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WEST VIRGINIA BOARD OF EDUCATION

Board Conference Room

Capitol Building 6, Room 353

1900 Kanawha Boulevard, East

Charleston, West Virginia

February 15, 2005

Call to Order

I.
President Barbara N. Fish called the special meeting of the West Virginia Board of Education to order at 3:07 p.m. on February 15, 2005, in the Board Conference Room, Capitol Building 6, Room 353, 1900 Kanawha Boulevard, East, Charleston, West Virginia.

The following members were present: President Fish, Vice President Lowell E. Johnson, Secretary Priscilla M. Haden, Ms. Sandra M. Chapman (via telephone), Mrs. Delores W. Cook, Mrs. Sheila M. Hamilton (via telephone), Ms. Burma Hatfield, Mr. Paul J. Morris (via telephone), Mr. Ronald B. Spencer (via telephone), and ex officio Dr. David Stewart, State Superintendent of Schools. Members absent were: Dr. J. Michael Mullen, Chancellor, the West Virginia Higher Education Policy Commission, and Mr. James L. Skidmore, Chancellor, the West Virginia Council for Community and Technical College Education.

II.

Delegations

Mr. William Duty, President of the Mingo County Board of Education, addressed the Board regarding the recent Office of Education Performance (OEPA) audit report; Mr. James Lees, Attorney for the Mingo County Board of Education, addressed the Board regarding the OEPA audit report; Ms. Dee Kapouralas, Member of the Mingo County Board of Education, addressed the Board regarding the actions of the Mingo County Board of Education.

III.

Approval of Agenda

The agenda was accepted by consensus.

IV.

ACTIONS RELATING TO THE ACCREDITATION STATUS OF THE MINGO COUNTY SCHOOL SYSTEM

Dr. Stewart addressed the Board and provided the following statements.

At our last meeting, the State Board

- found, based upon the report of the Office of Education Performance Audits, that extraordinary circumstances exist in the Mingo County school system
- 2. assigned nonapproval status to the Mingo County school system and
- 3. declared that a state of emergency exists in the Mingo County school system based on information presented in the OEPA report.

Following a thorough review of that report and weighing the options, I recommend that the State Board

4. find that the State Board previously intervened in the operation of the Mingo County school system and concluded that intervention within the preceding five years
5. find that the conditions precedent to State Board intervention in a county school system are present in this instance
6. find that it would not be in the best interests of the students of Mingo County to delay intervention for any period of time
7. limit the authority of the Mingo County Board of Education as to the expenditure of funds; the employment, discipline and dismissal of personnel; the establishment, modification and operation of the school calendar; and the establishment, modification and operation of instructional programs; and delegate decision-making authority to the State Superintendent regarding these matters
8. delegate to the State Superintendent the authority to conduct hearings on personnel matters and school closure or consolidation matters and, subsequently to render the resulting decisions, and the authority to appoint a designee for the limited purpose of conducting hearings while reserving to the State Superintendent the authority to render the resulting decision
9. limit the authority of the Mingo County Board of Education as to the ability to conduct real estate transactions and delegate to the State Superintendent the authority to act in lieu of the Mingo County Board of Education in a transfer, sale, purchase or other transaction regarding real estate
10. delegate to the State Superintendent the authority to replace administrators and principals in low performing schools and to transfer them to alternate professional positions within the county at his discretion
11. delegate to the State Superintendent the authority to fill positions of administrators and principals with individuals determined by the State Superintendent to be the most qualified for the positions
12. direct the Mingo County Superintendent and the State Superintendent to jointly develop and present to the State Board a set of standards that must be met in order for the Mingo County Board of Education to regain control of the school system
13. direct the Mingo County Superintendent to provide reports to the State Board at such times to be set by the State Superintendent.

Ms. Hatfield moved, and Mrs. Cook seconded, that the recommendations be accepted. Following discussion regarding the recommendations, the motion was carried unanimously.

President Fish, in an effort to begin working on the financial situation in Mingo County and to begin action on the efficiencies of operation, entertained a motion directing the State Superintendent to take all steps necessary to effectuate the current, approved Comprehensive Educational Facilities Plan in Mingo County.

Ms. Haden moved, and Dr. Johnson seconded, the requested motion and it was carried unanimously.

V.

Future Meetings

The next regular meeting of the Board will be held March 9-10, 2005 in Putnam County, West Virginia.

VI.

Adjournment

President Fish adjourned the meeting at 4:00 p.m.

Minutes approved by the Board on March 10, 2005.

Barbara N. Fish, President

Priscilla M. Haden, Secretary

Minutes were recorded by

Virginia M. Harris

Executive Secretary

to the Board..

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West Virginia Department of Education
1900 Kanawha Boulevard East, Charleston, WV 25305
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