOARD OF EDUCATION**

Capitol Building 6, Suite 600  
1900 Kanawha Boulevard, East  
Charleston, West Virginia  
**January 10, 2024 - 9:00 a.m.**

I. **Welcome - Pledge of Allegiance - Introductions - Call to Order**  
L. Paul Hardesty, President

II. **Approval of Agenda - (Action)**  
L. Paul Hardesty

III. **Recognition(s)**

IV. **Delegation(s)**

V. **School Safety - (Information)**  
Jonah Adkins

VI. **County Technical Assistance Updates - (Information)**  
Jeffrey Kelley

VII. **Consent Agenda - (Action)**

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

[Attachment A](#)

It is recommended that the **minutes of the December 13, 2023, meeting of the West Virginia Board of Education (WVBE)** be approved.

B. **Routine Business**

1. **Waiver of Policy 2340, West Virginia Measures of Academic Progress, Section 4.8.a., for Virtual Charter Public Schools - (Action)**  
Vaughn G. Rhudy

[Attachment B](#)

The WVDE has determined students attending virtual charter public schools should be allowed to take the West Virginia General Summative Assessment in Grades 3-8 remotely using the Cambium Assessment Remote Testing/Proctoring tool as long as the school, proctors, parents, and students agree to all state requirements and sign the required agreement forms. This waiver does not apply to the West Virginia Alternate Summative Assessment (DLM), ELPA-21, or the SAT School Day.

It is recommended and a motion is requested to **approve a statewide waiver of Policy 2340, section 4.8.a., for virtual charter public schools to allow students to test remotely for the West Virginia General Summative Assessment in Grades 3-8 in the subjects of English language arts, mathematics, and science beginning in spring 2024 and that this waiver remain in effect until Policy 2340 is revised.**

2. **Waiver of Policy 2444.4, Issuance of the State of West Virginia High School Equivalency Diploma and Option Pathway, Section 3.1, for Mountaineer Challenge Academy North and Mountaineer Challenge Academy South - (Action)**  
**Mendy Marshall**

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

Mountaineer Challenge Academy (MCA) North and MCA South have requested a waiver of Policy 2444.4, section 3.1., which requires all applicants (students) to pass an approved practice test with the minimum score as determined by the WVDE. This waiver is requested for the remainder of this school year (2023-2024) and the next school year (2024-2025), with the understanding that these students will take the practice test, but not be required to pass the practice test. The proposed waiver would ensure all students attending the schools (those who pass the practice test and those who do not pass the practice test) will have an opportunity to take and pass the actual high school equivalency assessment (HSEA). This exemption is planned to be included in proposed policy amendments which are scheduled to be presented to the WVBE for consideration during the 2024 calendar year. MCA North and South offer students an accelerated option pathway, designed to help them earn a high school diploma if they successfully complete the program and pass the HSEA. The intent of this waiver is to ensure students attending the schools will have an opportunity to take and pass the HSEA prior to leaving the program, which may result in the largest possible number of students receiving a high school diploma upon program completion. At the end of the 2024-2025 school year, the WVDE will be provided data for review by MCA and MCA will determine if additional waiver requests are necessary.

It is recommended that the **waiver request of Policy 2444.4, section 3.1, for the MCA North and MCA South, which requires all applicants (students) to pass an approved practice test with the minimum score as determined by the WVDE be approved with the waiver being effective for the remainder of school year 2023-2024 and continuing to school year 2024-2025 or until such time as Policy 2444.4 is amended and adopted.**

3. **Employment of Substitute Teachers in Areas of Critical Need and Shortage - (Action)**  
**Lara Bissett**

[Attachment D](#)

Pursuant to W. Va. Code §18A-2-3, Braxton, Hardy, and Summers Counties have submitted a policy for the WVBE's approval.

It is recommended that the **Employment of Substitute Teachers in Areas of Critical Need and Shortage policies for Braxton, Hardy, and Summers Counties be approved.**

4. **Employment of Retired Bus Operators as Substitutes in Areas of Critical Need and Shortage - (Action)**  
**Lara Bissett**

[Attachment E](#)

Pursuant to W. Va. Code §18A-4-15a, Braxton and Jackson Counties have submitted a policy for the WVBE's approval.

It is recommended that the **Employment of Retired Bus Operators as Substitutes in Areas of Critical Need and Shortage policy for Braxton and Jackson Counties** be approved.

**5. Employment of Substitute Teachers and Bus Operators in Areas of Critical Need and Shortage Affidavits - (Action)**  
**Lara Bissett**

Pursuant to W. Va. Code §18A-2-3(c)(2)(G), affidavits from counties must be received and approved by the WVBE for submission to the Consolidated Public Retirement Board. Eight substitute teacher and seven substitute bus operator affidavits received from Berkeley County require WVBE approval.

WVBE legal counsel has reviewed the affidavits and recommend that **eight substitute teacher and seven substitute bus operator affidavits received from Berkeley County be received and approved for submission to the Consolidated Public Retirement Board.**

**6. Marion County Board of Education 2020-2030 Comprehensive Educational Facilities Plan (CEFP) - (Action)** [Attachment F](#)  
**Micah Whitlow**

Policy 6200 requires all local boards of education to submit amendments to CEFPs to the WVBE and the School Building Authority of West Virginia (SBA) for approval. The Marion County Board of Education requests approval to add the consolidation of Pleasant Valley Elementary and East Park Elementary into a new elementary school facility.

Marion County will be proposing to its citizens in the 2024 primary election a capital improvement bond issue to fund the identified project and will be requesting conditional approval from the SBA to have that agency be identified in the finance plan for the proposed bond issue. SBA funding would be contingent upon the successful passage of the proposed bond issue and final approval by the SBA.

It is recommended that the **Marion County Board of Education's request to amend their 2020-2030 CEFP be approved.**

**7. Concord University's Addition of a Clinical Teacher of Record (CTR) Program with Summers County - (Action)** [Attachment G](#)  
**Traci Tuttle**

In December 2023, the West Virginia Educator Preparation Program Review Board (EPPRB) members agreed on a recommendation of approval to the WVBE of Concord University's addition of a Clinical Teacher of Record Program with Summers County. Policy 5100 provides guidelines and procedures for the approval of new and continuing educator preparation programs of study leading to licensure in West Virginia and also for CTR Agreements with West Virginia school districts. Policy 5100 supports the intended collaborative process to improve educator preparation programs and potential educators by incorporating program guidelines based on research and best practices. Support of continuous improvement and clear and consistent guidelines to West Virginia educator preparation programs will

produce more effective educators in West Virginia schools, resulting in increased student learning in the classroom.

It is recommended that the WVBE **accept the EPPRB's recommendation of approval of Concord University's addition of a Clinical Teacher of Record Program with Summers County.**

**8. West Virginia Licensure Testing Directory - (Action)**  
**Robert Hagerman**

[Attachment H](#)

The WVBE-required licensure exams for educator certification and completion of WVBE-approved programs leading to West Virginia licensure directory is maintained on the WVDE website. Additional test(s), scores, or exceptions have been changed to reflect updates in policy and exams.

It is recommended that the **West Virginia Licensure Testing Directory be approved.**

**9. West Virginia Career and Technical Education (CTE) Endorsement and Testing Manual - (Action)**  
**Robert Hagerman**

[Attachment I](#)

The WVBE required testing (ex. basic skills or NOCTI exams) for CTE endorsements is maintained on the WVDE website. Formatting, additional tests(s), scores, added endorsement areas, or exceptions have been changed to reflect updates in policy and exams.

It is recommended that the **West Virginia Career and Technical Education (CTE) Endorsement and Testing Manual be approved.**

**10. County Board Member Training Standards Review Committee 2024 Training Sessions - (Action)**  
**James G. Brown, Executive Director, West Virginia School Board Association**

[Attachment J](#)

On November 27, 2023, the West Virginia Board of Education/West Virginia School Board Association County Board Member Training Standards Review Committee (TSRC) voted to recommend the training sessions found in the attachment for the WVBE's consideration. State and regional conferences provide county board members multiple opportunities to complete annual training requirements via the winter conference (up to seven hours), the spring regional conferences (up to three hours), new members orientation (11 hours), and the president retreat (up to seven and one-half hours).

It is recommended that the **2024 training sessions for county board members, as recommended by the TSRC, be approved.**

**VIII. New Business**

**A. Statewide Waiver of Policy 8200, Purchasing Policies and Procedures Manual for Local Educational Agencies, Section 3.2.5.c. - (Action)**  
**Uriah Cummings**

[Attachment K](#)

This waiver request will allow county boards of education to enter into contracts with vendors with up to four renewals solely if the contract is related to the right to use digital subscription-based information technology agreements (SBITAs) associated with accessing digital textbooks. In accordance with W. Va. Code §18-2A-10 and Policy 2445.40, *Instructional Resources*, county boards of education are required to review and adopt required resources to be used in the schools with an adoption period being established for, unless otherwise noted, five years. Instructional resources, as referenced in Policy 2445.40, would include access to digital textbooks associated with the adoption. County boards who choose to utilize this waiver must ensure that all other provisions of Policy 8200 are followed.

It is recommended and a motion is requested to **approve a statewide waiver of Policy 8200, section 3.2.5.c.**

**B. Special Circumstance Review Report of Philippi Middle School (Barbour County) - (Action)** [Attachment L](#)  
**Alexandra Criner**

The Office of Accountability conducted a Special Circumstances Review of Philippi Middle School in Barbour County on November 9, 2023. A report of the findings and points of noncompliance identified during the visit was prepared and is being presented to the WVBE for consideration and possible action. An executive session may be required for discussion.

Discussion of this report may involve an Executive Session as provided in W. Va. Code §6-9A-4(b)(2)(A) [personnel exception] and/or §6-9A-4(b)(6), [privacy exception]. The Board majority must vote to have an Executive Session.

It is recommended and a motion is requested to **accept the report and approve required action steps to be taken by the Barbour County Board of Education to address the deficiencies outlined in the Special Circumstance Review Report for Philippi Middle School.**

**C. WVBE and WVDE Personnel Matters - (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 to **approve the WVBE personnel matters found in the attachment.** [Attachment M](#)

It is recommended and a motion is requested to **approve the WVDE personnel matters found in the attachment.** [Attachment Mc](#)

**IX. WVDE Reports - (Information)**

- Artificial Intelligence (AI) Guidance Document  
 Erika Klose

[Attachment N](#)

**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 February 14, 2024, in Charleston, West Virginia.

**XII. Adjournment - (Action)**