

**AGENDA**  
**WEST VIRGINIA BOARD OF EDUCATION**  
Capitol Building 6, Suite 600  
1900 Kanawha Boulevard, East  
Charleston, West Virginia  
**October 9, 2024 - 10:00 a.m.**

- I. **Welcome - Pledge of Allegiance - Introductions - Call to Order**  
**Nancy J. White, President**
  
- II. **Approval of Agenda - (Action)**  
**Nancy J. White**
  
- III. **Special Remarks - (Information)**  
**First Lady Cathy Justice**
  
- IV. **Delegation(s)**
  
- V. **Consent Agenda - (Action)**

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

[Attachment A](#)

It is recommended that the **minutes of the September 11, 2024, meeting of the West Virginia Board of Education (WVBE)** be approved.

- B. **Routine Business**

- 1. **Employment of Substitute Teachers in Areas of Critical Need and Shortage - (Action)**  
**Kelli Talbott**

[Attachment B](#)

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

- 2. **Employment of Retired Bus Operators as Substitutes in Areas of Critical Need and Shortage - (Action)**  
**Kelli Talbott**

[Attachment C](#)

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

- 3. **Amendment of Harrison County's 2020-2030 Comprehensive Educational Facilities Plan (CEFP) - (Action)**  
**Micah Whitlow**

[Attachment D](#)

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 Harrison County Board of Education requests approval to amend its project priority list with additions to Robert C. Byrd (RCB) High School and renovations to the Mountaineer Middle School (MMS) building. To better accommodate recently approved closures, RCB is proposed to receive a cafeteria addition and additional career technical education shops for agricultural and airframe mechanics. MMS is proposed to receive kindergarten and preschool classroom renovations to accommodate its future transition into an elementary school. The projects are planned to be funded through local funds and a grant from the SBA.

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

**4. Amendment of Lincoln County's 2020-2030 Comprehensive Educational Facilities Plan (CEFP) - (Action)**

[Attachment E](#)

**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 Lincoln County Board of Education requests approval to add to its CEFP a safe school entrance and HVAC upgrades and repairs to Lincoln County High School. The projects are planned to be funded through local funds and a grant from the SBA.

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

**5. Amendment of Morgan County's 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 Morgan County Board of Education requests approval to add Roof Replacement at Berkeley Springs High School Building A to their project priority list. The project is planned to be funded through local funds and a grant from the SBA.

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

- 6. Amendment of Pocahontas County's 2020-2030 Comprehensive Educational Facilities Plan (CEFP) - (Action)** [Attachment G](#)  
**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 Pocahontas County Board of Education requests approval to make renovations to Pocahontas County High School the county's highest priority. These renovations include upgrades to the HVAC system, electrical system, windows, restrooms, and the addition of hallway connectors. The projects are planned to be funded through local funds and a grant from the SBA.

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

- 7. Policy 2423, Health Promotion and Disease Prevention – (Action)** [Attachment H](#)  
**Margaret Williamson**

Policy 2423 is being repealed and replaced to update the policy to align with the latest evidence based practice, clarify content, and reflect current policy drafting requirements. One comment was received during the comment period that did not result in any changes to the purposed policy.

It is recommended that **Policy 2423 be approved and effective 30 days from filing.**

- 8. Policy 8500, Competitive Grant Application and Award Process – (Action)** [Attachment I](#)  
**Sonya White**

Policy 8500 is proposed to ensure compliance with W. Va. Code §18-9A-10 as amended by House Bill 5405 (2024 Regular session). Policy 8500 establishes the process for local education agencies to apply and receive grants managed by the West Virginia Department of Education through a competitive process that are not awarded under another rule. No comments were received during the comment period.

It is recommended that **Policy 8500 be approved and effective 30 days from filing.**

- 9. Policy 5202, Minimum Requirements for the Licensure of Professional / Paraprofessional Personnel and Advanced Salary Classifications – (Action)** [Attachment J](#)  
**Robert Hagerman**

West Virginia Board of Education Policy 5202 establishes the requirements regarding licensure of educators to work in the public schools of West Virginia. As changes occur in education, certification and licensure policies must be revised to ensure educational needs are met. This proposed policy implements new statutory requirements and current policy drafting protocol.

It is recommended that **Policy 5202 be placed on public comment for 30 days.**

**10. Policy 8400, Charter Public Schools Stimulus Fund – (Action)**

[Attachment K](#)

Policy 8400, Charter Schools Stimulus Fund, is a new Policy that the Legislature has given the West Virginia Board of Education the responsibility for adopting a policy to implement the provisions of W. Va. Code § 18-5G-17 which creates a Charter Schools Stimulus Fund. The Fund was established to allow grants of appropriated public funds to be made to assist with charter school start-up costs. The Fund was established in 2023, but to date, the Legislature has not appropriated any funds for the program. The Fund will be administered by the Professional Charter School Board with oversight by the West Virginia Board of Education. The Policy addresses eligibility criteria for grant awards; allowable and non-allowable costs for grant funds; the process for applications for grant awards; the process by which determinations on grant applications shall be made; standards for the expenditure of grant funds; standards for the granting of extensions of time to spend grant funds; and, transparency and reporting requirements that the Professional Charter School Board is required to follow. The Policy will establish accountability for the award and expenditure of public dollars for eligible charter school start-up costs.

It is recommended that **Policy 8400 be placed on public comment for 45 days.**

**VI. New Business**

**A. Statewide Waiver of Policy 6204, School Closings or Consolidations, Section 3.4 - (Action)**

[Attachment L](#)

**Micah Whitlow**

A statewide waiver of Policy 6204, section 3.4, is requested to allow counties to complete the required procedures for closing a school on or before February 28 of the calendar year in which the closures or consolidations are to be effective. This extension does not remove counties' responsibility to meet the statutory requirements for the transfer and reduction-in-force of county personnel. Decreases and uncertainties in student enrollment,

personnel shortages, and limited school finances necessitate the proposed additional time.

It is recommended that the **statewide waiver request of Policy 6204, section 3.4, be approved to allow counties additional time to complete school closure procedures while still meeting statutory requirements be approved.**

**B. Annual County Board of Education Accountability Report – (Action)  
Alexander Criner**

To ensure that each county provides a thorough and efficient education for its students, the WVBE shall annually review information submitted for each county to WVDE. County operational efficiencies and approval status will be discussed.

It is recommended that the **Board accept the information submitted in the annual report and issue the designated approval statuses to each county board of education as indicated in the report and required in W. Va. Code 18-2E-5 and WVBE Policy 2322.**

**C. WVBE and WVDE Personnel Matters and Civil Action No. 2:24-cv-18, *Krystle Perry and Anthony Perry, individually and on behalf of their minor child K.P. v. Stacy Marteney, et al.*; Civil Action No. CC-20-2024-P-361, *West Virginia Conference of the NAACP v. West Virginia Department of Homeland Security, et al.*; and, Civil Acton No. 24-C-49, *Jeffrey and Vanessa Perkins, vs. Upshur County Board of Education et al.* - (Action)  
Nancy J. White**

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 N](#)

Motions, if any, regarding Civil Action No. 2:24-cv-18, Civil Action No. CC-20-2024-P-361 and/or Civil Action No. 24-C-49 will be determined at the meeting.

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

**VIII. WVBE Member Updates and Requests for Information - (Information)**

**Nancy J. White**

**IX. Future Meetings - (Information)**

**Nancy J. White**

The next regular meeting of the WVBE will be held November 13, 2024, in Charleston, West Virginia.

**X. Work Session on WVBE Policies - (Information)**

**Nancy J. White**

**XII. Adjournment - (Action)**