

# SPECIAL CIRCUMSTANCE

## ON-SITE REVIEW REPORT

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***West Virginia Schools for the Deaf and the Blind***

June 2021

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Office of Support &  
Accountability



**West Virginia Board of Education  
2020-2021**

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# Introduction

The Office of Support & Accountability conducted a Special Circumstance Review of the West Virginia Schools for the Deaf and the Blind (WVSDB) at the specific direction of the State Superintendent, beginning April 27-29, 2021. The state superintendent has provided supports over the past year in the areas of leadership, organizational structure, personnel, nursing, instruction, facilities, Special Education compliance, transportation, counseling, school calendar, residential services, and finance. During the process of providing these supports, additional concerns came to the attention of West Virginia Department of Education (WVDE) staff. Therefore, a comprehensive special circumstance review was conducted to investigate these official concerns. The WVDE completed the on-site review and managed the process according to the unique circumstances and as outlined in W. Va. Code §18-2E-5, and Policy 2322: West Virginia System of Support and Accountability.

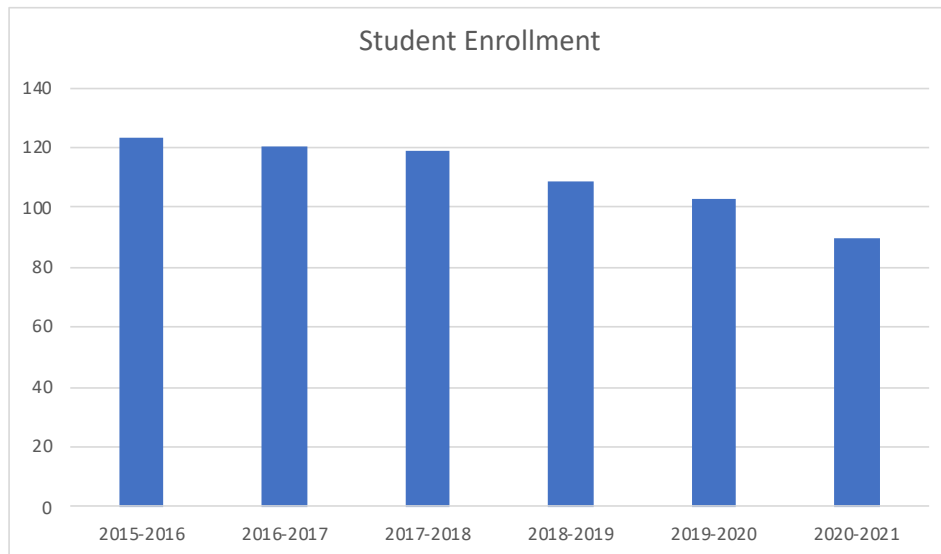
## ***Procedure***

A Team consisting of 21 staff members from the WVDE conducted the Special Circumstance Review. The Team conducted interviews with all administrative staff concerning their job responsibilities and how they support students. The Team conducted 49 classroom observations and 29 instructional staff interviews over three days. The observation times were approximately 20 minutes and classrooms were visited multiple times over two days. Teacher instruction and interaction with students was noted throughout the process. Additionally, all special education files were reviewed for compliance with WVBE Policy 2419 and administrative staff were interviewed regarding processes and procedures facilitating the special education process. The Team also toured each facility to observe the conditions of each building and reviewed financial procedures. Following the observations and interviews, data was reviewed, and Team members met to determine trends regarding instruction and student well-being, as well as the overall level of expectations for students and staff at both schools. The following observations and recommendations reflect Team consensus based on the review process.

# On-site Review Team Members

Stephanie Abraham, Attorney, Legal Services  
Jonah Adkins, Coordinator, Leadership Support  
Dave Baber, Manager, School Transportation  
Susan Beck, Director, Special Education  
Charlene Coburn, Senior Accountability Officer, Support & Accountability  
Uriah Cummings, Manager, School Finance  
William Desrochers, Principal, Barboursville School, and the Robert L. Shell Juvenile Facility  
Dawn Embrey-King, Coordinator, Special Education  
Rhonda Fisher, Coordinator, Early & Elementary Learning  
Jacob Green, Superintendent, WV Schools of Diversion and Transition  
Teresa Hammond, Coordinator, Early & Elementary Learning  
Terry Harless, WVDE Finance Consultant  
Josh Harner, Coordinator, School Finance  
Stephanie Hayes, Coordinator, Student Support & Well-being  
Matt Hicks, Director, Accountability  
Ken Hughart, HVAC Technician, School Facilities  
Sheila Paitzel, Director, ESEA/IDEA/Compliance  
Carol Ward, Coordinator, Student Support & Well-being  
Dawn Webb, Transition Specialist, Doddridge, Harrison, and Lewis Counties  
Micah Whitlow, Manager, School Facilities  
Joey Wiseman, Director, Middle & Secondary Learning

## Background



**24 Teachers | 93 Students | Approximately 1:4 Ratio**

***WVSDB Vision:***

The West Virginia Schools for the Deaf and the Blind will be the center of excellence in the education of deaf, hard of hearing, blind, and low vision students so they will achieve success as productive independent members of society.

***WVSDB Mission:***

Achieve. Challenge. Thrive. WVSDB shall set high expectations for learning, opportunity, and achievement in a positive climate.

***WVSDB Core Beliefs:***

In order for WVSDB students to achieve, be challenged, and thrive, the schools shall provide opportunities to foster high expectations and progress academically, emotionally, and socially.

## **WVSDB Transformation: Pathway to Excellence**

Having received a summary of the Special Circumstance Review conducted at the West Virginia Schools for the Deaf and the Blind, the West Virginia Board of Education (WVBE) directed the State Superintendent of Schools to prepare a public report of the findings and establish an intervention team to work at his direction to lead the school through a transformation to modernize its facilities; restructure personnel; refine employment and payroll practices; reallocate financial resources; develop an effective school leadership model; enhance residential life; reform instructional practices to meet the needs of deaf, hard of hearing, blind and low vision students throughout the state; and address any other areas he finds to be necessary.

The following action plan outlines immediate, short-term, and long-term actions steps the WVDE will take to address the findings in the following report. These action steps will begin the process to modernize and transform the WVSDB to become the center of excellence in the education for West Virginia students who are deaf, hard of hearing, blind, and low vision.

<p style="text-align: center;"><b>Summer 2021</b></p>	<p style="text-align: center;"><b>School Year 2021-2022</b></p>	<p style="text-align: center;"><b>School Year 2022-2023 and Beyond</b></p>
<ul style="list-style-type: none"> <li>• Establish a State Superintendent stakeholder group to include community leaders.</li> <li>• Appoint an intervention team to assist with school operations, resident life, and facilities.</li> <li>• Fostering community engagement with the school and campus.</li> <li>• Relocate administrative offices within the academic building to provide more efficient supports for students and staff.</li> <li>• Transition PreK services to collaborate with Hampshire County.</li> <li>• Establish admissions criterion that fulfills the intent of WV Code Chapter 18, Article 17.</li> <li>• Enhance the Technical Assistance Center to continue expanding outreach to all 55 school districts serving low incident populations, birth through Grade 12.</li> <li>• Capital improvements to sustain and enhance currently utilized facilities.</li> <li>• Evaluate all job descriptions and the best way to utilize current staff to meet the needs of students.</li> </ul>	<ul style="list-style-type: none"> <li>• Consolidate academic programs to one school facility to enhance student services.</li> <li>• Complete renovation of the residence halls.</li> <li>• Modernize the learning spaces for students.</li> <li>• Enhance residential and campus life experiences for middle and high school students.</li> <li>• Increase after school hour resident life activities to include day students.</li> <li>• Explore additional career exploration and career technical education opportunities in collaboration with Hampshire County Schools.</li> <li>• Enhance career exploration and transition services to impact post-school outcomes</li> <li>• Identify and establish relationships with model facilities that serve students who are deaf and blind.</li> <li>• Expand qualified professional educator recruitment efforts by establishing networks with Institutions of Higher Education and utilizing other online job posting platforms.</li> </ul>	<ul style="list-style-type: none"> <li>• Re-establish and design experiences and opportunities for students and families throughout the state to receive periodic and intensive specialized services on the WVSDB campus.</li> <li>• Renovate and provide temporary housing for parents to facilitate experiences and visitations.</li> <li>• School-based health center.</li> <li>• Continue to upgrade facilities to better serve students and partner with community organizations to utilize and improve vacant buildings.</li> <li>• Create opportunities for complex evaluations for low incidence disabilities statewide.</li> </ul>

**The areas denoted as requiring improvement were determined based on written evidence, classroom observations, and consistency of comments during interviews describing conditions and practices at the West Virginia Schools for the Deaf and the Blind.**

## Focus Area I: Student Care

### **Overview:**

The students interviewed reported they feel accepted and supported by the school staff. Several students reported they encountered bullying issues at their former school and were much more comfortable at the WVSDB. Several students also voiced appreciation of the smaller class size because they enjoy the individualized attention from school staff.

The Team observed a high level of care and concern for student well-being and safety by the teaching staff and the residential primary care staff. However, the Team noted concerns for the overall well-being of students, as outlined in the report below. The school has recently partnered with a community mental health provider to offer school-based mental health services to students. The school is also contracting with a Board-Certified Behavior Analyst (BCBA.) Yet, the Team did not see documentation of these services in student files.

Upon observation and review of medical procedures the Team determined medication carts were well stocked with the necessary supplies to administer medications. Each student is assigned a drawer, and the cart is restocked daily. After administration of medications, the cart is appropriately secured and locked. The storage unit for housing the students' medications was also well organized and each student's medications were separated into clearly marked individual containers for easy distribution and appropriate documentation of medical care was observed. Nursing notes were complete, with well-documented student complaints, observations, and treatments or interventions provided by the nursing staff. Additionally, all school staff received training for CPR, First Aid, and Automated External Defibrillator (AED).

NONCOMPLIANCE 1.1: School staff revealed in interviews the staff are working in isolation with a lack of apparent teamwork. The school nursing staff voiced concerns that the physical and/or mental health of students is often disregarded. Some students had threatened either self-harm or harm to others in the past year and incident reports were not documented in WVEIS. Additionally, it was noted in most cases when this occurred, the students were taken to the school nurse as opposed to receiving social-emotional supports. Furthermore, there was limited documentation of parent contact informing them of these incidences.

*Policy 2315, Section 5.1.c.*

CORRECTIVE ACTION: The school must develop and implement a plan that addresses how the school will respond to a mental health needs. Collaborate with nurse, counselor, and outside agencies to create a plan and assure timely implementation of social-emotional supports.

FINDING 1.1: The school counselor is currently working under a WVDE First-class/Full-time Permit. The counselor is new to the position and is currently completing the required coursework, the counselor was unclear as to expectations for counseling roles and responsibilities. Additionally, the Team did not determine the counselor's roles had been clearly communicated to the counselor by the



administrative staff. There is not a Comprehensive School Counselor Plan in place. Additionally, the Team noted the school counselor was responsible to keep up with the IEP meetings, the Transition Plan, and Personalized Education Plan (PEP) for those students of age. Further, interviews with administrative staff indicated they were not allowing the counselor to counsel students, because she was employed with a WVDE First-class Full-time Permit. However, it is allowable for a counselor working on a full-time permit to counsel students.

#### RECOMMENDATIONS:

- Collaborate with Hampshire County Schools to link the school counselor with a counselor in Hampshire County who could act as a mentor.
- The school counselor attend and participate in the monthly school counselor meetings provided by WVDE and other professional learning opportunities that become available.
- The school counselor and school principals meet at the beginning of the school year to establish expectations and set yearly goals based on school data and student need.
- The school counselor assist the case managers in preparing for IEP meetings, transition plans, and PEP plans, as opposed to completing these tasks solely.
- The school counselor attend sessions specific to school counselors at the WVDE Summer Learning Summit (August 2-6, 2021).
- The school counselor, with the support of administrative staff, identify a school counseling advisory committee to assist with the development of the Comprehensive School Counseling Plan.
- The school counselor utilize technical assistance from the WVDE for help with questions, needed resources, and training.
- The school counselor adjust schedule to allow for guidance lessons with all students.
- The administrative staff schedule time in the master schedule that allows the counselor to counsel students as opposed to completing paper and administrative duties for the majority of the time.

NONCOMPLIANCE 1.2: Multiple students had a documented mental health concern and there was no evidence of trauma or mental health training provided to the teachers or Residential Care Service staff.

*W. Va. Code §18-2-40*

#### CORRECTIVE ACTIONS:

- Provide Youth Mental Health First Aid training to staff who work with middle and high school students (Available through MU Behavior and Mental Health Technical Assistance Center).
- Provide an in-depth, evidence-based suicide prevention training to all staff and students.
- Provide training focused on trauma-informed de-escalation to all school staff (Available through MU Behavior and Mental Health Technical Assistance Center).
- The school leadership utilize technical assistance from the WVDE for assistance with questions, needed resources, and training.

FINDING 1.2: Students and staff revealed in interviews along with observations inconsistent approaches to discipline in both schools. Some students reported when other students break the rules there are no consequences. Additionally, there was no evidence of positive behavioral interventions and supports in place in the school or the dorms.

*Policy 5800, Section 5.2.f.4; Policy 4373, Chapter 3*

RECOMMENDATIONS:

- Provide campus wide Positive Behavioral Interventions and Supports (PBIS) training to all school staff and residence hall staff, develop a plan, and incorporate PBIS strategies during the school day, as well as in afterschool activities and in the residence hall.
- School leadership schedule regular staff meetings with school and residence hall representatives and school representatives to garner input and updates on student related issues.
- The co-principals work with staff to effectively use the state data system to identify and diagnose students with physical and social-emotional needs and address student misconduct in a positive, fair, and unbiased manner.

NONCOMPLIANCE 1.3: The School Crisis Prevention and Response Plan was developed by a small Team but had not been communicated to the school staff as of the date of the review.

*W.Va. Code §18-9F-9; WVBE Policy 4373*

CORRECTIVE ACTIONS:

- Update the school crisis prevention and response plan annually and involve key members as mandated by WV Code §18-9F-9.
- Utilize resources from the WVDE Safe Schools Toolkit to aid in the development of the crisis prevention and response plan (CRRP).
- Train every employee on implementation of CRRP.
- Ensure the mental health crisis response Team has been identified and members are aware of their role and responsibilities for response, should a crisis occur.

FINDING 1.3: Staff interviews revealed staff is met with resistance when requesting assistance from aides when there is a sick student in the infirmary.

RECOMMENDATIONS:

- Establish a schedule to identify aides to respond when help is needed to address the needs of the students in the infirmary.
- Explore possible partnerships to establish a school-based health center to better meet the medical needs of students on campus.
- Utilize technical assistance from the WVDE for help with questions, needed resources, and training regarding nursing services.

OBSERVATION: Residential Care Specialists (RCS) are providing care for students at night but have not received aide training. The registered nurse has reviewed procedures with RCS staff; however, there is no current policy, procedures, or guidance for staff in this role.

RECOMMENDATION: While this does not rise to the level of a finding, the Team recommended the school develop specific guidelines and outline expectations and training requirements for RCS staff regarding care for students at night, when needed, and include the adopted guidelines in the employee handbook.

## Focus Area 2: Instruction

### **Overview:**

The Team observed positive teacher and student interaction along with patience, affection, and respect for the students in most classrooms. However, the Team observed low expectations for student learning. There was an overall lack of rigor and an abundance of low depth of knowledge questioning and instruction occurring. While the WV College and Career Readiness Standards were presented to the students, they were delivered below grade level without the expectation that students perform at their programmatic level.

While there were overall concerns with instruction, the Team determined there were four (4) teachers whose instructional delivery could be used as a model for other teachers at the school. For example, the ProStart CTE (Career Technical Education) Program was very strong. The instructor and the students treated the kitchen very professionally. All safety protocols were in place and students knew exactly what was expected of them. They met the expectations of their assignments. Additionally, the Physical Education teacher working with students who are blind to learn how to ride a bike was remarkable and exciting for the students.

FINDING: The Team did not observe a pervasive climate of high expectations relating to academic achievement. For example, grade-level learning objectives were not communicated to students during classes, a non-content related movie was shown during instructional time; assignments were not left for students when coverage was required. Additionally, a teacher was removed from class to serve as the building-level testing coordinator, which resulted in lost instructional time for students.

*WVBE Policy 2510, 7.1.b: Content Focused Standards and Instruction.*

*WVBE Policy 2322. Section 4.1.e.*

### RECOMMENDATIONS:

- School administrators develop and communicate clear expectations to instructional staff regarding the communication of grade-level learning objectives to students. School administrators and teaching staff ensure all content is grade-level appropriate and related to the curriculum with necessary scaffolding in place to assist students who may need additional support to attain grade-level goals. Additionally, utilize administrative staff for the supervision of testing.

- All students receive equitable opportunities to learn with effective instruction. Students be provided sufficient time for meaningful learning by utilizing instructional time efficiently and effectively. Additionally, teachers and administrators ensure instructional activities are rigorous and aligned to student interest and state standards. Students must receive feedback that is timely, ongoing, and supports individual student growth.

NONCOMPLIANCE 2.1: Teachers and principals did not articulate a clear process for analyzing student data, nor discuss using data to inform instructional planning.

*WVBE Policy 2510, 7.1.b.4.c*

*WVBE Policy 2510, Section 7.1.b.5.*

CORRECTIVE ACTION: Adopt a process for properly disaggregating student learning data to purposefully plan instruction. Further, administrators must monitor the process and provide meaningful feedback to teachers.

NONCOMPLIANCE 2.2: The Team did not observe consistent use of formative assessment processes to adjust instruction when students did not demonstrate mastery. While constructive feedback was observed in a few classrooms, it was not a pervasive practice campus wide.

*WVBE Policy 2510, Section 7.1.b.4.C.2*

CORRECTIVE ACTION: Provide professional learning in effective formative assessment practices, incorporate formative assessments into the planned lesson and gather data to inform instructional practice. Provide corrective feedback to students that outlines steps they can take to achieve mastery. Additionally, establish a plan for administrators to monitor this practice followed with constructive feedback to the instructional staff.

NONCOMPLIANCE 2.3: Through teacher interviews, the Team did not determine there was an established School Leadership Team.

*WVBE Policy 2510, Section 7.1.c*

CORRECTIVE ACTION: School administration collaborate to determine a process for selecting and instituting a School Leadership Team. Seek technical assistance from the WVDE regarding how to set an agenda and a process for communicating information to and from staff members. This could assist in improving communication among all staff.

*WVBE Policy 2510 – 3.2.d*

FINDING 2.1: Some non-core curriculum classes, such as Functional Academics, Workplace Skills, Community Awareness, and Cultural Enrichment did not demonstrate use of a curriculum, content standards, or how learning targets were established. The assignments appeared to be determined on a day-to-day basis and resembled busy work lacking a purpose.

*WVBE Policy 2510, Section 3.2.d.*

RECOMMENDATION: Create or adopt a related curriculum for each non-core instructional class and establish a scope and sequence to define the delivery of the content.

FINDING 2.2: Interviews revealed a limited opportunity for career exploration and education. Career exploration appears to be limited to 8th grade students spending a few weeks in each of the four CTE programs offered at the school.

*W. Va. Code § 18-9D-19a, WVBE Policy 2510, Section 5.1*

#### RECOMMENDATIONS:

- The Team recommends career exploration begin in elementary grades through guidance lessons provided by the school counselor or career exploration opportunities integrated into core curriculum.
- Beginning in 6th grade, the school provide a curriculum with embedded career exploration, project-based career activities, and career development and counseling.
- The school provide structured, ongoing experiences including career exploration to expose students to all 16 career clusters.
- The Team recommended the school counselor become familiar with career exploration resources and provide input into the development of the advisory program to ensure both social-emotional learning and career exploration are a part of the program.

NONCOMPLIANCE 2.4: During interviews, teachers discussed the lack of formal observations for educator evaluation purposes. Furthermore, the Team found no evidence of classroom walkthroughs taking place or instructional feedback being provided to teachers by administrative staff.

*WVBE Policy 5310*

*WVBE Policy 2510, Section 7.1.b.6.*

CORRECTIVE ACTION: Ensure all components and timelines, i.e., Self-Reflections, Educator Goals, Observations, Observation Conferences, and Summative Evaluations for WVBE Policy 5310 are strictly followed. Additionally, principals must conduct instructional walkthroughs and provide instructional feedback to teachers.

FINDING 2.3: During teacher interviews, it was noted instruction-focused professional learning opportunities were not provided to teaching and support staff. Some teachers stated they were enrolled in college classes, but no one mentioned specific professional learning addressing high-yield instructional practices.

*WVBE Policy 5500, Section 4.3.b.*

RECOMMENDATION: Utilize data gathered from classroom walkthroughs, the Educator Evaluation System, teacher surveys, and other related sources to create a professional learning plan for all staff. Utilize the WWSIPP in the GPS to outline what this plan will entail. Provide professional learning through multiple mediums – online, face to face, during PLC meetings, etc.

FINDING 2.4: During teacher interviews, American Sign Language (ASL) was discussed as not being used pervasively at the school among the students and teachers. Interviewees indicated this is a need for non-communicative students of all grade levels at the deaf school.

RECOMMENDATION: Through the enrollment process, students who have a primary disability of deaf/hard of hearing should receive a diagnostic evaluation of the student's ASL mastery and other modes of communication. Personalize courses to the student's level of need and fully communicate IEP requirements with school and residential staff. Review, revise, and implement the communication policy to meet the current needs of the students.

FINDING 2.5: During interviews, teachers indicated there was little communication from central office and school leadership, formal observations were not conducted, and there was very little interaction from administration with staff or students. During interviews, students were unable to identify the principals of the school. Teachers expressed frustration with not being aware of relevant information, as it pertains to their duties.

*WVBE Policy 5800, Section 5.2.a.*

RECOMMENDATION: School principals, central office leadership, and other chief instructional leaders make themselves visible to staff and students throughout the school day. Informal walkthroughs, classroom visitation, formal educator evaluation observations, and daily communication with students within the school should be occurring on a regular basis.

FINDING 2.6: During professional interviews, it was noted there is not a clear and focused learning mission at either school. Educators did not articulate the goals of the school or information regarding the school's strategic plan.

*WVBE Policy 5800, 5.2.b*

RECOMMENDATION: School leadership regularly communicate the school's mission and provide progress monitoring updates regarding the school's strategic plan. Furthermore, include teachers in creating, monitoring, and revising the plan to assure increased student performance and progress.

NONCOMPLIANCE 2.5: During observations and subsequent interview with a teacher, Team members determined the classroom setting for woodworking was not appropriate for student need or content alignment. Curriculum and teacher training were sufficient, but tools and classroom equipment were outdated, inappropriate for the curriculum, and unsafe due to outdated design and safety features.

*WVBE Policy 2510; 2520.13: Safety Environment Requirement*

CORRECTIVE ACTION: Conduct a needs assessment and a student interest survey to determine the need for the redesign of woodworking/carpentry setting. If warranted, acquire appropriate equipment and properly install to ensure students can have a meaningful, safe experience. Consider creating a simulated workplace that will provide opportunities for students to learn and master carpentry skills.

FINDING 2.7: During interviews and observations, the Team determined neither school had a school-wide behavior plan or program in place to support student behavior. While some teachers mentioned PBIS, there was no evidence found to support that it was being effectively implemented. While student behavior was appropriate overall, the Team observed some instances where one student's behavior monopolized the entire class, distracting from instruction.

*WVBE Policy 4373, Section 1*

RECOMMENDATION: School leadership provide school-wide training for the implementation of developmentally appropriate positive behavior guidance and student social-emotional support while consistently monitoring implementation.

FINDING 2.8: The Team observed a general lack of a welcoming atmosphere in both schools. Identifiable information for classrooms was not always present. The Team did not observe student work displayed, and many classes were in the process of boxing up materials, as both schools will be consolidated next year. This resulted in instructional material, such as library books, being removed from the classroom prematurely. The Team determined this was not necessary.

*WVBE Policy 2322, Section, 4.1.c. "Purposefully providing a climate in which all students can learn and succeed."*

RECOMMENDATION: Place teacher names and classroom numbers on the outside of the classroom door in both large print and Braille. Include student work and examples of classroom activities in the hallways. Place bulletin boards outside of each classroom to display student work. Have books readily accessible to children.

## Focus Area 3: Special Education

### **Overview:**

WVSD is comprised of 94 students, all of whom have an Individualized Education Program (IEP). These programs are crucial to the delivery of specialized instruction at the WVSD and guide staffing for the school. During the onsite review, a sampling of files was selected for a thorough file review and the remaining files were reviewed for specific concerns. Additionally, administrative staff who oversee the special education process were interviewed to determine the process and procedures used to stay in compliance with WVBE Policy 2419: Regulations for the Education of Students with Exceptionalities. Upon review of all IEPs and student special education files, the Team observed multiple points of noncompliance concerning the special education procedures outlined in WVBE policy 2419.

### **Procedures Conducted:**

- The Team comprised of representatives from the WVDE Office of Federal Programs and Support initially reviewed a sample of thirteen student files to verify procedures used for evaluation and reevaluation and the forms and processes used to determine eligibility. Each file was analyzed to determine the district's implementation of WVBE Policy 2419, Chapters 3, 4, 5, and 6. Additionally, files were reviewed to determine compliance with W. Va. Code 18-17-2 concerning admissions.
- The Team reviewed all student special education files to address specific areas of concern as found in the initial review of the thirteen randomly selected files.
- The Team interviewed staff to glean information regarding the process and procedure for fulfilling the expectations outlined in WVBE Policy 2419.
- The Team performed a service verification process for five randomly selected IEPs to compare IEP services with school and student schedules. Documentation of the location start time, end time, duration, and provider of services was reviewed.

### **General Observations:**

- The Team discovered through file reviews, inconsistent contact with parents concerning IEP meetings and Eligibility Committee meetings. An 8-day notice is required but consistent compliance in this area could not be verified by evidence in the files.
- File review procedures revealed inconsistent practices in the selection of evaluations on the Re-evaluation Determination Plan (RDP). These plans are used to determine eligibility for special education services at least every three years or sooner if necessary. Current evaluation results are needed to make accurate determinations based on meaningful progress as appropriate. Some RDPs did not show any evaluations completed or recommended for an Eligibility Committee to make a determination. While this is not a noncompliance in all cases, the district must ensure recent data is available for appropriate decision making.
- Annual audiological evaluations were listed on IEPs of students with little or no hearing concerns. It was unclear to the Team why these evaluations were needed due to a lack of documentation in the files.
- Upon review of all student special education files, it was noted by the Team that 22 students had a change in their eligibility immediately prior to attending the WVSDB. With further review of the files, it was unclear to the Team what additional evaluations were used to determine the need to change eligibility. The Team noted one student did not qualify for special education services in the student's home district for multiple years and before applying for admissions at the WVSDB. After receiving the admissions application, the WVSDB held an eligibility meeting for this student and made a determination finding the student eligible as Visually Impaired (VI). There was a lack of sufficient documentation in the special education file regarding the severity of the student's disability and whether it met the requirements of WVBE Policy 2419 for visual impairment. Changes in eligibility appear to be orchestrated to increase enrollment at the WVSDB. This raises concerns of recruiting students who may not benefit from a separate school for special education. An additional file revealed services being provided 100% in the general education environment in the home school prior to becoming eligible for services and admission to WVSDB. The WVSDB is a 100% special education environment. A change in the least restrictive environment of this magnitude is extremely irregular and would rarely be warranted. The potential harmful effects, consideration of the neighborhood school and decision making based on student need rather than exceptionality should be strongly considered when making this type of change of placement.
- The Team reviewed IEP service pages and compared them to student schedules to determine if special education and related services were being delivered at the time and duration listed on the IEP. Five student files were reviewed and five had at least one incorrect service. Additionally, the Team noted multiple related service providers delivering more service minutes than outlined in student IEPs. This impacts personnel decisions and limits any collaboration with the local school district, a practice that has been observed in the past.
- Upon review of all student special education files, the Team noted of the 59 students enrolled at the school for the blind, 23 had a diagnosis of Cortical Visual Impairment (CVI) as the basis of their eligibility. However, the Functional Vision Assessments (FVA) used to make this diagnosis were limited in information and unclear concerning the severity of visual impairment. There is documentation in student files verifying that most students at the WVSDB presenting with



CVI have several additional diagnoses and/or disabilities including ADHD, autism, behavior disorders, and cognitive impairment. It was unclear to the Team how the Eligibility Committee determined Visually Impaired (VI) as the primary exceptionality based on an FVA with limited information.

- Due to the limited number of evaluations in student files, the Team identified forty (40) students who need additional evaluations to provide adequate information for an Eligibility Committee to make an informed decision regarding a student's eligibility. Ongoing evaluations are necessary to track progress for students receiving services for CVI. There was little to no evidence of ongoing progress monitoring for students with CVI.
- Review of student admissions packets showed limited information and did not demonstrate how an admissions committee, required by W. Va. Code §18-17-2 was involved in the decision-making process for accepting a student. Administrative staff indicated student applications are received by one person and processed for completion. There is no formal admissions committee or a comprehensive admissions process.
- It was reported during interviews the special education process is managed through the special education office. The special education director serves as the IEP chair for all meetings, contacts the parents to set up the meetings, completes the IEP, and all other duties as the case manager. However, the teachers who are listed as the case manager provided little input into the special education process. A responsibility of a case manager is to facilitate the special education process for each student they manage and provide detailed input into the student's IEP. Additionally, the special education secretary is tasked with organizing and maintaining each student's special education file. In other school districts, this responsibility is typically distributed to the case managers, who have a more thorough understanding of the components of the file. At the WVSDB, case managers have a limited number of students to manage and would have flexibility within their schedules to complete case management adequately.

NONCOMPLIANCE 3.1 – WVBE Policy 2419, Chapter 4, Section 1 stipulates the district must provide written notice to the parent and/or adult student and other EC members of the meeting time, date, place, purpose, and invited members no less than eight days prior to the scheduled meeting date. Six of the thirteen reviewed files did not have a written notice for the EC meeting provided to the parents within the required timeline.

CORRECTIVE ACTION – All teachers, principals, and special education administration must participate in professional development on WVBE Policy 2419 requirements as well as the WVDE required forms used to document these requirements. Documentation of participation in required professional development along with the agendas must be provided to WVDE.

NONCOMPLIANCE 3.2 – WVBE Policy 2419, Chapter 3, Section 2.B states, “Within three years of the date of the last EC, or more frequently if the parent or teacher requests or conditions warrant (e.g., if the district determines that the educational or related services needs, including improved academic achievement and functional performance, warrant a reevaluation), the district must conduct, as appropriate, an individual multidisciplinary reevaluation to determine a student's educational needs and continued eligibility for special education and related services...” Upon review of student special education files, incomplete reevaluation determination plans were observed. Additionally, some files did not include current evaluation data used to determine eligibility for special education or related services.

CORRECTIVE ACTION – Professional development must be provided to all case managers focused on completing the RDP process outlining the requirements and responsibilities in WVBE Policy 2419. Files must be updated with complete RDPs as well as all Eligibility Committee requirements. If this data does not exist, new evaluations will be required.

NONCOMPLIANCE 3.3 – WVBE Policy 2419, Chapter 5, Section 2.G.3 states, “The term ‘related services’ refers to transportation and such developmental, corrective and other supportive services required to assist an eligible student to benefit from special education as described in the IEP.” It was noted annual audiological evaluations were listed on students IEPs under related services for students with no hearing concerns. Additionally, an evaluation is not considered a service and should not be listed on the IEP as such.

CORRECTIVE ACTION – Amend IEPs to remove Audiological evaluations at least annually under the Related Services section of the IEP.

NONCOMPLIANCE 3.4 – WVBE Policy 2419, Chapter 4, Section 1 states, “The EC will draw upon information from a variety of sources, including, as appropriate, but not limited to, formative assessments, aptitude and achievement tests, parent/adult student input, teacher observations, health, social or cultural background, adaptive behavior, and functional assessments.” Review of student special education files showed limited information used to determine continued special education eligibility. Additionally, WVBE Policy 2419, Chapter 4, Section 1 states, “Using the results of the multidisciplinary evaluation, the EC must determine the student’s primary exceptionality when more than one exceptionality condition is present. The committee must discuss how each exceptionality affects the student’s educational and functional performance and determine and document which has the most adverse impact on the student’s participation and progress in the general curriculum.” Due to multiple students who have more than one exceptionality, it was unclear to the Team how the EC came to the decision of the primary exceptionality with limited evaluation information.

CORRECTIVE ACTION – Hold RDP meetings for students without an updated comprehensive evaluation. Determine appropriate evaluations needed to make an eligibility decision and determine the primary exceptionality in the Eligibility Committee meeting.

NONCOMPLIANCE 3.5 – WVBE Policy 2419, Chapter 3, Section 3.B.2 states, “Based on recommendations from the evaluation Team, the district will seek consent to administer the needed assessments within five days of the decision to evaluate/reevaluate.” Eight of the thirteen reviewed files lacked adequate documentation to support all proposed evaluations on the evaluation determination plan were conducted to determine eligibility and/or had a signed consent to evaluate.

CORRECTIVE ACTION – Hold RDP meetings for the eight students identified in the review with proper parent(s)/guardian participation. Conduct evaluations determined needed on RDP. Hold EC meetings to review all evaluations with proper parent(s)/guardian participation.

NONCOMPLIANCE 3.6 – W. Va. Code §18-17-2 states, “Deaf and/or blind youth residents in the State between the ages of five and twenty-three, inclusive, shall be enrolled in the schools on application to the superintendent, until the schools are filled.” Four of the thirteen reviewed files had unclear documentation to show the student met admissions criteria outlined in state code. Additionally, no formal admissions committee or comprehensive admissions criteria was established.

CORRECTIVE ACTION – Conduct comprehensive evaluations as determined by a multidisciplinary evaluation team to determine the primary exceptionality for the four students indicated in the review. If eligibility does not meet requirements for admission at the WVSDB, an IEP Team to include the county of residence must develop an appropriate program to be implemented in the county of residence. Additionally, establish a formal admissions committee and comprehensive admissions criteria that meets the requirements in W. Va. Code §18-17-2.

FINDING 3.7 – WVBE Policy 2419, Chapter 5, Section 4 states “To ensure the provision of FAPE and adherence to procedural requirements, professional special education personnel may be assigned a group of students for whom they not only provide direct/indirect special education services but also for whom they provide specific case management/procedural accountability duties such as sending parent notices, scheduling IEP meetings, reporting progress to parents, coordinating services, tracking timelines and managing paperwork.” Interviews indicated these tasks are not within the current assignment of case managers but are managed by the district office.

RECOMMENDATION – Provide professional development for teachers acting as Case Managers on the requirements and responsibilities outlined in WVBE Policy 2419.2. The Special Education Director must review and oversee these responsibilities as delineated in Policy 2419. Documentation of participation in professional development and agendas must be provided to the WVDE.

## Focus Area 4: Facilities

### **Overview:**

The West Virginia Schools for the Deaf and the Blind is comprised of 20 structures that vary in occupancy, use, and condition. The average age of campus buildings is 50 years, the oldest was built in 1871, and the newest was constructed in 1994. The majority of the campus buildings were built during the 50s, 60s, and 70s. Currently, seven core buildings serve the school's administrative, educational, and residential needs, with an additional six serving in storage or supportive roles. The remaining seven structures are generally unutilized, with some being unsafe for occupation. There is approximately 330,000 square feet of floor space on campus, which accounts for more gross building area than 16 of WV's county school districts. In comparing square footage to traditional county districts, it is worth noting that the WVSDB's space total includes facilities that specifically accommodate the school's residential needs and the space of some support facilities.

The campus lawns are well maintained, and most public areas are clean and provide a neat appearance. Recently, the facility needs of the campus have started to be addressed through the procurement of design services for projects identified in their CEFP. These services will be in place when funding is available to complete those projects. The Physical Education building recently had some needs addressed, and the final product significantly improved the learning and recreation environment for the students and staff. The current facilities director has the necessary skills and institutional knowledge to manage the needed improvement projects and cares about improving the facilities at the WVSDB.

### **FINDINGS 4.1: Building Conditions**

During the review, a comprehensive walkthrough confirmed the facility conditions documented in the previous two Comprehensive Educational Facilities Plans (CEFP). Those CEFP facility reviews indicated complete or partial failure of a majority of building systems across campus. The most recent review also identified some additional issues that were not stated in the previous CEFPs. Systems in obvious distress and/or neglect include:

- Roofs of core buildings and support structures across campus, as indicated by multiple damaged ceiling tiles and water stains on walls.
- Entry doors across campus, as indicated by multiple non-closing doors and inefficient construction.
- Windows across campus, as indicated by unsafe operations and inefficient construction.
- HVAC systems across campus, as indicated by humidity damage to interior finishes, a lack of outside air ventilation to spaces, and poor thermal comfort, and a lack of campus-wide controls and monitoring.
- ADA accessibility across campus, as indicated by irregular walking surfaces, deficient building access/egress, and non-compliant restroom facilities.
- Fire protection across campus, as indicated by failing systems and the regular need to utilize a staff member for "fire watch" protocol and a lack of smoke detectors and a sprinkler system in some locations.
- Electrical and lighting systems across campus, as indicated by original deficient wiring, inefficient lights, and a campus-wide lack of monitoring and efficiency control.

- Exterior wall enclosures in some facilities, as indicated by significant cracking and structural distress of multiple exterior walls.
- Domestic water distribution in some facilities, as indicated by obviously distressed distribution lines.
- Interior finishes in some facilities, as indicated by obviously distressed and collapsing walls and ceiling systems.
- Campus storm water management, as indicated by areas of campus that hold significant flood water.
- Campus security and alert system, as indicated by the absence of a reliable way to communicate emergencies across campus.

The Team determined the WVSDB has not prioritized building maintenance at the level necessary to maintain its' facilities. Compounding that situation is the advancing age of the campus structures. With a prolonged lack of preventive maintenance, some buildings on campus have experienced a total failure of many of their systems, and others are quickly approaching a failure point. The WVSDB is now at a point where the overall facility needs are overwhelming in terms of maintenance and financial resources. WV Building Risk and Insurance Management; WVBE Policy 6200, National and WV State Fire Codes/NFPA, Americans with Disabilities Act, ANSI/ASHRAE Standard 62.1, State Health Department, WV State Building Code

**RECOMMENDATIONS:**

The Team recommended a determination be made to establish if the facilities have the life and adaptability left in them to serve the population of the WVSDB. Additionally, if the school is moving forward with these facilities, they must take the following actions as soon as possible:

Secure the buildings from water intrusion by replacing failing roofs, walls, windows, and doors.

- Improve the HVAC systems to control humidity more efficiently, maintain thermal comfort in all areas, and provide fresh air in occupied space.
- Add a campus-wide building automation system that provides remote control, scheduling, and monitoring of all systems.
- Bring the electrical systems up to code and replace them as necessary.
- Update the lighting throughout the campus with modern and efficient fixtures.
- Have the facilities structurally evaluated and follow up with the necessary corrective actions.
- Remodel the buildings and campus to be fully ADA compliant.
- Repair or replace any failing water distribution lines.
- Bring the fire protection systems up to current codes and standards.
- All occupied spaces should have loose interior finishes replaced or properly tested, removed, and replaced if considered hazardous.
- Improve the campus storm water management system.
- Improve campus security with a campus-wide communication/alert system and additional cameras in some locations.

- Unoccupied but continually maintained buildings absorb significant energy and maintenance resources and should be appropriately disposed of or repurposed when possible.
- The proper procedures should be followed to demolish and remove structures that are no longer functional and are in apparent ruins.

FINDING 4.2: Through interviews of current administration and the maintenance Team at the WVSDB, the Team determined the maintenance department has not had the long-term administrative support necessary to maintain a school campus primarily comprised of older buildings. Many campus facilities will be permanently compromised without corrective action in the next five years, and in some instances, that window of opportunity is substantially less. Policy 2322: 4.1.b. Instructional Leadership; Policy 2322: 6.3. County Operational Effectiveness

RECOMMENDATION: It is recommended that the WVSDB maintenance Team receive the support needed to correct the deficiencies provided in this report. Consideration should be given to the consolidation of buildings to match the enrollment more appropriately, thereby reducing the school's overwhelming maintenance burden. Additionally, the Team recommended the WVSDB seek further space leasing opportunities with outside agencies to mitigate maintenance costs and increase the total utilization of campus facilities. In conclusion, a path for the disposal of compromised or underutilized buildings should be developed.

### ***Residence Halls***

The Team conducted walkthroughs of the residence hall(s), interviewed residence hall staff, and conducted observations of residence life activities. The Team noted deficiencies in the following areas.

#### FINDINGS 4.3: Safety and Security

- A standard means of communication among staff members is not in place. Staff rely on texting one another if an emergency or crisis arises.
- While camera coverage exists in common areas and dorm entrances, there are no cameras in the hallways outside of dorm rooms.
- The following safety concerns were noted by the Team: curtain rods in dorm rooms do not break away; shelves in the dorm rooms are not attached to the wall; and coat hangers in the hallway of Keller Hall pose a potential risk of injury. These concerns could result in students intentionally or unintentionally harming themselves.
- The front door to Keller Hall does not lock and the current solution, as reported to the Team, is assigning additional security to monitor the building. However, Team members did not observe additional personnel conducting these checks. Also, the Team observed the door propped open throughout the review, with no adults near the entrance.
- The Director of Residence Life reported to the Team that bed checks are completed every 20 minutes. However, one Residential Care Specialist (RCS) reported that often, evening shift staff do not complete bed checks, and wait for night shift staff to do so.
- Through observations and interviews, the Team observed limited positive interactions between the residence director and students. Additionally, the residence director was providing negative consequences for student mis-behavior.

#### RECOMMENDATIONS:

The Team determined the safety and security issues can be addressed in an efficient, cost effective manner by performing the following:

- Following proper purchasing protocol, solicit bids for the cost and installation of an appropriate communication system for residence halls and schedule installment prior to students' return.
- Ensure that properly functioning cameras are installed, appropriately positioned in hallways, and monitored.
- Conduct an audit of residence hall safety. Ensure furniture is properly secured to the walls, hazards are removed from hallways, breakaway curtain rods are installed, and correct any additional safety risks.
- Immediately ensure all doors, windows, and associated locking mechanisms are properly functioning.
- Design and implement a bed check procedure to assure student safety and safeguard against students leaving the facility without supervision and require staff to complete documentation.
- Residence life director shall maintain a safe, healthy, positive living environment enhancing student development and learning and be available to students who are struggling with issues related to mental-health challenges.

#### FINDINGS 4.4: Policies & Procedures

- While a Residence Life Handbook is provided to students and parents, the Team noted a lack of official policies and procedures and staff training regarding residence life.
- Procedures to schedule staff were not clear to the Team. Additionally, the staff schedule spreadsheet provided to the Team indicated staff are paid for non-instructional days, even if they do not work.
- The Team found no evidence of coordination between instructional and residential staff, specifically regarding individual student IEPs and residential education plans. In addition, the Director of Residence Life did not provide residential education plan data indicating goal achievement and progress.
- A process does not exist to transition residential students to the workplace or other placements.

#### RECOMMENDATIONS:

- Establish official policies and procedures regarding residence life and provide training to staff.
- Create clear procedures for scheduling staff. Review work schedules and verify time worked as reported on timecards.
- Review and revise the residence life handbook to ensure student safety.
- Develop processes and procedures to ensure collaborative efforts in writing IEPs and residential education plans, based on the individual needs of students. Collect data indicating goal achievement and progress for each student and utilize the data to inform decision-making.
- Assign responsibility to a current administrator for creating transition plans for residential students.

#### FINDINGS 4.5: Staff Training

- The Team determined Crisis Prevention Institute (CPI) constitutes the primary crisis intervention plan. As only four staff members are trained in advanced CPI techniques, this could result in an improper response to a crisis.
- The Team did not find evidence of training for staff in trauma-informed care or Mental Health First Aid, despite reports from administration and staff that mental health needs of children are increasing.

#### RECOMMENDATIONS:

- Utilize the on-site trainer to ensure all staff members are trained in advanced CPI techniques. Implement a multi-tiered crisis intervention plan to address various scenarios that may arise.
- Seek technical assistance from WVDE to provide professional learning in trauma-informed care. Incorporate mental health best practices into the crisis intervention plan.

#### FINDINGS 4.6: Crisis Intervention and Behavior Management

- The Director of Residence Life indicated she talks to staff after a crisis intervention takes place. CPI protocols require a formal debrief following a crisis intervention, but the Team did not find evidence that this occurs.
- The behavior management system consists solely of negative consequences. The Team did not observe evidence of positive behavior reinforcement or support processes.
- While crisis incidents are documented on paper and placed into the child's record, student behavior infractions that occur after school hours are not recorded in WVEIS.

#### RECOMMENDATIONS:

- Review CPI protocols with all staff. Ensure formal debriefs take place and are properly documented after each crisis intervention.
- Work with both instructional and residential staff to develop consistent expectations and positive behavior supports.
- Obtain WVEIS access for the Director of Residence Life and ensure behavior infractions that occur after school hours are appropriately documented.

#### FINDINGS 4.7: Culture and Climate:

- Staff reported a need for increased communication between departments and within the Residence Life department.
- While interactive activities should be planned for after school hours, the Team observed many students watching television rather than engaging in outdoor or physical activity.
- Dormitories lacked personalization, were institutional in nature, and were observed to be uninviting.

#### RECOMMENDATIONS:

- Survey staff to understand communication preferences and needs. Develop clear communication channels and monitor to ensure communication meets staff and student needs.



- Create expectations for RCS staff in consistently planning engaging activities, with student input. Monitor and provide feedback to RCS staff as appropriate.
- With student input, design a student-friendly living space. Establish guidelines for students to add personal items to individual spaces.
- Transition Pre-K-4 residential students back to home counties for the 2021-2022 school year and adopt a policy to serve residential students in grades 6-12 beginning school year 2022-23.

## Focus Area 5: Transportation

### **Overview:**

Transportation services are overseen by the Transportation Director. An interview with the Transportation Director and observations of transportation facilities was conducted by the Team. During this time, the following information was collected.

#### Observations:

- The school has ten (10) buses, two of which have not been used in several years. The school also owns eight (8) vans and SUVs that are rarely used.
- The school has four (4) daily bus routes for residential students.
- Distance, family hardship, and student choice are used to determine if a student becomes a residential student or a day student.
- Transportation services are part of personal care plans and needs are provided and documented. All buses have an aide familiar with the students' needs with the exception of 1-2 students who are transported to Hampshire High School during day without aide.
- The WVSDB utilizes charter bus agency for home-goings. Typically, contracts are year-to-year with all student needs and requirements being established. These include times, food, bathroom, back up fleet, and insurance.
- The Transportation Director confirmed bus drivers receive 40 hours of initial training regarding school bus operations and subsequent training in WVBE Policies 4373, 2525, and 4336 annually. Training is provided in both virtual and in-person formats.
- Bus operators are evaluated by the Transportation Director. This process involves the Transportation Director or Bus Operator Trainer riding the bus, with subsequent goals being set with the driver. Sometimes, camera systems are used as evidence for the evaluation process.
- All daily bus runs fall within guidelines as required in WVBE Policy 4336.
- The Transportation Director ensures all criteria for bus driver certifications are met.
- ARI Fleet Management is used to determine the maintenance intervals for buses. Mechanics perform the required maintenance.
- Bus maintenance files are kept in the transportation garage and transportation office.

FINDING 5.1: All home-goings exceed recommended timelines for each programmatic level. Currently, students are transported on a charter bus every Friday to one of three locations within the state – Parkersburg, Danville, and Beckley. These trips are 7-8 hours one way. On Sunday, students are returned to the WVSDC Campus.

*WVBE Policy 4336, Section 15.1*

RECOMMENDATION: Consider reducing the number of home-goings to ensure students spend less time on buses.

NONCOMPLIANCE 5.1: The evaluation of bus routes was not completed this year. Additionally, documentation for previous evaluations has not been kept. There are instances where student needs and requirements for home-goings on buses were not appropriately documented or implemented.

*WVBE Policy 4336, Section 10.11*

CORRECTIVE ACTION: Ensure bus route evaluations are completed annually, prior to the first day of school as required by policy. Ensure all healthcare needs for home-goings are assessed and documented and that staff receive appropriate training. WVDE will continue to monitor the process on an ongoing basis.

NONCOMPLIANCE 5.2: While ARI Fleet Management is utilized for preventive maintenance schedules, bus drivers are not notified.

*WVBE Policy 4336, Section 26.2.f*

CORRECTIVE ACTION: Develop a process for notifying bus drivers of the required preventative maintenance schedules.

NONCOMPLIANCE 5.3: The bus garage had no formal inventory as required; however, many parts were in stock.

*WVBE Policy 4336, Section 26.2.d*

CORRECTIVE ACTION: Develop or purchase a program to certify all spare parts are properly inventoried and tracked to prevent over-ordering and accidental loss of stock.

NONCOMPLIANCE 5.4: There are spare buses that have not had required maintenance performed.

*WVBE Policy 4336, Section 26.2.f*

CORRECTIVE ACTION: Regardless of time elapsed since last use, perform required maintenance on all vehicles in the fleet to ensure availability in the event of an emergency.

# Focus Area 6: Financial Indicators and Purchasing Compliance

## ***Financial Inquiry 1***

Are all state and local overtime compensation policies followed?

### **Procedure Conducted**

The Team obtained WVSDB financial data for all overtime paid by the school between the dates of July 1, 2019 and April 9, 2021. The data were reviewed analytically to determine which employees were paid the most overtime, and those individuals were selected for testing. For fiscal years 2020 and 2021, the Team reviewed a total sample of thirty-nine (39) employee overtime payments. For each employee overtime payment selected, the Team requested the following supporting documentation: approved employee timesheets, documentation of pre-approval of overtime, and documentation of post approval of overtime in the case of emergency situations. All documentation was reviewed for compliance with the WVSDB's local policies, WVBE policies, and WV Statutes.

### **General Observations:**

The following general observations were noted during employee interviews and the review of the employee overtime payments for fiscal years 2020 and 2021:

- The majority of overtime is from Residential Care Specialists, Bus Drivers, and Aides. The overtime is mainly a result of weekend trips and staffing difficulties during snow days.
- There is not a formal process for how overtime is offered.
- The majority of employee timesheets contained an explanation for the overtime, but some did not.

### **POINTS OF NONCOMPLIANCE**

NONCOMPLIANCE 6.1.1: All 39 overtime payments tested had no documentation of supervisor pre-approval. WVSDB Human Resources/Employee Handbook Policy 4620 — Overtime section 5.2 states the following: "A non-exempt employee shall not work overtime without the expressed written approval of his/her supervisor and the Superintendent. The request must be submitted in writing using the appropriate form. In an emergency situation, verbal approval may be granted; however, a written request must be submitted within 24 hours following the verbal approval."

*WVSDB Human Resources Policy/Employee Handbook Policy 4620 Section 5.2*

### **Corrective Actions – Financial Inquiry 1**

- Training must be provided for all non-exempt employees on state and local overtime policies.
- Procedures must be developed to ensure all overtime pre-approval requirements are met. If individuals repeatedly work overtime without the required prior approval, they should face appropriate disciplinary action.
- Procedures must be developed to track instances of overtime pre-approval.
- Require employees to follow WVSDB policy which requires pre-approval of all overtime.
- Require the reason for the overtime to be sufficiently documented on the employee timesheet.

## **Financial Inquiry 2**

Was Families First Coronavirus Response Act (FFCRA) leave applied correctly?

### **Procedure Conducted**

The Team obtained WVSDDB financial data for all FFCRA leave paid by the school between the dates of July 1, 2019 and December 31, 2020. The data were reviewed analytically to determine which employees were paid the most FFCRA leave, and a sample of those individuals were selected for testing. The Team reviewed a total sample of 38 employee FFCRA leave payments. For each employee FFCRA leave payment selected, the Team requested the following supporting documentation: approved employee timesheets, FFCRA leave applications, and documentation of the reason for the FFCRA leave. All documentation was reviewed for compliance with WVBE Policies and West Virginia Division of Labor (WVDOL) guidance.

### **General Observations:**

The following general observations were noted during employee interviews and the review of the employee FFCRA leave payments:

- As a result of the COVID-19 pandemic, the Governor issued executive order No. 9-20 in March of 2020 which, among other things, required non-essential businesses and operations to temporarily cease operations. While certain parts of WVSDDB operations were deemed essential, there were employees that were sent home and were not permitted to work on location. The guidance from WVDE was that these employees were still to be paid.
- At the beginning of the COVID-19 pandemic when employees were not permitted to work on location but were still being compensated, the business office incorrectly coded the employee time to FFCRA leave. This time should have been coded to administrative leave.
- There was a general misunderstanding of the financial office staff that the FFCRA leave provisions began April 1, 2020 and renewed July 1, 2020. This is not correct. The FFCRA leave provisions began April 1, 2020 and expired December 31, 2020. The specific leave provisions were as follows:
  - » Two weeks (up to 80 hours) of paid sick leave at the employee's regular rate of pay where the employee is unable to work because the employee is quarantined (pursuant to Federal, State, or local government order or advice of a health care provider), and/or experiencing COVID-19 symptoms and seeking a medical diagnosis; or
  - » Two weeks (up to 80 hours) of paid sick leave at two-thirds the employee's regular rate of pay because the employee is unable to work because of a bona fide need to care for an individual subject to quarantine (pursuant to Federal, State, or local government order or advice of a health care provider), or to care for a child (under 18 years of age) whose school or child care provider is closed or unavailable for reasons related to COVID-19, and/or the employee is experiencing a substantially similar condition as specified by the Secretary of Health and Human Services, in consultation with the Secretaries of the Treasury and Labor; and
  - » Up to an additional 10 weeks of paid expanded family and medical leave at two-thirds the employee's regular rate of pay where an employee, who has been employed for at least 30 calendar days, is unable to work due to a bona fide need for leave to care for a child whose school or child care provider is closed or unavailable for reasons related to COVID-19.

## **POINTS OF NONCOMPLIANCE**

NONCOMPLIANCE 6.2.1: Twelve (12) of the 38 FFCRA payments tested were incorrectly coded to FFCRA leave. All 12 of the payments with errors were related to the business office incorrectly coding employees who could not work remotely at the beginning of the COVID-19 pandemic to FFCRA leave when the employees should have been coded to administrative leave. As a result of the testing, the Team determined employees that were not selected for testing may have also been incorrectly coded to this leave. Research conducted indicated that the 4/24/20 payroll was affected. In total, \$126,558.18 of FFCRA Employee Paid Sick leave was provided to WVSDDB employees on that payroll run.

NONCOMPLIANCE 6.2.2: Seven (7) of the 38 FFCRA payments tested showed that FFCRA Leave and Sick Leave were used incorrectly. In some cases, FFCRA leave was applied when sick leave should have been applied and in some cases the opposite was true. As a result of the testing, the Team determined employees not selected for testing may have also been incorrectly coded.

## **Corrective Actions – Financial Inquiry 2**

- The WVSDDB must review all previously provided FFCRA leave at the beginning of the COVID-19 pandemic to determine whether it was provided correctly. The WVSDDB must disclose the issue to WVOASIS central payroll to determine any tax implications and the remedial actions need to correct the error. A tax benefit that the FFCRA leave provided was that the employer did not have to pay the employer portion of social security taxes for FFCRA leave pay. If tax benefits have been incorrectly obtained, the WVSDDB must work with WVOASIS central payroll to determine how to best remedy the situation with the Internal Revenue Service (IRS).
- The Team will work in conjunction with the WVSDDB to review all employees that received FFCRA leave from 7/1/2020 through 12/31/2020 to ensure that the correct coding was applied.

## **Financial Inquiry 3**

Is employee compensation being calculated and applied correctly?

## **Procedure Conducted**

The Team obtained WVSDDB financial data for all employee compensation paid by the school between the dates of July 1, 2019 and April 9, 2021. To ensure sufficient testing coverage, individuals with different job titles and salary classifications were randomly selected for review. During review of payroll data, the Team was provided a WVOASIS printout on which several individuals were listed as having a degree classification of a master's degree plus 45 hours (MA45). The Team found this to be unusual and randomly selected several of these employees for testing as well. For fiscal years 2020 and 2021, the Team reviewed a total sample of 21 employee payroll payments. For each employee payroll payment selected, the Team requested the following supporting documentation: approved employee timesheets, employment contracts, years of experience documentation, supplement documentation, and degree level documentation when applicable. All documentation was reviewed for compliance with WVSDDB local policies, WVBE policies, and WV Statutes.

### **General Observations:**

- The following general observations were noted during employee interviews and the review of the employee payroll payments for fiscal years 2020 and 2021:
- Except for a few outreach employees who work in different counties and are paid using their respective placement county salary schedules, WVSDDB employees are to be paid using the Hampshire County salary schedules. Additional salary supplements paid to employees must also adhere to the county of employment unless WVBE has acted to provide further supplemental pay beyond these minimum requirements.
- The large number of individuals listed as having a masters plus 45 hours (MA45) in WVOASIS was simply an input error on an informational personnel report. The degree classification listed on this report has no effect on how the employee's pay is calculated.
- The WVSDDB is paying all aides a \$500 supplement for supervisory pay. WV Code §18A-5-8 does allow the WVSDDB to increase an aide's pay for supervisory duties, but the increase should be calculated by increasing the employees pay grade by one pay grade above the highest pay grade held by the service employee.
- It was noted during the payroll testing that some employee payroll payments tested did not agree to the annual gross contracted salary as agreed upon between the employee and WVSDDB or the county salary tables. Payroll calculation implementation issues were noted for 261-day employees. After further review of the payroll documentation, it was determined that WVSDDB is calculating a daily rate of pay for 261-day employees but is paying employees for 260 days of work based on the WVOASIS pay calendar. This practice reduces the amount of compensation an employee receives on an annual basis by one day in comparison to the annual contracted salary of the employee in years in which there are 26 pays. Employees are made whole in years in which there are twenty-seven pays received based on the WVOASIS calendars. This practice is inconsistently applied among all employees, where-in non-261-day employee compensation is distributed evenly over 26 pay periods.

### **POINTS OF NONCOMPLIANCE**

NONCOMPLIANCE 6.3.1: One of the 21 employee payroll payments tested showed that an employee was paid an annual \$600 supplement for 20+ years of service. WV Code §18A-4-2(c) states "Six hundred dollars shall be paid annually to each classroom teacher who has at least 20 years of teaching experience". The employee tested is a principal and is not entitled to this supplement due to them not being a classroom teacher as defined by WVC §18A-1-1.

NONCOMPLIANCE 6.3.2: One of the 21 employee compensation payments tested showed that an aide was paid a \$500 supplement for supervisory duties. WV Code §18A-5-8 states "An aide designated by the principal under subsection (a) of this section shall receive a salary not less than one pay grade above the highest pay grade held by the service person under section eight-a, article four of this chapter and any county salary schedule in excess of the minimum requirements of this article." WV Code §18A-4-8a(m) states "For the purpose of qualifying for additional pay as provided in §18A-5-8 of this code, an aide is considered to be exercising the authority of a supervisory aide and control over pupils if the aide is required to supervise, control, direct, monitor, escort, or render service to a child or children when not under the direct supervision of a certified professional person within the classroom, library, hallway, lunchroom, gymnasium, school building, school grounds, or wherever supervision is required. For purposes of this section, 'under the direct supervision of a certified

professional person’ means that a certified professional person is present, with and accompanying the aide.” Based on this language, the \$500 supplement for supervisory duties being provided to this employee is not warranted.

NONCOMPLIANCE 6.3.3: Four of the 21 employee payroll payments tested did not agree to the annual gross contracted salary as agreed upon between the employee and WVSDB or the county salary tables due to payroll calculation implementation issues.

### **Corrective Actions – Financial Inquiry 3**

- The WVSDB must review the degree classifications listed in WVOASIS and update them to agree to the employee’s current earned degree classification.
- The WVSDB must continue to review all employee degree classifications to ensure that employees are being compensated in accordance with the degree they have earned.
- The WVSDB must review all employees currently provided \$600 supplements for 20+ years of service to ensure that only qualified employees are receiving this supplement.
- The WVSDB must review all supervisory supplements being provided to employees to determine what action needs to be taken to bring these supplements in compliance with WV State Code.
- The WVDE will direct the WVSDB to compensate all employees consistently on an annual basis. The WVSDB shall distribute each employee’s compensation evenly over the total number of pays as presented in the WVOASIS pay calendar annually. The WVSDB should review the payroll calculations of all employees to ensure compliance with the direction of WVDE.

### **Financial Inquiry 4**

Are expenses incurred by WVSDB made in compliance with the WV Purchasing Division Procedures Handbook?

### **Procedure Conducted**

The Team obtained data for the school pertaining to expenditures incurred between the dates of July 1, 2019 and April 15, 2021. The data were reviewed analytically to determine a sample of expenditures within various dollar amount thresholds to be selected for testing. For fiscal years 2020 and 2021, the Team reviewed a total sample of twenty (20) expenditures. For each expenditure selected, the Team requested a copy of the invoice, related purchase order, and any further documentation required in the WV Purchasing Division Procedures Handbook (the Handbook) as applicable. The documentation was also reviewed for compliance with proper authorizations as well as compliance with all other aspects of the Handbook.

The Team also reviewed an additional sample of expenditures among eight (8) separate vendors specifically for purchases that may qualify as stringing. Section 5.1 of the Handbook states, “Amounts spent with vendors are viewed comprehensively. State agencies should continuously monitor their expenditures with vendors to ensure that the total amount spent with a given vendor, within any 12-month period, does not exceed an applicable bid threshold without the proper level of documentation and bidding. No agency is permitted to issue a series of requisitions to circumvent the \$25,000 threshold or any established delegated threshold. Violation of the \$25,000 threshold is commonly referred to as ‘stringing,’ and is prohibited by law. Instances of stringing must be reported to the Legislature.”



### **General Observations:**

The following general observations were noted during employee interviews and the review of the expenditures for fiscal years 2020 and 2021:

- WVSDDB does not have a complete understanding of documentation that is required to be obtained as a part of the procurement of goods and services.
- There is a misunderstanding of what constitutes exemption from certain procurement processes outlined in the Handbook.

### **POINTS OF NONCOMPLIANCE**

NONCOMPLIANCE 6.4.1: Seven (7) of the 20 expenditures did not have a signed copy of terms and conditions for services received. Section 3.7.2 of the Handbook states “Terms and conditions are included to express the intent of the State of West Virginia. Purchasing Master Terms and Conditions are a part of every written solicitation issued through and contract awarded by the Purchasing Division.”

*WV Purchasing Division Procedures Handbook Section 3.7.2*

NONCOMPLIANCE 6.4.2: Eight (8) of the 20 expenditures did not have an accompanying proof of general liability and workers compensation for the vendor for services received. Section 3.7.5.2 of the Handbook states “Once the insurance requirements have been determined and included in the solicitation, the Purchasing Division will request the vendor to provide documentation confirming that the required insurance coverage has been obtained. That documentation is usually the Accord form, which will show insurance coverage during a stated period.”

*WV Purchasing Division Procedures Handbook Section 3.7.5.2*

NONCOMPLIANCE 6.4.3: Seven (7) of the 20 expenditures did not have an accompanying Certification of Non-Conflict of Interest. Section 3.7.7 of the Handbook states “The Purchasing Division requires all evaluators and advisor(s) of solicitations, despite the type of transaction, and the agency procurement officer, to sign a Certification of Non-Conflict of Interest, in accordance with the W. Va. Code § 5A-3-31.”

*WV Purchasing Division Procedures Handbook Section 3.7.7*

NONCOMPLIANCE 6.4.4: Six (6) of the 20 expenditures did not have an accompanying purchasing affidavit required for agency request for quotations (RFQ). Section 3.10.2.2 of the Handbook states “A Purchasing Affidavit is a required attachment on written Request for Quotations (RFQ).”

*WV Purchasing Division Procedures Handbook Section 3.10.2.2*

NONCOMPLIANCE 6.4.5: Two (2) of the 20 expenditures did not have appropriate bid solicitation documentation accompanying the expenditure. Section 5.2 of the Handbook delegates the spending thresholds among state agencies and the WV State Purchasing.

*WV Purchasing Division Procedures Handbook Section 5.2*

NONCOMPLIANCE 6.4.6: Two (2) of the 20 expenditure groupings did not have appropriate bid solicitation documentation accompanying the expenditures when deemed applicable. It is the opinion of the Team this was due to a lack of understanding of policy rather than a blatant violation of policy due to stringing.

*WV Purchasing Division Procedures Handbook Section 5.1 and 5.2*



#### **Corrective Actions – Financial Inquiry 4**

- Training must be obtained on the Handbook by both the finance staff and all staff who will be completing purchase requisitions and soliciting bids for applicable purchases.
- The Handbook should be reviewed in detail and all required documentation should be obtained as a part of the procurement process.
- For all purchases in excess of applicable bid thresholds, WVSDDB must ensure all required bids are obtained. Copies of all bid documents should be submitted with the requisition and retained by the finance office. This will help ensure all necessary bids are obtained prior to the creation of a purchase order and ensures the bid documentation is retained in a centralized location. Further, the county should review processes for issuing blanket purchase orders for custodial supplies or facilities-related parts to ensure bids are obtained if the annual purchase of such parts will exceed the bid threshold. If thresholds are exceeded for these purchases, agency contracts should be obtained through the bid solicitation process.
- Many of WVSDDB's purchases are paid with a P-card which is acceptable/preferred but support should be kept on file and OASIS should be utilized for better record keeping of vendor payments as a tool to identify potential stringing. Section 5.2.2 of the Handbook states "Bids should be documented and recorded for public records. A WVOASIS procurement award document is required for purchases exceeding \$2,500." WVOASIS should be utilized for better procurement record keeping of purchasing documents.
- WVSDDB should explore the creation of agency-wide contracts for the purchase of commodities or services that occur annually.
- HB2632 was passed during the 2015 Legislative session allowing certain purchasing rule exemptions. In particular, exemptions are allowed for the procurement of textbooks, instructional materials, digital content resources, instructional technology, hardware, software, telecommunications and technical services by the WVBE for use in and in support of the public schools. WVSDDB should submit an exemption request to the state legislature annually when utilizing this provision.

#### **Financial Inquiry 5**

Are grant awards and state appropriations being expended within the obligation period?

NOTE: The event which lead to the financial inquiry was an expiration of an annual state appropriation to the WVSDDB totaling \$500,000. Since the expiration of funds, mitigation efforts are taking place to prevent this from happening in the future.

#### **Procedure Conducted**

The Team reviewed a sample of five grant awards received by WVSDDB and compared expenditures incurred against the grant award with award documentation.

#### **General Observation**

Of the grant awards selected, there were no instances of the grant award not being expended within the obligation period of the award leading to the expiration of funds.

#### **POINTS OF NONCOMPLIANCE**

There were no instances of noncompliance found in the testing sample.

# Focus Area 7: Personnel

## **Overview:**

The West Virginia Department of Education, Office of Legal Services maintains frequent communication with the WVSDH Human Resources (HR) Department. The HR Department receives an extensive level of oversight, guidance, and support with all personnel-related issues from WVDE attorneys. All inquiries and requests for assistance regarding personnel law and procedure by WVSDH continue to be high-priority matters for the Office of Legal Services. The WVSDH Human Resource Department staff regularly receive timely feedback and assistance with proper decision-making protocol and personnel practices.

WVDE works collaboratively with the WVSDH Human Resource Director to provide comprehensive support in the following areas:

## **Overview: Hiring**

Human Resource Department staff confirmed that job descriptions for professional and service staff are reviewed on an annual basis to ensure accurate and updated information, as well as to reduce length and redundancy. Recently, job descriptions were reviewed and revised to make them consistent with WVDE job description formats. There is current cooperation with the WVDE Office of Human Resources to implement employment opportunity postings across both WVDE and WVSDH websites and application platforms. The Office of Legal Services provides support in reviewing candidate information and qualifications and periodically participates in the candidate interview process.

## **General Observations:**

- Job descriptions for each posting include required qualifications, duties and responsibilities, term of employment, and opening and closing dates. An Equal Employment Opportunity disclosure is also listed for each vacancy advertisement.
- Required criminal background clearances are obtained prior to an offer of employment.
- Hiring decisions for service and auxiliary staff properly utilize candidates' classifications, seniority date, evaluation data (if applicable), relevant testing information, and educational background.

FINDING 7.1: Within the last year, there was an occurrence where the candidates selected for interview did not have the experience and educational requirements as required by the job posting.

NONCOMPLIANCE 7.1: Within the last year, there was an instance that the successful job applicant selected by the interview committee was not the most qualified applicant.

## **RECOMMENDATIONS:**

- Hiring decisions for professional staff must utilize candidates' certifications, experience, degree level, academic achievement, past evaluations (if applicable), and committee recommendation to ensure vacancies are filled by the applicant with the highest qualifications as required by WVBE Policy 5000: Procedures for Designated Hiring and Transfer of School Personnel.
- WVSDH must employ highly qualified and certified teachers to implement all programs of study and ensure that teachers have specific knowledge of content standards for all programmatic levels.

- WVSDDB must employ aides and support personnel to enhance instruction and ensure quality for students in the classroom.

### **Overview: Licensure and Certification**

Due to the nature and mission of the WVSDDB, it is especially important to ensure professional and paraprofessional educators maintain the proper credentials in order to meet the unique needs of their students. WVDE Office of Certification staff conducted a certification audit of all professional personnel employed by WVSDDB during the 2020-21 school year. The current certification records reflected one current employee who did not hold valid credentials. This employee's credential had expired in June 2020.

### **General Observations:**

- The WVSDDB and WVDE Office of Legal Services and WVDE Office of Certification frequently collaborate to ensure educators maintain valid credentials and staff are appropriately credentialed for the programmatic levels in which they are employed. The WVSDDB Human Resource Department expressed during the on-site interview process that a comprehensive and consistent process exists to ensure educators maintain valid credentials.
- The WVSDDB Human Resources Director confirmed twice per year (May and December), individuals with expiring credentials are directly contacted by the Director of Human Resources regarding the necessary steps to renew required certifications as required by WVBE Policy 5202 section 7.2.a.
- The WVSDDB Human Resources Director timely prepares and submits the proposed personnel agenda to the WVDE Office of Legal Services and the Office of Certification at the end of every month in preparation for the following month's WVBE meeting. Efforts of both offices ensure that all prospective hires listed on the proposed personnel agenda brought before the WVBE for consideration of approval are examined to verify that all educators are properly credentialed and have background clearances as appropriate. Notwithstanding the deliberate and timely efforts of the WVSDDB Human Resources Director, there have been occasions where the process has been delayed causing complications with the WVDE Office of Certification and Office of Legal Services in ensuring the accuracy of the proposed personnel agenda.
- The WVSDDB Human Resources Director is knowledgeable with regard to assisting employees in obtaining and maintaining VI/DHH endorsements.
- With the exception noted above, WVSDDB adheres to WVBE Policy 5202: Minimum Requirements for the Licensure of Professional / Paraprofessional Personnel and Advanced Salary Classifications.

### **RECOMMENDATIONS:**

- WVSDDB must ensure all professional employees are working in the areas of endorsements specified on their certificates.
- All Kindergarten teachers must hold a certificate valid for teaching at the assigned level. All Kindergarten and Pre-K classroom aides must hold an Early Childhood Classroom Assistant Teachers (ECCAT) permanent or temporary authorization in accordance with West Virginia Code §18-5-18.

- The school leadership Team explore the possibility of providing support/tutoring to the long-term substitutes who have not passed the PRAXIS exam.
- The schools must continue to post positions without certified teachers, if the vacancy is not filled with a certified, full-time teacher.

### ***Overview: Employment***

Along with the WVSDB Human Resources Office, the WVDE Office of Legal Services handles a variety of employment issues, including all matters regarding employee grievances. Within approximately the past year, there have been six (6) employee grievances filed with the West Virginia Public Employees Grievance Board. To date, three (3) have been resolved, two (2) level one conferences have been held in May 2021, and one (1) level three hearing was held in early June 2021.

### **General Observations:**

- Through the on-site interview process, it became apparent that avenues of communication are open and available for employees to voice concerns to the WVSDB Director of Human Resources.
- At the conclusion of the school year, the WVSDB Human Resources Director undertakes a review of employees' classifications and years of service. Recently, there have been two (2) related issues in which it was necessary to adjust salaries and reclassify service personnel who had not been properly classified based on verification of over one year of experience in a special education setting.
- WVSDB leadership has recently undertaken to meet with professional and service employees to discuss staff development and training topics for all job classifications.
- WVSDB utilizes a policy review committee. Presently, there are two (2) policies under review, to include Policy 7050 — Dress and Grooming, and Policy 2500.01 — Mandatory Professional/Staff Development. Policy 7020.06 — Communication Policy is slated to undergo review in the Fall of 2021.

### **RECOMMENDATIONS:**

- An employee handbook is issued to all current WVSDB employees at the beginning of a new school year. The WVDE Office of Legal Services shall undertake a review of the handbook in the upcoming months.
- WVSDB staff are regularly rewarded for additional years of service, yet many do not communicate historic work experience in a timely fashion after their date of hire. WVSDB should consider a one-time call for submission of past service or require submission within 60 days of hire for new employees. This would likely benefit the Office of Human Resources, as well as the WVSDB Finance and Payroll Departments.

### **General Observations: Reduction in Force and Transfer**

The WVDE Office of Legal Services worked extensively with WVSDB on the school's personnel needs early this year. At the beginning of SY20-21, WVSDB had 184 professional and service personnel positions on a Full-Time Equivalency (FTE) basis. During the personnel process, 44 positions were eliminated reducing FTE for SY21-22 to 140. 140 FTE includes 125 filled positions, as well as 15 declared

vacancies that have been posted for the upcoming school year. The following actions were approved by the WVBE in April 2021:

- three professional personnel probationary contracts were non-renewed
- six vacant professional positions were eliminated
- thirteen service and auxiliary personnel positions were reduced-in-force (RIF). Of these, two employees retained their employment in one or more of their classifications and three positions were reconfigured to a re-titled position.
- eighteen service and auxiliary personnel probationary contracts were non-renewed; and
- nine vacant service and auxiliary positions were eliminated.

Additionally, all WVSDB employees were transferred due to the institutional reorganization that classified all staff as employees of the West Virginia Schools for the Deaf and the Blind without specific reference to the School for the Deaf or the School for the Blind.

- In October 2020, the WVSDB Director of Human Resources began communicating with school leadership and staff supervisors about their department staffing projections for SY21-22. All planning documentation was to be submitted to the acting Superintendent and the Human Resources Department in December 2020.
- Information regarding personnel needs was reviewed at the school level in January 2021 and received and reviewed by the Office of Legal Services during February and March 2021.
- Upon completion of the personnel reduction process, the WVSDB Director of Human Resources provided notices to all affected employees as required by West Virginia Code §18A-2-1, *et seq.*
- Personnel hearings as requested by affected employees were conducted by the WVSDB Office of Legal Services as required by West Virginia Code §18A-2-1, *et seq.*
- Through the on-site interview process, it became apparent that many WVSDB staff members remained troubled by the reductions in personnel while simultaneously recognizing that the school was over-staffed based on the number of enrolled students.

**RECOMMENDATIONS:**

- School leadership adopt procedures to adequately evaluate professional and service staffing needs throughout the school year.
- School leadership obtain a better understanding of classroom needs by being more present within the schools.
- The assignment of classroom aides and paraprofessional staff must be accurately determined based on student needs for services.
- Teacher and classroom aide schedules must be adequately developed and continually monitored to ensure thorough instruction and student support.
- School leadership should determine more efficient ways to utilize service and auxiliary staff when devising schedules to meet the needs of students.
- The appointed superintendent express expectations to the HR staff, provide continued support, and hold staff accountable for the roles and responsibilities in their job descriptions to avoid reoccurring mistakes that have resulted in the above findings and non-compliances.

## Focus Area 8: Leadership

Note: “The effectiveness of the school principal, next to that of the classroom teacher, is the single most significant influence on student achievement. Principals who have interpersonal and collaborative skills combined with technical expertise in instructional leadership can dramatically elevate the overall effectiveness of a school. Each school has its own unique culture, level of expectation, priorities, procedures, and programs that come together to positively or to negatively influence student learning. It is the role of the school principal to elevate the quality of operations and to align the efforts of staff, so they blend to support the learning and well-being of each student.” Policy 5800, Section 5.1.

### **Overview:**

The WVSDB is currently lead by two co-principals. One of the co-principals also serves as the part-time special education director. The Team determined this principal was primarily working full-time as the special education director in the administrative building. While the principal/special education director has been a longstanding member of the staff, the other co-principal assumed the role of principal at the beginning of the current school year.

The Team determined the leadership issues that exist at the school and contributed to the findings in this report, have been long standing. Additionally, the school has experienced turnover in the superintendent role frequently during the past five years.

The current acting superintendent of the school was appointed to the position in August 2020. The staff indicated they have enjoyed working with the current acting superintendent and her leadership was crucial during the COVID-19 National Emergency.

During interviews with administrative staff, responses focused on the day-to-day operations, recruiting more students, the need to hire more people, and logistics. No one mentioned students until the end of the day when Team members met a lady who was working in the IRC preparing large print materials for blind and low-vision students.

FINDING 8.1: The Team noted decisions, such as hiring of personnel, scheduling, and transporting students to home goings, were based on the needs of adults as opposed to students. WVBE Policy 5800, Section 5.2.a.4.

RECOMMENDATION: The superintendent and principals place children at the center of decision-making to promote each student’s academic success and well-being.

OBSERVATION: Effective communication has a significant impact on the success of improving student achievement and moving WVSDB’s vision forward. During the on-site interview process, staff members expressed a lack of communication and coordination between administration and staff members.

FINDING 8.2: Interviews consistently indicated teaching and service staff experienced a lack of communication with the administrative staff. Additionally, it was reported that instructional staff and residence staff do not have opportunities to communicate regularly regarding student academics or student well-being. The Team also learned the teachers at the Blind School and the Deaf School do not know each other and do not collaborate, problem solve, or network together. Additionally, interviews and discussions with community and family members associated with the school also indicated a need for improved communication and dialogue. WVBE Policy 5800, Section 5.2.a.2.

#### RECOMMENDATIONS:

- The superintendent and principals communicate regularly with all staff, foster a sense of teamwork, and make decisions by collaborating with staff, students, and the community.
- The principals greet students as they enter the campus/building at the beginning of the school day and as they depart to build relationships with students and parents.
- Leadership must advance the importance of communicating student achievement goals, requirements and expectations with staff, parents, and students, and communicating goals and vision. Furthermore, it is important that leadership consistently share comprehensive information and data relevant to the school to stakeholders. While such information is not always flattering or easy to communicate, the superintendent should lean toward full transparency to continue to build credibility and trust with the families, school employees, and the public.

OBSERVATION: During the on-site interview process, a lack of teamwork across departments became apparent to the Team.

RECOMMENDATION: All school departments operate as a network rather than in isolation. Administrators and staff members are encouraged to cross boundaries and work in teams to propel the school toward achieving its organizational mission.

NONCOMPLIANCE 8.1: Formal observations for WV Professional Educator Evaluation were not completed for teachers.

*WVBE Policy 5310, Performance; Evaluation of School Personnel*

*WVBE Policy 2510, Section 7.1.b.6*

#### CORRECTIVE ACTIONS:

- Ensure all components and timelines, i.e., self-reflections, educator goals, observations, observation conferences, and summative evaluations, for WVBE Policy 5310 are strictly followed. The administration must delineate who is responsible for all educator evaluations, including teachers, counselors, and administrators. The appointed superintendent must monitor the principals to assure timelines are met. Additionally, administration must develop a process and schedule for conducting regular classroom walkthroughs and provide meaningful feedback to teachers regarding instruction and student well-being.
- The co-principals must ensure the required annual WV Educator Evaluation training takes place prior to the beginning of each school year.

NONCOMPLIANCE 8.2: The Team determined the co-principals at the WVSDB did not ensure effective instruction was provided to increase student achievement. The Team did not observe an expectation, on behalf of administrative leaders, that teachers use high-yield instructional strategies. Furthermore, consistency of interview responses revealed the co-principals rarely visited classrooms.

*WVBE Policy 2322, Section 4.1.b.*

*WVBE Policy 5800, Section 5.2.b.1 & 5.2.c*



CORRECTIVE ACTIONS:

- The principals must collaboratively sustain a learning-centered vision, mission, and goals that promote the academic success and well-being of each student and reflect student needs through facilitating rigorous curriculum, engaging instruction, and balanced assessments.
- The principals shall work with staff to ensure instructional practice that recognizes student strengths, promotes a healthy sense of self, is intellectually challenging, and is differentiated and personalized.

FINDING 8.3: The Team observed limited opportunities for students to engage in leadership roles.

*Policy 2322, Section 4.1.b., Instructional Leadership.*

RECOMMENDATION: The school develop and implement a plan that includes opportunities for students to experience leadership roles during and after the school day.

OBSERVATION: During leadership interviews, when discussing student post-secondary placement, the comment was made, "They go home to their families and their families take care of them." Pressing further, the Team learned in the past three years no graduates were placed in a post-secondary education environment, nor were they employed. The Team observed a lack of sense of urgency when this was communicated by employees of the school to the Team. It appeared to the Team that employees felt this was an expected and allowable outcome.

FINDING 8.4: Overall, the Team observed a lack of high expectations. Many interviewees stated, "These kids just can't do what other kids can do." When asked about certain practices, many stated, "We do this because it is what the WVDE says we should do." The Team observed an absence of self-efficacy and the staff believing in their ability to successfully teach the students.

RECOMMENDATION: The administrative staff, acting superintendent, central office staff, and principals work to build a culture of high expectations for success and purposefully provide a climate in which all students can learn and succeed. All teachers respond to students with the confidence and expectations they can achieve mastery and, when they do not learn, make adjustments and provide scaffolding to assure students do achieve mastery.

OBSERVATION: The WVSD acting superintendent has recently begun to hold monthly meetings with members of school leadership. During the on-site interview process, many directors approved of this practice as a way to increase communication and collaboration between departments.

RECOMMENDATION: The acting superintendent continue holding regular leadership meetings and consider increasing the frequency of meetings to weekly. Each director should endeavor to meet with their department staff members on a consistent basis in order to advise and receive input on relevant school-related issues.

FINDING 8.5: The special education director stated that if applications and IEPs are submitted to the school that do not reflect deafness or blindness as the primary eligibility, the director calls the county and advises the county of what the IEP should reflect for the student to become eligible. Following this, the sending district will convene another IEP meeting and change the IEP to reflect deafness and/or blindness as the primary impairment. Once this occurs, the student is then admitted to the school.

*WVBE Policy 2419, Chapter 4, Section 1*



RECOMMENDATION: The school shall comply with all WVBE Policy 2419 regarding primary eligibility and assure all students are served in the least restrictive environment. The school must provide interested parties with clear admissions criteria that support the vision and mission for the WVSDB.

## Additional Findings

While the scope of the special circumstance review addressed specific areas, during the process the Team discovered items of significance that warranted additional findings.

### FINDINGS 9.1:

- The Team determined the compilation of the above findings and noncompliances indicates the school has strayed from its original mission and vision.  
*WVBE Policy 2322, Section 4.1.a.*
- The Team determined the administrative staff have allowed the desire to increase student enrollment to overshadow accurately evaluating and providing appropriate supports to students with disabilities.  
*WVBE Policy 2322, Section 4.1.a.-4.1g*  
*W.Va. §18-17-5.*

RECOMMENDATION: School leadership work in collaboration with the WVDE to revitalize the schools' original vision and assure the school's purpose and approach supports learning for all students. School leaders must develop a culture of ownership for student success, establish shared beliefs and values among all staff members, and foster a commitment to the shared vision that includes assuring the school will be the center of excellence in the education of deaf, hard of hearing, blind, and low vision students so they will achieve success as productive independent members of society.

NONCOMPLIANCE 9.2: The WVSDB website does not offer adequate accessibility options to people with disabilities.

*WVBE Policy 2460, Section 10.2.j. Section 504 of the Rehabilitation Act, The Americans with Disabilities Act, Title II.*

CORRECTIVE ACTION: WVSDB shall commit to making its electronic and information technologies accessible to individuals with disabilities by complying with federal laws that prohibit discrimination based on disability, and those that ensure that individuals with disabilities have equal access to electronic information and data. WVSDB must ensure that the website is easy to use, functional, and with content that is accessible to people with disabilities who utilize assistive technology to access the internet by including options regarding contrast, text size, text spacing, and reading guides, and screen reader programs.

RECOMMENDATION: Build on the momentum started at the Instructional Resource Center WVSDB shall continue to explore and expand the resources available to the WVSDB and for all deaf/hard of hearing and/or blind/vision impaired.







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