

MINUTES
WEST VIRGINIA BOARD OF EDUCATION
Capitol Building 6, Suite 600
1900 Kanawha Boulevard, East
Charleston, West Virginia
February 14, 2024

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 February 14, 2024, 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 Gregory F. Wooten, and ex officio Michele L. Blatt, 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. Gabriel moved, and Mr. Wooten seconded, that the agenda be approved. Upon the call for the question, the motion was carried unanimously.

III. Delegations

Mr. Dale Lee (distributed information), President, West Virginia Education Association (WVEA), addressed the Board regarding a WVEA survey entitled *Standing Together for Public Schools*. Dr. Mickey Blackwell, Executive Director, West Virginia Association of Elementary/Middle School Principals, addressed the Board regarding West Virginia State University activities, spoke about Black History Month, and issued concern about administrative and teacher vacancies. (Copy appended to Official Minutes, Attachment Q.)

IV. School Safety

Mr. Jonah Adkins, Director, West Virginia Department of Education (WVDE) Office of School Safety, provided an update regarding school safety and introduced Mr. Tony Smith, School Safety Unit, West Virginia Department of Homeland Security, who provided an update regarding the School Safety Unit's involvement in schools/counties. President Hardesty directed that a listing of schools that have not compiled with the submission of a crisis response plan be posted on the WVDE's website and provided to news outlets.

V. County Technical Assistance Update

Mr. Jeffrey Kelley, Assistant State Superintendent, WVDE Division of District and School Accountability, provided an update regarding technical assistance provided to counties.

VI. 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 A through L.)

- Approved the January 10, 2024, WVBE minutes (Attachment A)
- Approved Employment of Substitute Teachers in Areas of Critical Need and Shortage policies for Calhoun, Greenbrier, McDowell, Nicholas, Taylor, and Wirt Counties and the West Virginia Schools of Diversion and Transition (Attachment B)
- Approved Employment of Retired Bus Operators as Substitutes in Areas of Critical Need and Shortage policies for Lincoln, Mason, McDowell, Mineral, Raleigh, and Wirt Counties (Attachment C)
- Received and approved for submission to the Consolidated Public Retirement Board: 1) substitute teacher affidavits from Barbour (three), Braxton (two), Calhoun (four), Clay (four), Fayette (11), Harrison (21), Jackson (three), Mineral (seven), Pleasants (one), Preston (six), and Ritchie (four) Counties; and 2) substitute bus operator affidavits from Fayette County (two)
- Approved a waiver of Policy 2444.4, section 3.1, for the Mountaineer Job Challenge Program; waiver remains in effect for the remainder of school year 2023-2024 (Attachment D)
- Approved the Ohio County Board of Education's request to amend their 2020-2030 to programmatically divide Warwood School (PreK-8) into Warwood Elementary School (PreK-5) and Warwood Middle School (6-8). The Warwood School facility is currently configured to operate under this arrangement, and all students will remain at this physical location. The proposed change is planned to go into effect with the start of the 2024-2025 school year (Attachment E)
- Accepted the West Virginia Educator Preparation Program Review Board's recommendation of approval of Glenville State University's addition of a Clinical Teacher of Record Program with Ritchie County and Marshall University's addition of a Clinical Teacher of Record Program with Summers County (Attachments F-1 and F-2)

- Approved MathTrack’s application to provide a teacher certification program consisting of coursework substantially aligned to the InTASC standards be approved as adequate pursuant to meeting requirements of W. Va. Code §18A-3-2a(a)(1)(C) (Attachment G)
- Accepted the West Virginia Content Area Program Approval (WVCAPA) to be added as a state-level option for approval of individual content area programs and reflected in the amended CAEP state partnership agreement (Attachment H)
- Accepted the West Virginia Educator Preparation Program Review Board's recommendation to fully recognize Wheeling University's Elementary Education, English, General Science, Mathematics, Multi-categorical Special Education excluding Autism, and Social Studies content programs for seven years as designated in the WVCAPA process (Attachment I)
- Received the West Virginia Universal Pre-K 2022 Annual Report (Attachment J)
- Approved an additional training session, personnel realignment (four total hours) scheduled for March 15, 2024, for county board members as recommended by the West Virginia Board of Education/West Virginia School Board Association County Board Member Training Standards Review Committee (Attachment K)
- Received an update from the West Virginia Schools for the Deaf and the Blind (Attachment L).

VII. Release of Conditional Language in Deed of Former West Virginia Schools for the Deaf and the Blind (WVSDB) Property

Ms. Kelli Talbott, General Counsel, WVDE Office of Legal Services, presented the Hampshire County Commission’s (Commission) request for a Release of Conditional Language (Release) in a 1956 deed in which WVSDB property was conveyed to the Commission for the construction of a hospital in the Town of Romney. The 1956 deed specified that the property in question could only be used for the purpose of a hospital. Because the property is no longer being used for a hospital and the Commission seeks to deed the property to the Hampshire County Board of Education (HCBE) for the construction of a new consolidated elementary school, the Commission and the HCBE have requested that the WVBE release the conditional language in the deed so that the property may be deeded to the HCBE for the purpose of the construction of the new school.

Dr. Stansbury moved, and Mr. Rotruck seconded, that the Release be approved and that authority be granted to the President of the WVBE to execute the Release on behalf of the WVBE. Upon the call for the question the motion was carried unanimously. (Copy appended to Official Minutes, Attachments M-1 and M-2.)

VIII. Waiver of Policy 2340, West Virginia Measures of Academic Progress, Section 4.8.a., for Virtual Charter Public Schools

Dr. Vaughn Rhudy, Director, WVDE Office of Assessment, presented a waiver of Policy 2340, section 4.8.a., for virtual charter public schools for the Board's consideration. 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.

Following questioning by Mrs. Sullivan, Mr. Wooten moved, and Dr. Stansbury seconded, that 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 be approved and that this waiver remain in effect until Policy 2340 is revised. This waiver does not apply to the West Virginia Alternate Summative Assessment (DLM), ELPA-21, or the SAT School Day. Upon the call for the question the motion was carried with eight members voting yes and one member voting no. (Copy appended to Official Minutes, Attachment Mc.)

**IX. WVBE and WVDE Personnel Matters
Executive Session**

President Hardesty called for a motion to enter executive session. Ms. White moved, 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)], that the Board enter executive session. Dr. Stansbury seconded the motion and upon the call for question the motion was carried unanimously; the Board moved into executive session at 9:45 a.m.

**X. WVBE Personnel Matters
Return from Executive Session**

President Hardesty announced that the Board had returned from executive session at 10:35 a.m. with no action taken and called for a motion to approve the WVBE personnel matters found in the attachment. Mr. Dunlevy moved, and Mr. Gabriel seconded, that the WVBE personnel matters found in the attachment be approved. Upon the call for the question the motion was carried unanimously. (Copy appended to Official Minutes, Attachment N.) Mr. Wooten departed the meeting and Dr. Snavelly was absent for this vote.

President Hardesty called for a motion to approve the WVDE personnel matters found in the attachment. Mr. Gabriel moved, and Ms. White seconded, that the WVDE personnel matters found in the attachment be approved. Upon the call for the question the motion was carried unanimously. (Copy appended to Official Minutes, Attachment O.) Dr. Snavelly returned to the meeting.

XI. Superintendent Reports

Superintendent Blatt provided an update regarding West Virginia’s graduation rate and invited members to participate in Read-Aloud Day; assisted by Dr. Erika Klose, Director, WVDE Office of PK-12 Academic Support, and Mr. Robert “Joey” Wiseman, Director, WVDE Office of Student Enrichment, provided updates regarding data science and personal finance courses (Attachment P); and, assisted by Ms. Margaret Williamson, Director, WVDE Office of District/School Improvement, provided an update regarding exemplary practice schools. (Copy appended to Official Minutes, Attachment P.)

XII. WVBE Member Updates and Requests for Information

Mr. Gabriel attended a bus operator train the trainer event and spoke with a bus operator of a small electric bus who indicated that he was very happy with its performance. Mrs. Sullivan attended several robotics tournaments, visited a juvenile facility, and attended a meeting of the West Virginia School Board Association/WVBE County Board Member Training Standards Review Committee. Mr. Rotruck spoke about the West Virginia Public Education Collaborative’s 2024 Focus Forward Conference. Mr. Dunlevy joined Governor Justice in Fayette and Marshall Counties for the awarding of School Building Authority of West Virginia (SBA) funds and visited, with the SBA, Ohio County schools. President Hardesty thanked Superintendent Blatt and her staff for their work during the legislature session.

XIII. Future Meetings

President Hardesty announced that the next regular meeting of the WVBE will be held March 13, 2024, at 9:00 a.m., in Charleston, West Virginia.

XIV. Adjourn

President Hardesty called for a motion to adjourn. Mr. Dunlevy moved, and Dr. Stansbury seconded, that the meeting be adjourned. Upon the call for the question the meeting was adjourned at 10:51 a.m.

Minutes approved by the Board on March 13, 2024.

L. Paul Hardesty, President

Nancy J. White, Vice President