

SPECIAL CIRCUMSTANCE

ON-SITE REVIEW REPORT

***Lincoln County
Personnel***

April 2021



**Office of Support &
Accountability**



West Virginia Board of Education
2020-2021

Miller L. Hall, President
Thomas W. Campbell, CPA, Vice President
F. Scott Rotruck, Financial Officer

Robert W. Dunlevy, Member
A. Stanley Maynard, Ph.D., Member
Daniel D. Snavely, M.D., Member
Debra K. Sullivan, Member
Nancy J. White, Member
James S. Wilson, D.D.S., Member

Sarah Armstrong Tucker, Ph.D., Ex Officio
Chancellor
West Virginia Higher Education Policy Commission
West Virginia Council for Community and Technical College Education

W. Clayton Burch, Ex Officio
State Superintendent of Schools
West Virginia Department of Education

Table of Contents

Introduction.....2

Onsite Review Team Members.....2

Background2

 Focus Area 1: Licensure and Certification..... 4

 Focus Area 2: Evaluation 6

 Focus Area 3: Staff Development and Professional Learning 9

 Focus Area 4: Employee Code of Conduct..... 10

 Focus Area 5: Hiring.....12

Introduction

At the specific direction of the West Virginia Board of Education (WVBE), the Office of Support and Accountability conducted a Special Circumstance Review of Lincoln County Schools beginning January 20, 2021 through March 1, 2021, to obtain specific information regarding the Personnel Efficiency Indicator. The review process was conducted as outlined in West Virginia Board of Education (WVBE) Policy 2322: West Virginia System of Support and Accountability. The review included an analysis of related data collected by the West Virginia Department of Education (WVDE), documentation provided at the district level, and interviews of central office personnel.

A Team consisting of staff members from the WVDE compiled the information gathered during the onsite review and provided findings and points of noncompliance outlined in this report. The report will acknowledge identified strengths and provide recommendations and corrective actions to address deficiencies and improvement of county administrative practices regarding personnel. The report will be presented to the WVBE on April 14, 2021.

Onsite Review Team Members

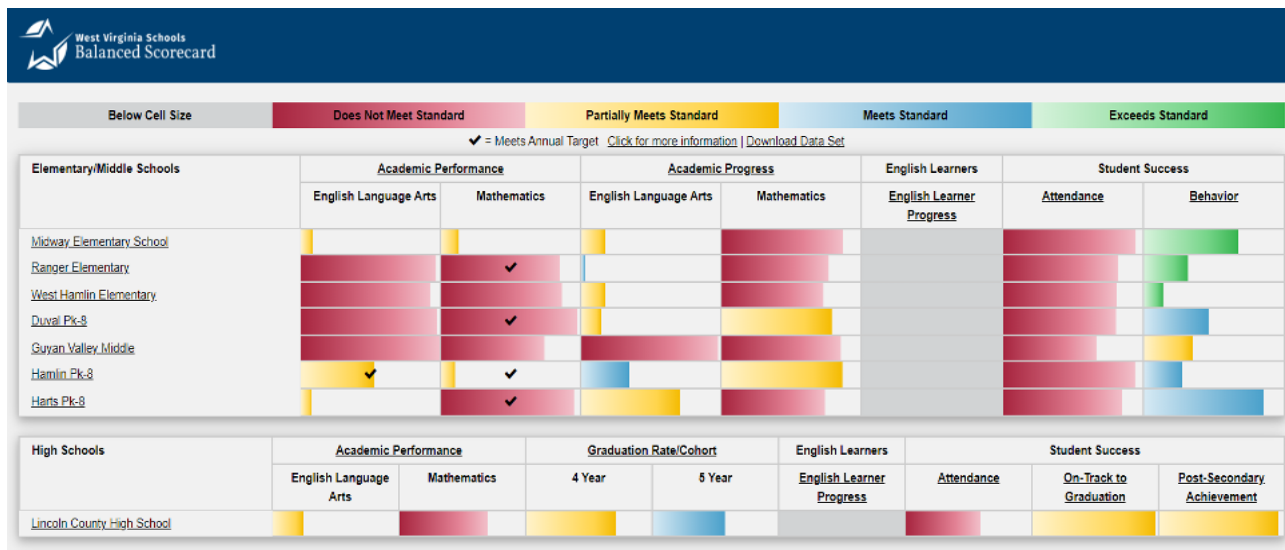
- Alexandra Criner, Coordinator, Office of Accountability, WVDE
- Brad Fittro, Coordinator, Office of Certification, WVDE
- Matthew Hicks, Director of Accountability Services, WVDE
- Susan Young, Coordinator, Office of Accountability, WVDE

Background

On March 11, 2020, a report of the findings from a Special Circumstance Review conducted by the WVDE at Guyan Valley Middle School was presented to the West Virginia Board of Education. Based on the findings in that report, the WVBE directed the Office of Support and Accountability to conduct a Special Circumstance Review of the Lincoln County School System. This commenced with a review of the Finance and Transportation Offices. The report of the findings from that review was presented to the WVBE on November 16, 2020. Following consideration and review of the Finance and Transportation Report, the WVBE moved to declare a state of emergency in Lincoln County Schools pursuant to W. Va. Code §18-2E-5(m)(2). The State Superintendent was directed to appoint designees to be employed pursuant to W. Va. Code §18-2E-5(j) to coordinate on-site school improvement efforts and to provide recommendations for correction of the extraordinary circumstances. Two designees, one with extensive superintendent experience and one with expertise in school and system financial practices were appointed by the State Superintendent and approved by the WVBE on January 13, 2021, for this purpose. The WVBE further directed, if progress in correcting the extraordinary circumstances is not made in six months from the time the county board receives the recommendations, the WVBE shall intervene in the operation of Lincoln County Schools.

Lincoln County Schools operates three elementary, three Pre-K-8, one middle, and one high school with a total enrollment of nearly 3,300 students. According to the 2019 Zoom WV state assessment results, 56.09% of students are economically disadvantaged compared to the state average of 46.93%. Lincoln County Schools' performance on the 2018-2019 West Virginia General Summative Assessment indicates 27.48% of students were proficient in mathematics and 38.00% in English language arts. These proficiency rates are significantly below the state averages of 38.7% in mathematics and 46.1% in English language arts (Zoom WV, 2020).

The 2019 Balanced Scorecard results indicate academic performance in English language arts and mathematics falls within the "Does Not Meet Standard" or "Partially Meets Standard" for all eight schools. The student attendance indicator at all eight of the schools fell within the "Does Not Meet Standard" category. All except one of the elementary/middle schools "Meets Standard" or "Exceeds Standard" in behavior. The high school measures for on-track to graduation and post-secondary achievement "Partially Meets Standard." Due to the COVID-19 National Emergency, student academic performance data is unavailable for the 2019-2020 school year. A graphic representation of the 2019 West Virginia Schools Balanced Scorecard for Lincoln County Schools is provided below.



The areas denoted as requiring improvement were determined based on written evidence and consistency of comments describing conditions and practices at the Lincoln County Schools Central Office through the interview process.

Focus Area 1: Licensure and Certification

Procedures Conducted:

The Team obtained certification records and schedules for teachers of record of a sample of fifty professional personnel employed by Lincoln County Schools across eight schools and the central office during the 2020-2021 school year. The Team also reviewed master schedules for each school in the district to determine courses offered and certification requirements. Additionally, The Team reviewed the agendas and minutes for meetings of the Lincoln County Board of Education for the 2019-2020 and 2020-2021 school years to verify procedures for granting out-of-field authorizations. During the onsite visit, the Superintendent, Assistant Superintendent, and Executive Secretary for Personnel provided additional information through the interview process. The Team inquired during interviews about the process for supporting educators in maintaining valid credentials and the procedure for ensuring staff are appropriately credentialed for the programmatic levels in which they are employed. The data were reviewed analytically to address: two inquiries based on WVBE Policy 5202, *Minimum Requirements for the Licensure of Professional/Paraprofessional Personnel and Advanced Salary Classifications*.

General Observations:

- While interview respondents all mentioned specific responsibilities in supporting educators with maintaining valid credentials, a comprehensive and consistent process was not evident to the Team. The Assistant Superintendent, who serves as the Director of Personnel, and the Executive Secretary for Personnel both described annually receiving a list of expiring certificates via email from the WVDE Office of Certification. This information is then forwarded to principals by the secretary and they are asked to follow up with the teachers.
- The Superintendent expressed comfort with the Assistant Superintendent's oversight of licensure and certification. Further, he mentioned several individuals who had issues with certification earlier in the school year and how those were addressed. At the Superintendent's direction, the Executive Secretary of Personnel contacted those individuals directly regarding the necessary steps to correct expired certification. He believed this hadn't been the practice in previous years.
- When the Team inquired about procedures to ensure staff are appropriately credentialed for the programmatic levels at which they are employed, the Superintendent indicated the district was amid staffing season and investigating credentials and certification as one criterion for making effective staffing decisions. He stated the district is "frequently having conversations about certification," and mentioned the Assistant Superintendent and the Executive Secretary of Personnel are thorough in examining the credentials of applicants at the time of their hiring.

- WVDE Office of Certification staff conducted a certification audit of fifty (50) randomly selected professional personnel, cross-checking each school’s master schedule and courses offered with each selected employee’s certification. This audit generated several points requiring further investigation by the Team. In the sample of fifty professional personnel, six were not listed on the master schedule as a teacher of record for a course. The Team requested an additional explanation from the district to verify the accuracy of these data. One individual from this sample is a Technology Support Specialist (TSS) whose full-time role is supporting the technological infrastructure at one school location. Two of the unlisted personnel had left the employment of the district through retirement or resignation. The district identified others as teaching Pre-K Special Needs, Pre-K, and Special Education. Additionally, four personnel from this sample did not hold valid credentials to teach courses assigned to them in the master schedule.
- One individual from the sample was listed as the teacher of record for fifty-one (51) different courses at a school, ranging from Grade 1 through Grade 4. This individual holds a long-term substitute permit for Elementary Education K-6 (endorsement code 3600) and a First Class, Full Time Permit for Multi-Categorical Special Education, 5-Adult (endorsement code 4115). Of the fifty-one classes assigned, the employee holds the appropriate credential to teach two (2). Six (6) of the assigned courses require the endorsement codes (4101, 4111, or 4116), which the employee does not hold, regardless of programmatic level. The other forty-three (43) courses are outside of the programmatic level for which this individual holds a permit.
- During the Team’s inquiry into licensure and certification within the district, errors were found in the course coding and course names in the master schedules of individual schools. These will be addressed in subsequent Special Circumstance Review reports at the individual schools in which they occur. *WVBE Policy 2510: Assuring the Quality of Education: Regulations for Education Programs*, Section 7.1.a.5 stipulates each school has the responsibility to participate in the West Virginia Education Information System (WVEIS). Section 7.1.a.7 requires schools to “ensure a process for timely, accurate, and complete entering of data in the WVEIS.”

Licensure and Certification Inquiry 1:

Do educators hold valid credentials required for the content areas and programmatic levels in which they are employed?

POINTS OF NONCOMPLIANCE:

Noncompliance 1.1.1 – Of the sample of fifty (50) professional personnel randomly selected for review, six (6) professional personnel were not in the master schedule at their assigned schools.

WVBE Policy 2510, Section 7.1.a.7

Noncompliance 1.1.2 – Of the sample of fifty (50) professional personnel randomly selected for review, four (4) personnel were teachers of record for courses and/or programmatic levels for which they did not hold valid credentials.

WVBE Policy 5000, Section 6.7

CORRECTIVE ACTION:

- In collaboration with school principals, central office personnel review each school's WVEIS master schedule, as well as personnel assignments, to confirm each course offered is taught by an appropriately credentialed teacher.
- As part of the WVEIS master schedule review, ensure all course code and personnel data in the master schedule are up-to-date and accurate.

Licensure and Certification Inquiry 2:

Are out-of-field authorizations issued and maintained according to WVBE and Lincoln County Schools policies?

The Team found no evidence of noncompliance with out-of-field authorization issuance or maintenance.

Focus Area 2: Evaluation

Procedures Conducted:

The Team analyzed data captured from the Educator Evaluation Platform in WVEIS on March 1, 2021, to determine the extent to which the district ensures high standards for professional personnel throughout the evaluation process. Interviews with central office staff addressed the role of evaluation in providing students with equitable access to high-quality instruction. Inquiries were made per WVBE Policy 5310, *Performance Evaluation of School Personnel*.

Note: WVBE Policy 5310 was recently revised, and a new version was adopted by the West Virginia Board of Education, effective January 15, 2021. Policy citations in this report reference the previous version of this policy, as it was effective at the time of the Special Circumstance Review.

General Observations:

- When asked about the role of evaluation, both the Superintendent and the Assistant Superintendent described conversations during principal meetings about prioritizing the meaningful evaluation of teachers, as evaluation is a consideration in staffing decisions. They both mentioned changing the culture of evaluation to increase the impact of the process on student success. The Superintendent expressed a desire to “empower and educate evaluators to improve outcomes.” Respondents discussed evaluation as one of the multiple criteria used as a basis for making personnel decisions.
- WVBE Policy 5310, Section 7.5 indicates, “To assure all employees have a full understanding of the evaluation policy and procedures, an orientation shall be convened for all employees at the beginning of the employment period. Employees shall be provided access to the instruments and procedures.” The Assistant Superintendent provided the Team with documentation directing certain central office staff to read WVBE Policy 5310. Additionally, records received by the Team indicated school-level personnel reviewed WVBE Policy 5310 at the beginning of the school term. However, the Team’s examination of data from the Educator Evaluation System revealed timelines for completion of educator self-reflections and observations have not been met district-wide.

- WVBE Policy 5310, Section 9.2 requires “Educators shall complete an annual self-reflection based upon the standards on or before October 1.” Due to the COVID-19 National Emergency, the WVDE extended Educator Evaluation deadlines, providing for the self-reflection to be completed no later than November 1, 2020. As of March 1, 2021, 64% of educators district-wide had submitted a self-reflection, with 72% of submitted self-reflections reviewed by a supervisor.
- Teachers are to annually develop two (2) Student Learning Goals, based on identified needs of the students, and submit them electronically to their evaluator for review on or before November 1. For the 2020-2021 school year, due to the COVID-19 National Emergency, this deadline was extended to December 1. Evaluators must verify the goals are rigorous, measurable, and comparable across classrooms. As of March 1, 2021, 83.53% of required Student Learning Goals had been submitted district-wide. Of the submitted goals, 73% had been approved by a supervisor.
- WVBE Policy 5310 describes a progressive system for teacher observation, placing teachers in one of three “progressions” based on teaching experience. Teachers in their first, second, or third year of experience are to be observed for at least thirty (30) minutes a minimum of four times throughout the school year. Teachers in their fourth or fifth year of experience are to be observed for at least thirty (30) minutes a minimum of two times per year. The evaluator is then responsible for recording data using the observation form in the Educator Evaluation System and conducting a conference with the educator within ten (10) days of the observation. The first instructional observation is to occur each school year no later than November 1. Due to the COVID-19 National Emergency, the WVDE extended this deadline to December 1, 2020.
 - » As of March 1, 2021, 19.14% of teachers in their first, second, or third year of experience did not have an observation recorded in the Educator Evaluation System. 21.27% of teachers in the initial progression had one observation recorded, and 57.45% of teachers in the initial progression had two observations recorded in the system.
 - » Teachers in the Intermediate progression (fourth or fifth year of experience) require two observations. As of March 1, 2021, of teachers in this progression district-wide, 10.53% have not received an observation and 73.68% have received one observation. Nearly 16% of teachers in the Intermediate progression have received both observations. Note: Per WVBE Policy 5310, the second observation of teachers in the Intermediate progression is not due until May 1 of each school year.
- In August 2020, the WVDE introduced an updated Educator Evaluation System. The WVDE Office of School Improvement offered virtual training for all users in August 2020 and continues to provide technical assistance to schools and districts in the use of the updated system. WVDE records indicate no principal or teacher employed by Lincoln County Schools attended the virtual training, nor has technical assistance surrounding the system been requested by the district.

EVALUATION INQUIRY:

Are evaluations conducted in a manner that promotes professional growth and development?

FINDING:

The evidence regarding the lack of evaluation training provided at the school and district level indicates the district did not support consistent implementation of the Educator Evaluation System and its procedures to promote growth and development district-wide.

RECOMMENDATION:

Central office staff ensure each evaluator and employee receive a comprehensive orientation to the instruments and procedures of the evaluation system within two weeks of the first day of each contract term as required by WVBE Policy 5310.

POINTS OF NON-COMPLIANCE:

NONCOMPLIANCE 2.1 – The timely submission and subsequent review of educator self-reflections were inconsistent across schools in the district.

WVBE Policy 5310, Section 9.2

NONCOMPLIANCE 2.2 – The data do not support the timely submission and approval of rigorous Student Learning Goals consistently across the district.

WVBE Policy 5310, Section 9.4

NONCOMPLIANCE 2.3 – While many observations have been conducted and shared per policy timelines, the Team did not determine this to be a consistent and pervasive practice in all schools throughout the district.

WVBE Policy 5310, Section 13.4

CORRECTIVE ACTIONS:

- WVBE Policy 5310 training and Educator Evaluation System training must be provided to all school level and central office staff who conduct evaluations.
- Central office staff shall adopt procedures to track the completion of all components of the Educator Evaluation System.

Focus Area 3: Staff Development and Professional Learning

Procedures Conducted:

The Team interviewed the Superintendent, Assistant Superintendent, Director of Federal Programs and Staff Development, and the Director of Student Support Services to glean perceptual and objective data and to establish the current status of the delivery of staff development and professional learning in Lincoln County Schools. Further, Team members requested records of staff development and professional learning opportunities including agendas, sign-in sheets, and evaluations for each session provided within the district. These data were used to address inquiries based on *WVBE Policy 5500: Professional Learning for West Virginia Educators* and *WVBE Policy 5500.02: County Service Personnel Staff Development Councils*.

General Observations:

- In discussing how professional learning and staff development activities are planned, delivered, and monitored, the Superintendent shared the Director of Federal Programs and Staff Development has been actively engaged in planning and record-keeping surrounding professional learning and staff development. He mentioned several trainings and online professional learning offered by various departments.
- The Director of Special Education and Student Support Services reported offering twenty (20) sessions virtually before the start of the school year, describing various topics selected based on current practices or law and policy requirements. Sessions were open to every professional employee but were not mandatory.
- In discussing the roles of the Service Personnel Staff Development Council and the Local Staff Development Council, including the selection criteria and responsibilities of members, the Superintendent acknowledged they have not been the district's primary area of focus. The Director of Federal Programs and Staff Development acknowledged he recently read *WVBE Policy 5500* and *WVBE Policy 5500.02* and immediately recognized the required councils were not in place. The Director of Special Education and Student Support Services attributed the council not operating this year due to the COVID- 19 National Emergency, but was unaware who is currently in charge of the councils.
- Regarding record-keeping procedures for staff development and professional learning, the Superintendent described sessions are recorded in the recently purchased TeachPoint system or via paper sign-in sheets. The feedback portion of the TeachPoint program is used to collect data surrounding the effectiveness and relevance of each session. The Director of Special Education and Student Support Services reported collecting feedback after each professional learning session offered and reviewed it each day to improve the quality of the sessions.
- The Team inquired about the role of Professional Learning Communities (PLCs) in professional learning throughout the district. The Superintendent disclosed plans to submit a waiver to the WVDE to allow him to create teacher collaboration models in the schools, citing previous success using PLCs to drive the professional learning of each school.

- The Director of Federal Programs described the implementation of PLCs in the past as a formality. Meetings were scheduled after school and participants received a stipend. Under the new plan, schools will need to reconfigure master schedules to provide time for collaboration during the school day, but the response from schools has been positive.
- Central office staff recognized the need to keep accurate and timely records of professional learning and staff development, purchasing and implementing two separate programs to streamline this process. One program will track professional learning and staff development throughout the district. The other program provides a comprehensive and consistent annual safety training platform, available to all district personnel, covering a variety of school safety topics. The central office staff has provided training for users of these platforms, with full implementation anticipated to occur before the 2021-2022 school year.

POINTS OF NONCOMPLIANCE:

NONCOMPLIANCE 3.1 – Consistency of interview responses revealed the county’s Professional Learning Plan was not developed by the Local Staff Development Council using available data sources.

WVBE Policy 5500, Section 4.3.a

NONCOMPLIANCE 3.2 – Interview responses and information gathered by the Team indicated the district has not established a Service Personnel Staff Development Council to implement a comprehensive system of staff development.

WVBE Policy 5500.02, Section 3.2

CORRECTIVE ACTION:

The district must establish a Local Staff Development Council and Service Personnel Staff Development Council according to WVBE Policy and W. Va. Code. to establish a comprehensive system of professional learning and staff development.

Focus Area 4: Employee Code of Conduct

Procedures Conducted:

The Team reviewed *Lincoln County Schools Policy 3210: Employee Code of Conduct* for alignment to *WVBE Policy 5902: Employee Code of Conduct* and conducted interviews with central office staff to establish local procedures for ensuring this policy is effectively communicated, monitored, and enforced.

General Observations:

- On June 21, 2011, the Lincoln County Board of Education adopted *Lincoln County Schools Policy 3210: Employee Code of Conduct for Professional Staff* and *Lincoln County Schools Policy 4210: Employee Code of Conduct for Service Personnel*. These two policies establish the standards for employee conduct and the requirement for all employees to respond to any conduct negatively impacting students. Both policies, along with WVBE Policy 5902, charge the district with providing professional staff development for all employees on the Employee Code of Conduct.

- The Team requested records of professional learning and staff development and was provided school-level records for some schools. The Team verified Employee Code of Conduct training had been provided at some schools.
- Several central office staff communicated they are “not involved” with the Employee Code of Conduct.
- The Executive Secretary of Personnel recalled providing each employee with a copy of the Employee Code of Conduct policy as part of new hire paperwork.
- The Director of Federal Programs and Staff Development stated the district has recently contracted with Safe Schools to provide an online training platform and will be adding the Employee Code of Conduct to the required programming for all employees. Both stated they planned for all employees to begin training using this platform in February 2021.
- The Team conducted a follow-up interview with the Assistant Superintendent/Director of Personnel to further examine how Code of Conduct violations are addressed. Both State and local Employee Code of Conduct policy require all employees to “respond immediately and consistently to incidents that impact negatively on students in a manner that effectively addresses incidents, deters future incidents, and affirms respect for individuals.” The Assistant Superintendent/Director of Personnel described violations as being addressed depending on the severity of the incident while allowing for due process and stated the principals have been provided guidance about using reprimand letters and verbal reprimands. If a situation requires the involvement of the central office, he stated it would be documented and the violator would be held accountable.

POINT OF NONCOMPLIANCE:

NONCOMPLIANCE 4.1 – The Team determined the central office staff had not received professional learning experiences surrounding the Employee Code of Conduct, the expectations delineated within the Code, and the responsibility of all employees to respond to violations.

CORRECTIVE ACTIONS:

- Central office staff ensure timely implementation of the planned Employee Code of Conduct professional learning via the Safe Schools platform.
- Ensure all professional employees and service personnel throughout the district are prepared to respond immediately and appropriately to conduct negatively impacting students.

Focus Area 5: Hiring

Procedures Conducted:

The Team reviewed a sample of fifteen job postings consisting of both service and professional vacancies. Five (5) of these postings occurred during the 2019-2020 school year. Ten (10) postings occurred during the 2020-2021 school year. The Team requested all documents related to these postings, including vacancy advertisement; job description; list of applicants; employment applications; professional bid sheets; and faculty senate and principal recommendations, where applicable. Additionally, the Team reviewed other items used in the selection process such as matrices, grids, and job classification lists. These data were collected and analyzed to determine the extent to which Lincoln County Schools' practices and procedures for hiring personnel support the employment of qualified individuals.

Note: While certain personnel topics such as supplemental contracts and overtime impact the personnel efficiency indicator, these topics were addressed in WVDE inquiries related to WVBE Policy 8200: Purchasing Policies and Procedures for Local Education Agencies, the findings of which are described in the Special Circumstance On-Site Review Report for the Lincoln County Finance and Transportation Offices presented to the WVBE in November 2020.

General Observations:

- Central office staff disclosed a matrix is used for hiring decisions for classroom teachers, utilizing candidates' certification, experience, degree level, academic achievement, certification by the National Board for Professional Teaching Standards (when applicable), specialized training, past evaluations, seniority, and principal and faculty senate recommendation.
- Vacancy advertisements for the sample positions requested included qualifications, duties and responsibilities, salary, the term of employment, opening date, closing date, application submission information, and evaluation guidelines for the position. Equal Employment Opportunity disclosure is also listed for each vacancy advertisement.
- Job descriptions for each posting included qualifications, relationship to others, responsibilities, functions and duties, terms of employment, and evaluation.
- Documentation for the hiring of service personnel included a "Service Personnel Action Sheet," on which each candidate's name, classification, seniority data, evaluation data, applicable testing information, and diploma status were recorded.
- The Team determined the sample of job postings and consistency of interview responses demonstrated district adherence to *WVBE Policy 5000: Procedures for Designated Hiring and Transfer of School Personnel*.
- The Team determined the documentation indicated the district makes decisions affecting the filling of vacancies for classroom teachers based on the applicant with the highest qualifications.

NOTE: The Team found no evidence of noncompliance with hiring procedures.



W. Clayton Burch
West Virginia Superintendent of Schools