

MINUTES
WEST VIRGINIA BOARD OF EDUCATION
Board Conference Room
Capitol Building 6, Room 353
1900 Kanawha Boulevard, East
Charleston, West Virginia
August 10, 2011

I. Call to Order

President L. Wade Linger Jr. called the meeting of the West Virginia Board of Education (WVBE) to order at 10:00 a.m. on August 10, 2011, in the Board Conference Room, Capitol Building 6, Room 353, 1900 Kanawha Boulevard, East, Charleston, West Virginia.

The following members were present: President Linger, Vice President Gayle C. Manchin, Secretary Robert W. Dunlevy, Michael I. Green, Priscilla M. Haden, Lowell E. Johnson, and William M. White and ex officio Jorea M. Marple, State Superintendent of Schools. Members absent were Burma Hatfield and Jenny N. Phillips and ex officios Brian E. Noland, Chancellor, West Virginia Higher Education Policy Commission, and James L. Skidmore, Chancellor, West Virginia Council for Community and Technical College Education.

II. Recognitions

Ms. Liza Cordeiro, Executive Director, WVDE Office of Communications, State Superintendent's Office, on behalf of the Board, called on Mr. Rick Goff, Executive Director, WVDE Office of Child Nutrition, to introduce Ms. Rhonda McCoy, Food Service Director, Cabell County Schools, recipient of the Robert J. Freiler Award (improve and promote child nutrition); and, Dr. Kathy D'Antoni, Assistant State Superintendent, WVDE Division of Technical, Adult and Institutional Education, to introduce Dr. Fran Warsing, Executive Director, WVDE Office of Institutional Education Programs, recipient of the 2011 Correctional Education Association's Executive Director Award. Ms. Cordeiro presented *Global21 Moments*, spotlighting Raleigh and Taylor County Schools, and a slide show spotlighting the West Virginia Schools for the Deaf and the Blind for the Board's information.

III. Approval of Agenda

President Linger called for a motion to approve the agenda. Mrs. Manchin moved to approve the agenda and Mr. Dunlevy seconded the motion. Prior to the call for the question Dr. Johnson requested that item *VI.C.1 Waivers of State Board of Education Policies and Regulations, Superintendent's Interpretations and State Statutes and Legislative Rules* be removed from the Consent Agenda. The call for the question on this motion did not occur and the motion died. Thereupon, Mrs. Manchin amended her original motion to include the removal of the requested item. Ms. Haden seconded the motion and upon the call for the question the motion was unanimously carried.

IV. Capacity Building for Low Performing Schools and Intervention Counties

Ms. Michele Blatt, Executive Director, WVDE Office of School Improvement, provided information regarding services provided to Jefferson County Schools and Wahama High School. Ms. Blatt reported that, in response to the most recent audit report to be provided later in the agenda, a team of improvement consultants has been convened and will make recommendations to the Board within sixty days. Mr. Ted Mattern (distributed information), Liaison/System Support, Office of the State Superintendent, provided a brief summary of services provided to Gilmer County, West Virginia Schools for the Deaf and the Blind, Fairmont West Middle School, Preston County, and Grant County. (Copy appended to Official Minutes, Attachment U.)

V. Consent Agenda

Upon motion by Ms. Haden, seconded by Dr. Johnson, the Board unanimously approved the Consent Agenda as previously amended. (Copies appended to Official Minutes, Attachments A through C and E through G.)

- Five-Year Strategic Plans for Jefferson County School District, North Jefferson Elementary School, Charles Town Middle School, Harpers Ferry Middle School, and Wildwood Middle School (Attachment A)
- 2011 Annual Report of the Office of Education Performance Audits (Attachment B)
- Meeting minutes of July 13 and 28, 2011 (Attachment C)
- 2010-2011 Waivers of State Board of Education Policies and Regulations, Superintendent's Interpretations and State Statutes and Legislative Rules (Attachment E)
- Two county applications representing summer school at an additional three county locations (Attachment F)
- Policy 2520.8, Next Generation Driver Education Content Standards and Objectives for West Virginia Schools (Attachment G and addendum).

VI. Waivers of State Board of Education Policies and Regulations, Superintendent's Interpretations and State Statutes and Legislative Rules

Dr. Johnson questioned the waiver request from Mineral County Schools; at issue is the number of counties that are in compliance with the offering of required AP courses. Dr. Johnson requested that the State Superintendent provide a report to the Board regarding the status AP course offerings as soon as data is available. Ms. Betty Jo Jordan, Executive Assistant to the State Superintendent, stated that high school schedules will be posted to WVEIS by mid-September, a program will be written to extrapolate the requested information, and a report will be ready for presentation to the Board by October.

Upon motion by Dr. Johnson, seconded by Mrs. Manchin, the Board unanimously approved five new requests for waivers of WVBE policy, one request for continuation of waiver of WVBE policy, and one new waiver request for instructional materials. (Copy appended to Official Minutes, Attachment D.)

VII. Final Individual School Education Performance Audit Report for Davis-Stuart School (Juvenile Institutional Education Program), Greenbrier County

Dr. Gus Penix, Director of the Office of Education Performance Audits, reported that an announced on-site review (five days in advance) of the Davis-Stuart School which is under the governance of the WVBE and State Superintendent of Schools on May 26, 2010. A team returned to the school on July 12, 2011. The purpose of the return visit was to verify correction of the findings identified during the original Individual School Education Performance Audit and to recommend a final school accreditation status. Dr. Warsing addressed the Board regarding the audit findings.

Upon the recommendation of Dr. Penix and a motion by Mrs. Manchin, seconded by Mr. Dunlevy, the Board unanimously directed the Davis-Stuart School to correct the noncompliances by January 15, 2012, and that the Office of Institutional Education Programs monitor the school monthly to ensure that the areas in which the noncompliances were found are continually addressed. (Copy appended to Official Minutes, Attachment H.)

VIII. Final Individual School Education Performance Audit Report for Tucker High School, Tucker County

Dr. Penix reported that an announced on-site review was conducted at Tucker High School, Tucker County May 21, 2011. The purpose of the return visit was to verify correction of the findings identified during the original Individual School Education Performance Audit and to recommend a final school accreditation status. Dr. Eddie Campbell, Superintendent, Tucker County Schools, addressed the Board regarding the audit findings.

Upon the recommendation of Dr. Penix and a motion by Mr. Dunlevy, seconded by Dr. Johnson, the Board unanimously issued Tucker County High School Temporary Accreditation status with a January 15, 2012 Date Certain to correct the remaining findings. (Copy appended to Official Minutes, Attachment I.)

IX. Second Follow-up Education Performance Audit Report for Wahama High School, Mason County

Dr. Penix reported that an announced on-site review was conducted at Wahama High School, Mason County January 21, 2010. A Follow-up Education Performance Audit was conducted October 28, 2010. A Team returned to the school May 13, 2011 for a Second Follow-up Education Performance Audit. The purpose of the return visit was to verify the remaining deficiencies has been corrected. Mr. Chuck Heinlein, Deputy State Superintendent of Schools, addressed the Board regarding the audit findings.

Upon the recommendation of Dr. Penix and a motion by Ms. Haden, seconded by Mrs. Manchin, the Board unanimously issued Wahama High School Low Performing status. (Copy appended to Official Minutes, Attachment J.)

X. Recommendations for Professional Development Based on Education Performance Audits and Annual Performance Measures

Dr. Penix (distributed information) submitted recommendations for professional development based on education performance audits and annual performance measures for the Board's consideration. W. Va. Code §18-2-23a requires the WVBE to establish goals for professional development in the public schools of the state. An analysis of annual performance data and Education Performance Audits is presented to the WVBE to consider in establishing professional development goals. Discussion ensued regarding the importance of strategic plans and the Board's Professional Development Committee will take up the OEPA recommendations at a future meeting.

Upon the recommendation of Dr. Penix and a motion by Dr. Johnson, seconded by Mrs. Manchin, the Board unanimously accepted the OEPA's recommendations for professional development based on education performance audits and annual performance measures. (Copy appended to Official Minutes, Attachment K and addendum.)

XI. Break

President Linger called for a break for lunch at 11:35 a.m.

XII. Call to Order

President Linger called the meeting back to order at 12:10 p.m. and invited Mr. Dwight Dials, Superintendent, Fayette County Schools, who addressed the Board regarding professional development, evaluation and supply and demand.

XIII. Board Reports

RESA Committee. Dr. Johnson provided information regarding the RESA committee meeting that took place on July 14; agenda items included: update regarding the principal/teacher/counselor evaluation process, legislative agenda (lifting of budget cap remains a priority), update regarding the Education Efficiency Audit (RESA 7), evaluation of 2010-11 statewide professional development plan and online registration for RESA professional development sessions, RESA communications (video/matrix of services/recognition programs/coordination of effort and resources (WVBE/WVDE/RESAs), and recommendations for new membership to RESA stakeholder group.

Professional Development Committee. Dr. Johnson provided information regarding the committee meeting that took place on August 9. Agenda items included: defining professional development (Dr. Johnson read the definition and elements to the assembly/definition and elements may be found in the August 9 Professional Development Committee meeting minutes), involvement of institutions of higher education in the statewide master plan for professional development, consideration of evaluation questions for 2011-12, update on progress toward online registration for professional development, and issues regarding Policy 2515 and weighted grades for Advanced Placement.

Local School Improvement Council (LSIC) Committee. Mrs. Manchin provided information regard the committee meeting that took place on August 9; agenda items included: review of proposed LSIC policy, update on online resources (videos/electronic waiver forms), and back to school message for LSIC chairs. The LSIC policy will be brought before the Board in September for placement on public comment with an effective date of December 2011.

Board Member Reports. Mrs. Manchin encouraged members to attend National Association of State Boards of Education's (NASBE) annual conference in October and requested members advise the Board's secretary regarding attendance and advised that an item needs to appear on the September agenda to appoint a voting delegate and an alternate to represent the Board at NASBE's annual business meeting. Ms. Haden attended the following meetings: RESA 5, Superintendent's Advisory Committee, Student Success Summit, WV-PASS, and National Science Camp activity. Mr. Green attended and provided an overview regarding the Technology Statewide Conference and provided information regarding a meeting he attended with entities conducting the Education Efficiency Audit. Dr. White joined the meeting and provided information regarding the NASBE new member institute and issued a concern regarding the lack of training provided to new members when they are appointed to the Board.

XIV. A Resolution Authorizing Fayette County to Enter Into a Lease Purchase Agreement for Financing an Energy-savings Contract including Acquisition of HVAC Equipment Not to Exceed \$10,000,000

Ms. Heather Deskins, Esq., General Counsel to the WVBE and WVDE, and Mr. Dials, presented a resolution authorizing Fayette County to enter into a lease purchase agreement for financing an energy-savings contract including acquisition of HVAC equipment not to exceed \$10,000,000 for the Board's consideration. Fayette County Schools wishes to enter into a performance contract/energy management program with Casto Technical Services, Inc. and Omega Facility Services, Solutions & Surety, LLC. As part of the program, Fayette County will purchase new HVAC equipment and energy control systems. The equipment purchase will be financed by Crews & Associates (Charleston) and First Security Financing, Inc. (Little Rock, AK). This is similar to the program the Board approved for Preston County in December 2009.

Upon motion by Dr. White, seconded by Mr. Dunlevy, and unanimously carried the Board adopted the resolution authorizing Fayette County to enter into a guaranteed energy savings contract, a lease purchase agreement and execution of related documents. (Copy appended to Official Minutes, Attachment L-1 and L-2.)

XV. Fayette County Board of Education Qualified Zone Academy Bond (QZAB)

Attorney Deskins and Mr. Dials presented a Qualified Zone Academy Bond (QZAB) in the amount of \$500,000 towards a gymnasium addition at Valley High School for the Board's consideration. The School Building Authority has authorized \$1,000,000 towards this project contingent upon Fayette County expending \$500,000 in local funds.

Upon motion by Ms. Haden, seconded by Dr. White, and unanimously carried the Board adopted a resolution on the behalf of Fayette County Board of Education approving a lease purchase agreement with Bank of Mount Hope as a QZAB in the amount of \$500,000 towards a gymnasium addition at Valley High School. (Copy appended to Official Minutes, Attachment M-1 and M-2.)

XVI. Policy 5112, Athletic Trainers in the Public Schools of West Virginia

Dr. Amelia Courts (distributed information), Assistant State Superintendent, Division of Educator Quality and System Support, presented Policy 5112 for the Board's consideration. Policy 5112 is being revised to reflect changes to the licensure requirements for athletic trainers serving in the public schools of West Virginia in order to meet the requirements set out in W. Va. Code §30-20A-2, which include sunseting of the athletic trainer student support certificate and permit; amending of the requirements for the athletic trainer authorization; and making of other edits to clarify the intent of the policy.

Upon motion by Mrs. Manchin, seconded by Mr. Green and unanimously carried, the Board placed Policy 5112 on public comment for 30 days. (Copy appended to Official Minutes, Attachment Mc and addendum.)

XVII. Approval of Educator Preparation Programs at University of Charleston

Dr. Courts, assisted by Mr. Robert Hagerman, Assistant Director, WVDE Office of Professional Preparation, presented educator preparation programs at the University of Charleston for the Board's consideration. In December of 2010, an on-site focused accreditation visit of the educator preparation programs at the University of Charleston was conducted by a WVBE State Review Team concurrently with an accreditation team from the Teacher Education Accreditation Council (TEAC). The Educator Preparation Program Review Board (EPPRB) has reviewed the report from the State Review Team. Upon review, the EPPRB concurred with the findings in the report and found that 5 of 6 standards identified in Policy 5100 were met. Dr. Jo Blackwood, Professor of Teacher Education, University of Charleston, addressed the Board regarding the on-site focused accreditation visit.

Upon motion by Dr. Johnson, seconded by Ms. Haden and unanimously carried, the Board granted the University of Charleston conditional approval status for a period not to exceed 12 months during which time it will be verified that Standard 2 and areas identified for improvement in Standard 1 have been addressed. (Copy appended to Official Minutes, Attachment N.)

XVIII. Approval of Educator Preparation Programs at Shepherd University

Dr. Courts presented educator preparation programs at Shepherd University for the Board's consideration. In October of 2010, an on-site continuing accreditation visit of the educator preparation programs at Shepherd University was conducted jointly by an accreditation team from the National Council for Accreditation of Teacher Education and by a State Review Team. The Educator Preparation Program Review Board (EPPRB) has reviewed the Board of Examiners (BOE) Report from the National Council for Accreditation of Teacher Education (NCATE). Upon review, the EPPRB concurred with the findings in the BOE Report and found that all standards identified in Policy 5100 were met. Dr. Dorothy Hively, Director of Assessment and Accountability, Shepherd University, addressed the Board regarding the accreditation visit and future offerings at the university.

Upon motion by Dr. Johnson, seconded by Mrs. Manchin and unanimously carried, the Board granted Shepherd University continuing approval status for a period not to exceed seven years. (Copy appended to Official Minutes, Attachment O.)

XIX. Appointments to WVBE Statutory Units/Liaisons/Presidential Committees 2011-2012

President Linger distributed a listing of proposed Board Committee appointments for 2011-2012 for the Board's consideration.

Upon motion by Dr. Johnson, seconded by Ms. Haden, the Board unanimously approved the appointments. (Copy appended to Official Minutes, Attachment P.)

XX. WVBE Regular Meeting Dates and Locations 2011-2012

President Linger distributed a listing of proposed WVBE meeting dates and locations for 2011-2012 for the Board's consideration and announced that the October meeting will take place in Marion County.

Upon motion by Dr. Johnson, seconded by Mr. Dunlevy, the Board unanimously approved the 2011-2012 meeting dates and locations. (Copy appended to Official Minutes, Attachment Q.)

XXI. WVBE Personnel Matters including Discussion of Compensation of an Office of Education Performance Audits (OEPA) Employee

President Linger, in accordance with W. Va. Code §6-9A-4(b)(2)(A) (personnel exception), called for a motion to move into executive session to discuss the compensation of an OEPA employee.

Upon motion Dr. White, seconded by Mr. Dunlevy, and unanimously carried, the Board entered into executive session at 1:17 p.m.

XXII. Return from Executive Session

The Board returned from executive session at 2:00 p.m. at which time President Linger announced that no decisions were made or action taken.

President Linger (distributed addendum) called for a motion to approve the Board's personnel items including the addendum. Ms. Haden moved, and Dr. Johnson seconded, that the Board's personnel items, inclusive of the addendum, be approved. Upon the call for the question the motion was carried unanimously. (Copy appended to Official Minutes, Attachment R and addendum.)

Ms. Haden moved, and Mr. Green seconded, that Dr. Donna Davis, Deputy Director, OEPA, be granted a salary increase to \$104,000.00. Upon the call for the question the motion was carried unanimously.

XXIII.

Break

President Linger called for a break 2:12 p.m.

XXIV.

Call to Order

President Linger called the meeting back to order at 2:20 p.m. and requested that the Board revisit item *VII.D. Second Follow-up Education Performance Audit Report for Wahama High School, Mason County*, to complete action required by W. Va. Code. Thereupon, Dr. Courts addressed the Board and requested that the Board appoint the State Superintendent and/or her designee (serving as the appointed team of improvement consultants) to provide technical assistance to Wahama High School with recommendations to be provided to the Board within 60 days. Mrs. Manchin moved, and Dr. Johnson seconded, the motion as presented. Upon the call for the question the motion was carried unanimously.

XXV.

State Superintendent's Report

Superintendent Marple presented Department personnel items for the Board's information. (Copy appended to Official Minutes, Attachment S.)

Strategic Priorities and Work Plan related to Board Goals. Superintendent Marple, assisted by Ms. Lydia McCue (distributed information), WVDE contract employee, presented strategic priorities and a work plan that has been developed in relation to WVBE goals. (Copy appended to Official Minutes, Attachment V.)

West Virginia Public Education Legislative Priorities and Resolution. Superintendent Marple, assisted by Ms. Jordan (distributed information), reviewed legislative priorities and presented a resolution for the Board's consideration. Discussion ensued regarding the proposed resolution.

Dr. Johnson moved that the Board support the five proposed priorities with the understanding that the list may change prior to the September Board meeting at which time a resolution will be signed and submitted to the legislature. Ms. Haden seconded the motion and upon the call for the question the motion was carried unanimously. (Copy appended to Official Minutes, Attachment W.)

Update - Education Efficiency Audit. Mr. Heinlein provided an update regarding the Governor's Education Efficiency Audit. It was requested that the schedule of onsite visits be provided to the Board.

Universal Free Meals Pilot Project. Mr. Rick Goff, Executive Director, WVDE Office of Child Nutrition, provided a brief presentation regarding the new Universal Free Meals Pilot (UFMP) focusing on the participating counties and the theory behind providing breakfast and lunch to all children at no additional charge.

Books on the Bus. Mr. Robert E. Hull, Associate State Superintendent, WVDE Division of Curriculum and Instructional Services, provided information regarding the *Books on the Bus* initiative.

XXVI. Board Items for Future Consideration

President Linger asked that items, inclusive of any requested during the meeting and a report regarding Advanced Placement in October, that members wish considered for placement on a future agenda are to be provided to him as soon as possible. (Copy appended to Official Minutes, Attachment T.) Ms. Haden announced that the Board's Common Ground committee would meet in September prior to the regular Board meeting.

XXVII. Future Meetings

The next meeting of the Board will be held September 7, 2011, in Charleston, West Virginia. The meeting will continue on September 8, 2011, if the agenda is not completed on September 7, 2011. Ms. Haden announced that a meeting of the Board's Common Ground committee would take place on September 6 at 10 a.m. It was determined that the September and October meetings will begin at 12:30 p.m. on Wednesday.

XXVIII. Adjournment

President Linger declared the meeting adjourned at 3:47 p.m.

Minutes approved by the Board on September 7, 2011.

L. Wade Linger Jr., President

Robert W. Dunlevy, Secretary

*Minutes were recorded by
Virginia M. Harris
Secretary to the Board
WVBEMinutes8/10/11*