

# BOARD POLICIES

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COMMENT PERIOD

ENDS AUGUST 7, 2023

## Board of Education Meetings

The purpose of this policy is to establish rules by which the date, time, place, and agenda of all regularly scheduled meetings and the date, time, place, and purpose of all special meetings of the Board are to be made available in advance to the public and news media. It is also the purpose of this policy to establish rules for attendance and presentations at any Board meeting where there is not room enough for all members of the public who wish to attend. This policy also establishes procedures related to the conduct of all meetings.

### Scope

This policy shall apply to all regular and special meetings of the Clay County Board of Education. This policy shall also establish procedures to be observed in relation to emergency meetings requiring immediate official action by the Board. School closing, and consolidation hearings shall be regarded as special meetings and may have different procedural rules than appear herein. The notice requirements for special meetings and the notice requirements contained in W.Va. Code §18-5-13a and West Virginia Board of Education Policy 6204 shall be observed for such hearings.

### Meetings

#### Regular Meeting

The Board shall establish a regular meeting schedule during its organizational meetings, conducted on the first Monday in July, in accordance with the provisions of W.Va. Code §18-5-1c. The agenda for all Regular Meetings shall be established by the Board President in consultation with the Superintendent. However, any two members of the Board in agreement with one another may direct that an item be placed upon the agenda of an upcoming regular meeting by communicating such direction to the Superintendent in advance of the publication of the agenda. Agendas may be amended up to two business days before a Board meeting to include items not known at the time the original agenda was prepared. But the amended agenda must be provided to the public and media in the same manner as the original agenda.

#### Special Meeting

A Special Meeting is a meeting held between the regularly scheduled meetings of the Board. A Special Meeting of the Board may be called by the President of the Board or by any three members of the Board in agreement with one another. All Special Meeting notices must include a statement of the purpose for the meeting. The statement of purpose must describe with reasonable precision the matters requiring official action that will be addressed during the Special Meeting. Apart from the statement of purpose, no other agenda will be required. However, if the Special Meeting will deal with several matters, the meeting notice must state that the Special Meeting will address the items with a Special Meeting agenda. Said Special Meeting agenda must be prepared as a separate document in the usual and ordinary manner and must be posted at the same time and in the same manner as the Special Meeting Notice.

## **Emergency Meeting**

An Emergency Meeting is one requiring sudden and immediate official action. Only true emergencies where the health, safety, and welfare of persons or severe property damage or other unknown and unanticipated events of a comparably serious nature may occasion the call of an Emergency Meeting of the Board. The notice requirements for Regular Meetings and Special Meetings need not be fully observed in convening Emergency Meetings. A statement of the nature of the emergency shall be reflected in the minutes of an Emergency Meeting. Notice of an Emergency Meeting must be given in a reasonable and timely manner given the circumstances of the emergency. An Emergency Meeting notice must, at a minimum, explain the nature of emergency and be posted by the usual means, if at all practicable. This explanation of the emergency must also be repeated within the official minutes prepared for this meeting.

## **Statutory Meeting**

Any meeting that is required by statute. The same procedures that are observed in providing notice of Special Meetings shall be observed in providing notice of Statutory Meetings.

## **Pre-Meeting Procedures**

### **Notice of Regular Meetings**

Notices of all Regular Meetings shall be posted and maintained in a manner accessible to the public located in the administrative office of the Board. All such Regular Meeting notices shall be posted at least three business days in advance of a scheduled Regular Meeting. If the notice is posted during business hours, the date of the posting shall be included as one of these three business days. However, the date of the meeting shall not be included as one of these three business days. Each such notice shall state the date, time, place, and include an agenda for the meeting. If a Regular Meeting is cancelled or postponed, a notice of such cancellation or postponement shall be posted in the same location as soon as is feasible and reasonable after the cancellation or postponement has been determined. Notice of Regular Meetings may also, at the discretion of the Superintendent, be published on Clay County School's Website, social media on the internet, and/or posted at other locations on Board-owned property.

Notice of changes to a posted agenda shall be provided in the same manner as the initial notice, except those changes must be posted at least two business days in advance of the meeting. Emergency changes to an agenda need not be posted in advance of a meeting but reasonable efforts will be made to do so where feasible.

### **Notice of Special Meetings**

Notices of all Special Meetings shall be posted and maintained on a bulletin board that is accessible to the public located in the Board's administrative office. All such notices shall be posted at least two business days in advance of a scheduled Special Meeting. If the notice is posted during business hours, the date of the posting shall be included as one of these two business days. However, the date of the meeting shall not be included as one of these two business days. Each such notice shall state the date, time, place, and purpose of the meeting. If a Special Meeting is cancelled or postponed, a notice of such cancellation or postponement shall be posted in the same location as soon as is feasible and reasonable after the cancellation or postponement has been determined. Notice of Special Meetings may also, at the discretion of the Superintendent, be published on Clay County School's Website, social media on the internet, and/or posted at other locations on Board-owned property.

### **Notice of Media**

The Superintendent shall cause advance notice of all Regular and Special Meetings to be provided to the media that regularly cover matters relating to the Board. The Superintendent shall cause advance notice to be provided to other members of the media upon request. Such notice shall not be required in advance of Emergency Meetings.

### **Meeting Procedures**

The President, or in his/her absence, the Vice President shall preside over all meetings of the Board. In the absence of both, the Superintendent shall preside until the Board elects a president pro tempore.

### **Compliance with Open Governmental Proceedings Act**

The President of the Board and each member of the Board shall be familiar with the provisions of the Open Governmental Proceeding Act, W.Va. Code §6-9A-1 *et seq.* and shall undertake to observe the requirements of the Act in all matters related to conduct of Board meetings. Executive sessions shall not be recorded by mechanical or other means. However, the Board minutes shall identify the stated and authorized reason for each executive session and shall record the people in attendance. Executive sessions shall be attended only by members of the Board, the Superintendent, and any other person designated by the Board. All matters discussed by the Board in executive session shall be regarded as confidential by all persons in attendance and shall not be divulged to the public. Nothing having the effect of regulation or policy, or action shall be decided in executive session.

### **Reconvening Meeting When Space is Limited**

In the event that the place where a meeting is initially convened has inadequate space to safely and/or comfortably accommodate members of the public who desire to attend or make presentations to the Board, the President of the Board may adjourn the meeting and reconvene the meeting at an alternate location on a date and at a time announced at the time of adjournment. A notice identifying the alternative location, date and time shall be posted at the location of the adjourned meeting. In the event a meeting is reconvened to a different date, the notice requirements attending Special Meetings shall be observed.

### **Telephone/Electronic Attendance**

Although the practice is discouraged and should ordinarily be used only where circumstances compel the same, members of the Board may attend and participate in any Board meeting by means of telephone or videoconference. Telephone or electronic equipment shall be configured to allow those present, including members of the public, to observe and/or hear the members who are attending and participating by telephone and/or other electronic means, and shall also be configured to permit the Board member(s) who is participating in this manner to observe and/or hear the meeting proceedings.

### **Consideration of Materials by Reference**

All documents or materials that are referenced in an agenda or statement of purpose of a Special Meeting shall be available for public inspection at the meeting where such documents or materials are considered.

## **Parliamentary Procedure**

The Board shall observe *Robert's Rules of Order, Newly Revised*, as a guide for conducting its business. However, the Board may use fewer formal procedures when the same are better suited to the needs of the Board. In no case shall *Robert's Rules of Order, Newly Revised* be applied in any manner to thwart the will of a majority of the Board or to alter the application of state or federal law.

## **Voting**

Voting must take place in view of the public in an open manner. Voting may be accomplished verbally or by a show of hands. Ballots of any kind are prohibited. The outcome of all votes shall be announced by the presiding officer. Any member may request a roll call vote immediately following the presiding officer's announcement of the outcome of a non-roll call vote.

## **Quorum**

Three of the five members of the Board shall constitute a quorum. A majority of those members present and eligible to vote shall be required for the passage of all motions.

## **Duties of Superintendent – Secretary of the Board**

The Superintendent and his or her staff shall be responsible for preparing and publishing agendas of regular meetings and statements of purpose and/or agendas of special meetings. The Superintendent shall cause agendas to be in the hands of Board members at least three (3) days prior to regular meetings. The Superintendent, in his or her capacity as Secretary of the Board, shall cause minutes to be prepared within a reasonable time after each meeting. Minutes prepared by the Superintendent for approval by the Board shall be provided to Board members at least three days in advance of regular meetings. The minutes shall include: the date, time, and location of the meeting; the name of each Board Member present and absent; a verbatim text of all motions voted upon; the names of the Board Members who move and second motions; the disposition of all motions; and, if a roll call vote is requested, the vote of each Board Member by name. The Superintendent shall be responsible for safeguarding the minutes and all other official records of the Board. Approved minutes shall be available for public inspection during regular business hours. The Superintendent shall be responsible for seeing that all reports and other documents that may need to be examined for purposes of clarification or background be in readiness at all meetings of the Board.

## **State Law**

This policy shall not be interpreted to conflict with W.Va. Code §6-9A-1 *et seq.* To the extent that any provision herein is determined by a court of competent jurisdiction to so conflict, the same shall be stricken and the remaining portions of the policy shall remain intact and in full force.

## **Public Participation**

All residents of Clay County and other interested parties shall be welcome at any or all regular, special, or annual meetings of the Board of Education. Individuals or groups who wish to speak or make some other presentation before the Board, must submit a written request to the Superintendent no later than fifteen minutes prior to the start of the meeting and must be done as follows:

- The written request shall provide in writing their full name, contact information such as phone number and mailing address, state the purpose and topics to be presented, and whether the speaker is speaking as an individual or as a spokesperson for a group.
- Individuals attending remotely must provide prior written notice to the Superintendent via email. The email request must be provided no later than 24 hours prior to when a scheduled Board meeting is to commence in order for accommodations to be made in order for delegation to be heard.
- Time allotted to each delegation (individual or group) will be 5 minutes or the amount of time calculated by dividing the total number of registered speakers into the total time set aside for public participation.
- The delegation portion of any Board Meeting shall not exceed 30 minutes in total length, unless extended by majority vote of the Board.
- The Board President may use his/her discretion in allowing more time for the delegation.

Adopted: July 1976

Revised: January 1988

Revised: July 2023

### Policy Development, Adoption and Dissemination

The Board of Education is the policy making body of Clay County Schools. The adoption of written policies is the basic method whereby the Board expresses its leadership of operation of the county school system. The Board shall have the authority to adopt, revise, and repeal policies as set forth in these guidelines. The formal adoption of policies shall be recorded in the minutes of the Board. Only those written policies which have been adopted according to existing procedures and which have been properly recorded in the Board's minutes shall have the force and effect of and be regarded as official Board policies. All policies that are in effect prior to the enactment of these procedures shall remain in effect unless revised or repealed as set forth herein.

#### Policy Proposals

- The Board of Education shall have the authority to move the adoption of new policies or the revised/deletion of existing policies at any regular or special meetings of the Board.
- Policy proposals may originate with the Board members; the Superintendent; Board guardian, or custodian; any student of the county's public, or any such student's parent, guardian, or custodian; any resident of the county; any of the county's faculty senates; any of the county's local school improvement councils; consultant/s hired by the Board; committees appointed by the Board; or any government official or agency which monitor's the county's public schools.
- All initial proposals shall be made in writing to the Superintendent. Within forty-five (45) days, the Superintendent shall forward a copy of the proposal to all Board members.
- Once a policy proposal has been forwarded to Board members, there is no requirement that a Board member makes a motion concerning the proposal or that the Board takes action on the proposal.

#### Public Comment

- Before a new or revised policy will be placed on the Board's agenda for consideration of placement on the public comment, the Superintendent must be satisfied that the new or revised policy is grammatically correct and consistent in style with related policies, and that it is properly titled and coded in accordance with the Board's policy classification system.
- All policy proposals to be considered for adoption by the Board shall be placed on public comment by the Board of Education at a properly noticed regular or special meetings of the Board.
- The agenda for the meeting must reflect that the proposed policy will be considered for placement on public comment and must state where a copy of that proposed policy may be reviewed by interested parties.
- Copies of all policy proposals placed on the public comment by the Board shall be distributed to each school and or work site within three (3) working days.
- The Board shall take no further action upon such policy proposals until the next regular or special meeting held after the conclusion of the public comment period.
- After a policy proposal is placed on public comment and for the two weeks thereafter, the Superintendent shall accept written comments on the policy proposal. The Superintendent shall prepare for distribution to the Board a summary of all written proposals on public comment again.
- In response to comments received regarding a policy proposal, the Board may move to amend the proposal. If the motion to amend the policy proposal is passed by the Board and the amendments substantially alter the original proposal, the Board shall place the proposal on public comment again.
- If either no amendment or only minor amendments are made to the proposal, the Board shall consider the adoption of the policy proposal no earlier than the first properly noticed regular or special meeting held after the conclusion of the public comment period.

## **Enactment of Board Policies**

### **First Reading Required**

Before a new or revised policy is enacted, and before an existing policy is repealed, the proposed action shall be given a first reading in open session at a Board meeting. The agenda for the meeting must reflect that the proposed action will be given a first reading, and the agenda must state where a copy of the proposed action may be reviewed by interested parties. If a policy is being revised to bring it into compliance with current law or practice and does not have any substantive changes, the Board may, upon the recommendation of the Superintendent, adopt said policy upon first reading.

### **Form of Proposal on First Reading**

Before a new or revised policy will be placed on an agenda for first reading, the Superintendent, as Secretary of the Board, must be satisfied that the new or revised policy is written in language which is grammatically correct and consistent in style with related policies, and that it is properly titled and coded in accordance with the Board's policy classification system.

### **Board Action Following First Reading**

Following the first reading, the Board in open session, shall:

- direct that the proposed action, without modification, be returned to the Board for second reading; or
- direct that the proposed action be modified in specified respects, or modified by the Superintendent or a committee to meet certain standards, and returned to the Board for second reading; or
- direct that any of the actions described above, be taken, in which case the proposed action, with or without modification, may be enacted only following another first reading and after the other requirements of this part 3 are met; or
- fail to advance, or decide not to advance, the proposed action to second reading, in which case the proposed action shall die.

### **Second Reading Required**

Following first reading, and before final action is taken to enact a new or a revised policy or to repeal an existing policy, the proposed action shall be given a second reading in open session at a Board meeting. The agenda for the meeting must reflect that the proposed action will be given a second reading, and the agenda must state where a copy of the proposed action may be reviewed by interested parties.

### **Timing of Second Reading**

The second reading shall not occur sooner than the first Board meeting following the meeting at which the first reading occurred.

### **Board Action Following Second Reading**

Following the second reading, the Board in open session, shall:

- adopt the proposed action, without modification in which case no further action shall be required of the Board to enact the proposal; or
- adopt the proposed action, with modification, in which case no further action shall be required of the Board to enact the proposal unless the Board so directs; or
- defeat, or fail to adopt, the proposed action, in which case the proposal shall die.

### **Refreshed Policies**

In the event a policy is reviewed and only minor revisions such as clerical edits or nonconsequential procedural changes are made, the Superintendent may request the Board waive reading and approve the policy without being placed on comment.



### **Reviewed Policies**

In the event a policy is reviewed and there are no revisions, the Superintendent may request the Board waive reading and approve the policy without being placed on comment.

### **Dissemination and Effect of Policies**

- The members of the Board of Education, its Superintendent, and its employees are expected to know and observe all of the Board's policies.
- The Superintendent shall be responsible for maintaining a manual containing all of the Board's written policies.
- From and after the effective date of this policy, the manual shall indicate the date of the Board's action approving each policy or modification thereof. If the effective date of a policy or modification was not also the date of its approval, the manual shall so indicate.
- The Superintendent shall establish and maintain an orderly system for making all of the Board's policies accessible to the Board's members, the Board's employees, students of the county's public schools, the county's faculty senates, and the county's local school improvement councils.
- The Superintendent shall also maintain a system for making the Board's policies available to the parents, guardians, and custodians of the Board's students, and to residents of the county.
- The Board's policies are public records open for inspection at the Board's offices.

### **Emergency Waiver of Procedures**

- In emergency situations, the Board may waive any of the requirements of these procedures and take immediate action on a policy if it is determined a delay would constitute a substantial and/or irreparable detriment to the school system.
- A statement of the determination and the absence of any other alternative curative action shall be included in any motion to waive these procedures.
- However, in such a case the approval, modification, or repeal of a policy shall be considered to be temporary only.
- The procedure of this policy shall be followed in due course for the action to have permanent effect.
- Modification of the policy development and adoption procedures and approval process shall be required in the event of a State intervention, pursuant to West Virginia code 18-2E-5, for those policies dealing with any areas for which the authority of the county has been limited by the State.

### **Effective Date and Duration**

- Unless otherwise clearly indicated in a policy or by the Board's action approving, modifying, or repealing a policy, each policy, modification of policy, and repeal shall take effect upon the date of final Board action approving the policy, modification of policy, or repeal.
- Unless otherwise clearly indicated in the policy or by the Board's action approving, or modifying the policy, each policy and modification of policy shall continue from year to year until and unless changed or repealed by the Board.
- In the event of a conflict between a policy of the Board and a requirement of State law and/or policy of federal law, the requirements of state law and/or policy of federal law shall prevail, and the conflicting provision of the local policy shall be considered null and void without further action by the Board.

Adopted:            To Be Determined

## School Board Effectiveness

### Direct Links Between the Board and Local School Improvement Councils

To enable the Board to receive information, comments, and suggestions directly from Local School Improvement Council's (LSIC) regarding broad guidelines for oversight procedures, standards of accountability, and planning for future needs, the following procedure establishes direct links between the Board and the LSICs:

- The board shall meet at least annually with a quorum of members from each county school's LSIC. Meetings will be scheduled as directed by the Board in July of each year.
- At least 30 days before a Local School Improvement Council's annual meeting with the Board, the Board shall develop and submit to the LSIC an agenda identifying the items which the council chair or chair's designee is to address in the meeting. The items shall include but not be limited to, items designated from the Annual Report by the Superintendent to the State Board of Education, as well as one or more of the following issues: school performance, curriculum, status of the school in meeting the school's 5-Year Strategic Plan goals, and the status of the school in meeting the district plan.
- Throughout the year, the Board may make written requests for information from local school improvement councils or hold community forums to receive input from the affected community, as the Board considers necessary.
- In its discretion, the Board may hold additional meetings with any local school improvement council, in particular for any low performing school. LSICs may also request meetings with the Board.
- At the conclusion of each school year, the Superintendent shall prepare, for adoption by the Board, a report concerning the meeting or meetings held with the local school improvement councils during the school year. In drafting the report, the Superintendent shall consult with the councils and may request their assistance. Upon approval by the Board, and no later than September 1 of each year, the report, including any amendments made by the Board, shall be delivered by the Superintendent to the State Board of Education.
- Additional strategies for establishing direct links between the Board and Local School Improvement Councils may include surveys, forums, designation of a member of the Board to provide or receive communication (such as the designated assignment to attend LSIC meetings), and town meetings.

### Direct Links Between the Board and Faculty Senates

To enable the Board to receive information, comments, and suggestions directly from the faculty senates regarding broad guidelines for oversight procedures, standards of accountability, and planning for future needs, the following direct links are representative of those which shall be established between the Board and its faculty senates:

- Surveys;
- Board meetings involving faculty senates;
- Meeting with faculty senate chairs, annual meeting with faculty senates and/or representatives;
- Forums;
- Designation of a board member to provide or receive communication including but not limited to visitations to faculty senate meetings; and
- Town meetings.

### **Direct Links Between the Board and the Community at Large**

The following are representative of steps that shall be taken to develop direct links between the Board and the Community at Large, allow for community involvement at regular board meetings, and regularly communicate with the public regarding important issues.

- Surveys of the community at large;
  
- Board meetings publicized and held at various locales throughout the district;
- Effective meeting management;
- Town meetings; and
- Web-based communication.

### **Broad Guidelines for the School District**

The Board recognizes its responsibility to provide broad guidelines for the school district, including the establishment of specific oversight procedures, development, and implementation of standards of accountability, and development of long-range plans to meet future needs.

A record shall be kept of all suggestions made under the previous sections by local school improvement councils, faculty senates, and the community at large regarding broad guidelines for oversight procedures, standards of accountability, and planning of future needs. At least annually, the record shall be considered by the Board to identify suggestions worthy of further consideration.

The Board confirms that any of its existing policies and resolutions regarding the school district's vision, mission, planning procedures, and goals shall, until withdrawn or amended, be interpreted, and applied as specific oversight procedures, standards of accountability, and long-range plans to meet future needs.

### **Use of School-Based Accreditation and Performance Data**

To meet the education goals of the State of West Virginia and such other goals as the Board may establish, the Board shall use school-based accreditation and performance data provided by the State Board of Education, as well as other available data, in Board decision-making.

### **Policy Review**

The Board shall at least annually, before August 1, review the provisions of this policy and make such amendments as the Board finds necessary to effectuate the requirements of West Virginia Code 18-5-14, as amended.

Adopted: October 1994  
Revised: November 2003  
Revised: July 2023

### Evaluation of the Superintendent

The Clay County Board of Education believes it is essential that it evaluate the Superintendent's performance annually to assist both the Board and the Superintendent in the proper discharge of their responsibilities and to enable the Board to provide the district with the best possible leadership.

The Board shall evaluate the performance of the Superintendent in accordance with a process and criteria authorized by State Board of Education Policy 5309, Policy 5800, and local policy.

\_\_\_\_\_ Date Goes Here \_\_\_\_\_, in a regular meeting the Clay County Board of Education approved the adoption of the Superintendent Performance Evaluation Process as outlined in WVBE Policy 5309 and the template developed by the West Virginia Association of School Administrators and the West Virginia School Board Association. Accordingly, and submitted approval as such by the West Virginia Board of Education.

#### §126-143-6. Required Process Criteria

The process by which the district board of education shall annually evaluate the performance of the Superintendent shall include the following criteria:

- The process shall require the district board and the Superintendent to annually, before September 15, establish written goals or objectives for the Superintendent to accomplish within a given period of time. Each goal or objective shall include a specific timeline for completion. The timeline need not be the same for each goal or objective, and the timeline for any goal or objective may extend beyond the end of the then-current school year. At least one goal must relate to student achievement.
- Goals addressing student success and well-being, including the required student achievement goal, must support progress of the established county strategic plan goals.
- The process shall specify how the goals or objectives will be established when the board and the Superintendent seem unable to agree. To that end, the process may provide that the parties will petition the State Board to designate an individual to facilitate agreement on goals or objectives, that the Board will engage the West Virginia School Boards Association and the West Virginia Association of School Administrators to facilitate agreement, or that some other specific procedure will be followed to break the impasse.
- In a manner determined by the county board and superintendent, the process considers input from other parties, such as citizens and school employees.
- The process shall require the Board to annually, before June 30<sup>th</sup>, assess the Superintendent's achievement of the written goals or objectives, except that the assessment shall be made before March 1<sup>st</sup> if the Superintendent's contract is to expire on the ensuing June 30<sup>th</sup>.
- The process shall require the Board to annually, before June 30<sup>th</sup>, evaluate the Superintendent's success in improving student achievement generally across the district and specifically as it relates to the management and administration of low performing schools, except that this evaluation shall be made before March 1<sup>st</sup> if the Superintendent's contract is to expire on the ensuing June 30<sup>th</sup>.
- The process shall require the Board to evaluate the Superintendent's performance in executive session, and to thereafter make available to the public a general statement about the evaluation process and the overall result and progress in meeting goals. The process shall specify how the Board will arrive at the general statement about the evaluation process and the overall result.
- The process shall allow for the release of additional information about the evaluation only by mutual consent of the Superintendent and the Board.

- The Board is not required to evaluate an interim Superintendent serving pursuant to W. Va. Code 18-4-1.

#### **§126-143-7. Optional Process Criteria**

The process by which the Board shall annually evaluate the performance of the Superintendent may include these features:

- The process may require or allow the Board to annually, before June 30<sup>th</sup>, assess the Superintendent's performance in the areas of community relations, school finance, personnel relations, curricular standards and programs, and overall leadership of the school district as indicated primarily by improvements in student achievement, testing, and assessment, except that this assessment shall be made before March 1 if the Superintendent's contract is to expire on the ensuing June 30<sup>th</sup>. If the process includes such assessments, the process shall specify how the assessments will be made, including any ratings or rankings that will be employed.
- The process may require or allow the Board to assess annually, before June 30<sup>th</sup>, the Superintendent's performance of any of the other duties of the chief executive officer of the Board as delineated in the Superintendent's contract or other written agreement with the Board [W.Va. Code §18-4-10(1)], and the degree to which the Superintendent keeps the Board apprised continuously of any issues that affect the Board or its schools, programs, and initiatives. [W.Va. Code §18-4-10(9).]

#### **§126-143-9. Use of Evaluation Results**

The Board may use the results of its evaluation of the Superintendent's performance to determine whether to offer the Superintendent a new contract and the level of compensation or benefits to offer the Superintendent in any new contract.

#### **Annual Evaluation of the Superintendent**

The Board shall annually evaluate the Superintendent's performance using only the process established in this policy.

#### **§126-143-9. Evaluation Training.**

As an integral part of the process for evaluating the performance of superintendents for the 2023-2024 school year and subsequent school years, all county board members and superintendents shall receive evaluation training approved by the WVBE and conducted jointly by the West Virginia School Board Association and the West Virginia Association of School Administrators.

#### **§126-143-11. Severability**

If any provision of this policy or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or applications of this policy.

References: West Virginia Code § 18-4-6, "Evaluation of County Superintendent"  
West Virginia Board of Education Policy 5309, "County Superintendent Performance Evaluations,"  
126 C.S.R. 143

Adopted: July 2023

### Charter Public School

The West Virginia Board of Education (WVBE) Charter Public Schools Policy 3300 details the processes and procedures districts must follow in meeting the requirements of W.Va. Code §18-5G-1 and establishes a clear and transparent process allowing for the creation and operation of charter schools. To this end, charter schools are afforded significantly greater autonomy than non-charter public schools in exchange for greater expectations and accountability than non-charter public schools.

Pursuant to W.Va. Code §18-5G-5, county boards of education are ultimately accountable and responsible for the actions of the charter school, the safety and security of enrolled students, and its ability to deliver the educational options and outcomes specified in the charter contract. In addition to any duties and responsibilities outlined in the charter contract, a charter school and its governing board are responsible for adhering to WVBE Charter Public Schools Policy 3300.

In accordance, the Clay County School System hereby adopts the West Virginia Board of Education Charter Public Schools Policy 3300 effective \_\_\_\_\_, which can be viewed in its entirety at <http://wvde.state.wv.us/policies/> HYPERLINK "<http://wvde.state.wv.us/policies/>".

Adopted: July 2023

Adopted: To Be Determined