



**Office of Education
Performance Audits**

**PROGRESS REPORT
FOR
FAYETTE COUNTY SCHOOL SYSTEM
AUGUST 2014**

WEST VIRGINIA BOARD OF EDUCATION

6.7.2. Policy Implementation

Issue(s):

Does the Fayette County School System have all appropriate policies updated and available to employees?

Findings:

As with most county boards, the Fayette County Board of Education itself has, for the most part, not engaged in an extensive policy audit, although, over the years, the board has acquired some policy “revision” work from various sources, including the law firm of Bowles Rice McDavid Graff & Love.

Improvement Consultant Team Recommendation(s):

1. Complete, as soon as possible, a policy audit concentrating on a) “required” statutory and state Board of Education policies initially, (b) followed by more extensive policy revision as necessary or warranted.
2. Once the audit is completed, provide county board members training in the role and function of policy, policymaking, including most critically effective policymaking operations and processes and training relating to a) policymaking per se and the county board’s role, b) monitoring and oversight as relating to policy, c) program evaluation as can be undertaken by a corporate board via an effective policy approach to governance.

OEPA Six Month Progress Report

Both the superintendent and assistant superintendent have verbally verified that these have been completed (10-30-07).

Board training was conducted by Dr. Howard O’Cull on May 15, 2007 and May 29, 2007 (documents provided by the superintendent).

OEPA Six Month Progress Report

1. The Team reviewed the original findings and reported the following.
 - Alternative Education. County policy outdated; State Board Policy 2418 effective 08/14/00; County policy D-12 was dated 01/21/97.
 - FC Policy D-12 (Alternative Education) was adopted January 21, 1997, and revised on March 5, 2007.

OEPA November 2008 Review

CORRECTED. Overall the Fayette County Board of Education policies were current with W.Va. Code and West Virginia Board of Education policies. A few policies needed minor language/revision and are listed in this section. Policies posted on the website and official printed policy manual also needed to reflect all current policies.

- Fayette County Board of Education Policy D-12 was revised 03/05/07 and again 11/05/07. The policy was current with West Virginia Board of Education Policy 2418 which was effective 08/14/00.

OEPA December 2009 Review

PERTINENT HISTORICAL INFORMATION

- On November 20, 2002, a Policy Manual Review Preliminary Audit Report was provided to the Fayette County Board of Education by a knowledgeable third party after a thorough review of the Fayette County Board of Education Policy Manual. Recommendations were made that, if implemented, would bring the Fayette County Board of Education Policy Manual into compliance with federal, State Code, and West Virginia Board of Education policies.
- In June 2007, Fayette County Schools' policies were again reviewed by a knowledgeable third party to ensure movement toward compliance with federal, State, and West Virginia Board of Education laws/regulations and/or policies. (An educational attorney with Bowles Rice McGraff David Love reviewed the Fayette County Policy Manual in the presence of the Fayette County associate superintendent. During that meeting, the associate superintendent took notes regarding the need for review/revision/repeal of each policy.
- The associate superintendent reported that per the attorney's recommendations, all Fayette County Board of Education policies were subsequently reviewed, revised, and or repealed by August 2008.
- The November 2008 OEPA review found that overall, required Fayette County Board of Education policies were present and complied with West Virginia Board of Education policies. However, several policies needed minor language revision. The following policies required language revision.
 - E-22 Student Substance Abuse (2004)
 - FC Policy E-22 revised February 23, 2007.

OEPA November 2008 Review

- Fayette County Board of Education Policy E-22 was replaced with Policy A-28 as a combined "Substance and Tobacco Control" policy. See next item for follow-up.

OEPA December 2009 Review

COMPLIANCE. Fayette County Board of Education Policy E-22 was reviewed, revised, and adopted May 5, 2008. This policy was current with West Virginia Board of Education Policy 2422.5, *Substance Abuse & Tobacco Control*, and available online and in printed form.

- A-28 Tobacco Control (2000). There is a declared policy in the 2006-2007 Student Handbook; however, the Fayette County Policy Manual contains this outdated policy.
- FC Policy A-28 revised February 23, 2007.

OEPA November 2008 Review

- Fayette County Board of Education Policy A-28 was renamed “Substance and Tobacco Control” and adopted 05/05/08. This policy was current with West Virginia Board of Education Policy 2422.5, *Substance Abuse and Tobacco Control*.

OEPA December 2009 Review

COMPLIANCE.

- B-24 Annual Recommendation of School Personnel by Principals ... (1993) refers to county policy #B-40 which did not exist;
- Fayette County Policy B-24 is still in the original form as noted in the January 2007 audit report; this policy still refers to Policy B-40 which is once again not found in the policy manual provided to the review team.

OEPA November 2008 Review

- Fayette County Board of Education Policy B-24 no longer existed per the policies the Team reviewed online at <http://boe.faye.k12.wv.us> under Policies nor contained in the printed copy of the county policy manual.

OEPA December 2009 Review

COMPLIANCE.

- G-5 Guidelines for Administering Medication in Schools (1994)
- FC Policy G-5 was adopted December 20, 1994 and revised on March 5, 2007.

OEPA November 2008 Review

- Fayette County Board of Education Policy G-5, now entitled “Medication Administration” per their website, was being formatted for the website. The

revised policy was adopted by the Fayette County Board of Education 03/05/07. The Team reviewed a printed copy of the Fayette County Board of Education policy and reported that it corresponded to West Virginia Board of Education Policy 2422.8, *Medication Administration Policy*. (Note: Policies were listed on the county website that could not be referenced through the website [being formatted for electronic access]. They were listed in black print. These policies were found in the printed policy manual.)

OEPA December 2009 Review

COMPLIANCE. Fayette County Board of Education Policy G-5 was reviewed, revised, and adopted on March 5, 2007. This policy was current with West Virginia Board of Education Policy 2422.8, *Medication Administration Policy*, and was available online and in printed form in the associate superintendent's office.

- D-13 Course Credit by Testing (1998) refers to instructional goals and objectives as well as the 10% grading scale; now utilizing content standards and objectives and the state uniform grading scale.
- FC Policy D-13 was adopted April 6, 1998, and revised on February 23, 2007; county policy now references Content Standards and Objectives as well as the state uniform grading scale; FC Policy D-9 (Adolescent Education 9 – 12 Graduation Requirements for Programs of Studies Around Career Clusters and Majors: revised August 6, 2007), Policy D-10 (Middle Childhood Education 5 – 8: revised July 2, 2007) and Policy D-11 (Elementary Childhood Education – PreK through 4: revised September 19, 2005) all contain the state uniform grading scale.

OEPA November 2008 Review

Fayette County Board of Education Policy D-13 “Course Credit by Testing” was revised 02-23-07 and again 05-19-08. The policy was aligned with West Virginia Board of Education Policy 2510, Section 5.6.8.c. which states, ‘A county may develop tests for the purpose of moving students more quickly through the curriculum by “testing out.” See Section 13.2. for other methods of acceleration.’

It should be noted that Fayette County Board of Education Policy D-13 states:

Senate Bill 300 and West Virginia Board of Education Policy 2510 require county boards of education to adopt policies which allow students to “test out” of classes and receive credit for these courses. These local policies must specify the conditions and requirements which set forth this process.

West Virginia Board of Education policy no longer “requires” testing out, but states that counties “may” develop tests.

OEPA December 2009 Review

- Fayette County Board of Education Policy D-13, *Course Credit by Testing*, was revised 5/19/08 and again 3/16/2009. The policy currently complied with West Virginia Board of Education Policy 2510 section 5.6.8.c. and was available online and in printed form in the associate superintendent’s office.

2. Other policies that raise concern (age of policy, citations, etc.).

- B-30 *Substitutes in Areas of Critical Need and Shortage* (2004) cites that this policy shall be effective for the school year 2004-2005 and may be renewed annually by the Board (renewal of this policy is not referenced in the policy “adopted/renewed” section).
- FC Policy B-30 was revised March 19, 2007; the reference listed above has been replaced with “This policy shall be effective for the school year 2006-2007 and may be renewed annually by the Board.” Renewal of this policy is dated March 19, 2007, with no reference to the current school year.

OEPA November 2008 Review

- Fayette County Board of Education Policy B-30 was revised 03/19/07, 12/17/07, and 09/02/08. Section 4 “Effective Date” currently states, “This policy shall be effective for the school year 2008-2009 and may be renewed annually by the FCBOE.”

OEPA December 2009 Review

NONCOMPLIANCE. Fayette County Board of Education Policy B-30, *Substitutes in Areas of Critical Need and Shortage*, was revised 03/19/07, 12/17/07, 09/02/08, and 10/19/09. Section 4 “Effective Date” stated, “This policy shall be effective for the school year 2009-2010 and may be renewed annually by the Fayette County Board of Education.” The policy continued to state that it *may* be reviewed annually. **This was inconsistent with the limited dates (2009-2010) the policy covered.**

- E-2a *Procedures for Suspension/Expulsion of Handicapped Students* (1984); #E-6a *Alternative Adult Diploma Program* (1988).
- FC Policy E-2a *Discipline of Students with Exceptionalities* (new name) was revised June 25, 2007; State Board Policy 2419 (*Regulations for the Education of Students with Exceptionalities*) was revised with an effective date of September 11, 2007 – although the county policy is verbatim from the state policy (pages 85+), the county policy adoption date (June 25, 2007) needs to reflect local adoption after state policy effective date (September 11, 2007).

OEPA November 2008 Review

- Fayette County Board of Education Policy E-2a, Procedures for Suspension/Expulsion of Handicapped Students, was not listed with the online policies, but was included in the printed policy manual with an “adopted” date of 06/25/07. The Associate Superintendent said that the printed copy should have been removed from the policy manual since the Board rescinded it 10/01/07.

OEPA December 2009 Review

- Fayette County Board of Education Policy E-2a was repealed as evidenced that it was not available online and was not in the printed policy manual located in the associate superintendent’s office.
- FC Policy E-6a Adult Basic Education Program (new name) was revised October 1, 2007.

OEPA November 2008 Review

- Fayette County Board of Education Policy E-6a (Alternative Adult Diploma Program) was revised 10-01-07.

OEPA December 2009 Review

COMPLIANCE.

- E-6b Special Education Requirements for Graduation (1986) ... e.g. policy references “Standard and Alternative Learning Outcomes Curriculum Guide”.
- This county policy no longer exists

OEPA November 2008 Review

- Fayette County Board of Education Policy E-6b, Special Education Requirements for Graduation, no longer existed as confirmed by the Team reviewing the online policies and the printed policy manual.

OEPA December 2009 Review

COMPLIANCE.

- I-4 Fire Drills (1988) ... does not match current “fire exit drill safety report” on the Office of State Fire Marshal web site.
- FC Policy I-4 revised April 2, 2007 to reflect current requirements

OEPA November 2008 Review

- Fayette County Board of Education Policy I-4 was updated 04/02/07 and 05/19/08. Although the language for the dates that school fire drills will take place were very specific, they did not align with the information (found under “Misc. Forms and Information”/“School Fire Drills Sheets”) on the State Fire Marshal’s website (<http://www.firemarshal.wv.gov/inspection/Pages/default.aspx>).

Current Fayette County Board of Education Policy reads:

- 2.1. Fire drills are to be conducted at each school according to the following schedule:
 - a. TWO (2) the first week of school
 - b. ONE (1) the second week of school
 - c. ONE (1) the fourth week of school
 - d. SIX (6) spread over the remainder of the school year.

The School Fire Exit Drill Safety Report that is to be submitted to the State Fire Marshal’s Office was attached to the county policy. This sheet did not match the one currently posted on the State Fire Marshal’s website as listed below.

The State Fire Marshal webpage with the School Fire Exit Drill Safety Report ([http://www.firemarshal.wv.gov/Documents/SCHOOL%20FIRE%20DRILL%20REPORT S.pdf](http://www.firemarshal.wv.gov/Documents/SCHOOL%20FIRE%20DRILL%20REPORT%20S.pdf)) states:

Two (2) fire exit drills shall be conducted during the first thirty (30) days of the school term and one (1) additional fire exit drill each month school is in session. During the winter months of December, January & February fire exit drills may be deferred, if there have been at least six (6) fire exit drills conducted before the drills have been deferred.

OEPA December 2009 Review

COMPLIANCE. Fayette County Board of Education Policy I-4 was revised March 16, 2009, which brought the policy into compliance with the State Fire Marshal requirements. The current Fayette County School System Fire Exit Drill Safety Report matched the one currently posted on the State Fire Marshal’s website.

- 1998 – Policy D-13 Course Credit by Testing – references unweighted grade point average outdated – references instructional goals and objectives K – 6 High School – Grading scale – not same as WVBOE – approved
- FC Policy D-13 revised February 23, 2007; now reflects “Content Standards and Objectives”; now reflects the WVBOE uniform grading scale

OEPA November 2008 Review

- Fayette County Board of Education Policy D-13 was updated 05/19/08.

OEPA December 2009 Review

COMPLIANCE. Fayette County Board of Education Policy D-13, *Course Credit by Testing*, was revised March 16, 2009. It complied with West Virginia Board of Education Policy 2510 and was available online and in printed form.

- Policy Manual revisited regarding old; no long relevant, or unnecessary policies adopted, e.g. June 6, 1972 Policy E10 Emergency Plans; February 28, 1984 Procedures for Suspension/Expulsion of Handicapped Students E-2a F4; December 14, 1982 Bus Discipline F4
- FC Policy E10 (Emergency Plans) revised March 19, 2007

November 2008 Follow-Up Review

- Fayette County Board of Education Policy E10 was revised 03/19/07.

OEPA December 2009 Review

COMPLIANCE.

- FC Policy E-2a (Discipline of Students with Exceptionalities) revised June 25, 2007; however, concern is noted that county revised policy adopted after state policy adoption date even though county policy is verbatim from state policy (see above with FC Policy E-2a)

OEPA November 2008 Review

- Fayette County Board of Education Policy was adopted 06/25/07 and a copy was in the printed policy manual, but it was not listed in the online version. This policy was rescinded by the Fayette County Board of Education 10/01/07 and staff reported that it will be removed from the printed policy manual.

OEPA December 2009 Review

- Fayette County Board of Education Policy E-2a, *Discipline of Students with Exceptionalities*, had been repealed as evidenced by not being available online or in the printed policy manual in the associate superintendent's office.
- FC Policy F4 (Bus Discipline) remains same as during original OEPA audit – county policy adopted December 14, 1982; WV State Policy 4336 (West Virginia School Bus Transportation Policy and Procedures Manual: effective May 20, 2004) was revised well after county policy was adopted in 1982;

county policy references to state code are questionable since applicable state code has been changed since 1982; county policy references FC Policy E2 (Discipline Code) which is now “Student Code of Conduct”

OEPA November 2008 Review

- This policy was no longer in the online policy list nor in the printed copy of the county policy manual. This policy was rescinded by the Fayette County Board of Education 06/16/08.

OEPA December 2009 Review

COMPLIANCE.

- West Virginia Board of Education Policy 4321. Effective November 17, 2003 – Standards for School Nutrition – County Policy H-1 Food Service Program adopted 6-1-89.
- FC Policy H-1 (Food Service Program) revised February 5, 2007.

OEPA November 2008 Review

- Fayette County Board of Education Policy H-1 was entitled, Delivery of Child Nutrition Program, as adopted by the Fayette County Board of Education 02/05/07 and 06/16/08.

OEPA December 2009 Review

COMPLIANCE.

- County Policy H-2 Sale of Soft Drinks in High Schools. September 3, 1996 W.Va. Code 18-2-6A. The sale of healthy beverages and soft drinks in schools was amended in 2005.
- FC Policy H-2 (Sale of Healthy Beverages and Soft Drinks in Schools) revised February 5, 2007; county policy language is verbatim from current WV §18-2-6a.

OEPA November 2008 Review

- Fayette County Board of Education Policy H-2 was entitled “Sale of Healthy Beverages and Soft Drinks in Schools” (revised 02/05/07). The Team found this policy in the printed policy manual and listed, but it was not available at this time through the web-based policy link.

OEPA December 2009 Review

- Fayette County Board of Education Policy H-2, *Sale of Healthy Beverages and Soft Drinks in Schools*, was revised 3/16/09. It was available online and in printed form.
- FC Policy A-13 (Fair Labor Standards Act) was adopted August 6, 2007, and revised October 15, 2007. The method of calculating overtime (policy page 4 – “Weighted average method” and “Separate rates method”) has been questioned. The superintendent verbally responded that the policy originally had the “Weighted” method but that this method would cause seasoned bus drivers (and some other groups) to lose about \$300 per pay. He has met with these groups today (the day of the follow-up audit) and, through mutual agreement as defined in the policy, would use the “Separate” method so they would not be adversely affected. New hires and certain other categories would use the “Weighted” method.

OEPA November 2008 Review

The policy remained as reviewed and adopted 10/15/07.

OEPA December 2009 Review

COMPLIANCE.

OEPA Six Month Progress Report

New Concerns

1. FC Policy A-26 (Drug-Free Workplace Policy) was adopted October 14, 1991, while WVBOE Policy 1461 (Drug-Free Workplace) was effective February 1, 1993.

OEPA November 2008 Review

Fayette County Board of Education Policy A-26 was revised 12/17/07.

OEPA December 2009 Review

COMPLIANCE.

2. FC Policy B-40 (Employee Evaluations) was most recently revised March 16, 1993, while WVBOE Policy 5310 (Performance Evaluation of School Personnel) was effective September 11, 2006.

OEPA November 2008 Review

NOT CORRECTED. Fayette County Board of Education Policy B-40 remained as revised on 03/16/93; Current policy was found in the printed policy manual but was not listed in the online list of current policies. This policy was rescinded on 07/19/04 and should be removed from the printed policy manual.

OEPA December 2009 Review

COMPLIANCE. Fayette County Board of Education Policy B-40, *Employee Evaluations*, had been repealed and was not online or in a printed copy.

3. Suggest reviewing FC Policy D-7 (Honors and Advanced Education) to clean-up some of the language within the policy (e.g. referencing CTBS achievement test, Honors Senior Math, etc.).

OEPA November 2008 Review

Fayette County Board of Education Policy D-7 was revised 04/01/08.

OEPA December 2009 Review

NEW FINDING.

Fayette County Board of Education Policy D-7, *Honors and Advanced Education*, Section 6.6.2 did not meet the criteria specified by the College Board to teach advanced coursework or West Virginia Board of Education Policy 5202, *Licensure of Professional/Paraprofessional staff*, section 24.7.7.

4. FC Policy F-7 (Special Transportation of Handicapped Students) was adopted December 14, 1982, while WV BOE Policy 4336 (West Virginia School Bus Transportation Policy and Procedures Manual) was effective May 20, 2004; WV BOE Policy 4336 contains Section 5: Regulations for Transporting Students with Disabilities Requiring Special Transportation; FC Policy F-7 should be reviewed for alignment with WV BOE Policy 4336.

OEPA November 2008 Review

Fayette County Board of Education Policy F-7 was revised 06/16/08.

OEPA December 2009 Review

COMPLIANCE.

5. FC Policy I-5 (Bomb Hoax) should be updated to accurately reflect the language in WV Code §61-6-17.

OEPA November 2008 Review

Fayette County Board of Education Policy I-5 was not in the printed policy manual or listed in the online version of the policy manual. It was moved to "Superintendent's Directives" as Policy J-5.

OEPA December 2009 Review

COMPLIANCE.

Additional policy concerns raised during November 2008 Follow-Up Review.

1. Fayette County Board of Education Policy D-11, Elementary Childhood Education/Pre-K through 4, was not current with West Virginia Board of Education Policy 2510 for the elementary level programmatic charts. County policy was revised 03/03/08 while State Board Policy 2510 was revised effective 07/07/08. The State Board policy has some language change in this area.

OEPA December 2009 Review

COMPLIANCE. Fayette County Board of Education Policy D-11, *Elementary Childhood Education*, was revised April 6, 2009, complied with West Virginia Board of Education Policy 2510, and was available online and in printed form.

2. Fayette County Board of Education Policy E-8, Student Attendance, Section 16, needed to be reviewed and include language changes of West Virginia Board of Education Policy 2510, effective 07/07/08, regarding a full instructional day for all four years for high school students (and the viability of early graduation).

OEPA December 2009 Review

COMPLIANCE. Fayette County Board of Education Policy E-8, *Student Attendance*, was revised 12/1/2008 and 9/21/09. This policy should be revised immediately to ensure compliance with the most recent revision of the West Virginia Board of Education policy.

3. The Team reviewed the following policies in paper format (printed policy manual) since they were not available online. The Associate Superintendent indicated that several policies in printed form had not been reformatted to date for electronic publication.
 - a. A-10, Utilization of Taping Devices (revised 11/02/92).
 - b. A-21a, Parent Involvement in Education (PIE) (adopted 07/02/90). The county policy references West Virginia Board of Education Policy 2200 (revised/adopted 07/01/08). This policy must be reviewed and revised given the new State Board Policy 2200.

- c. A-22, Classroom Visitation and Observation (revised 10/03/89).
- d. A-25, School Board Policy Process (revised 06/04/07). Refer to concern below in Item 5.
- e. A-32, Racial, Sexual, Religious-Ethnic Harassment/Violence (revised 02/20/03); West Virginia Board of Education Policy 2421, *Racial, Sexual, Religious/Ethnic Harassment and Violence Policy*, (effective 01/16/97). Fayette County Board of Education policy was current with State Board policy.
- f. B-3, Out-of-State Educational Meetings (revised 01/04/93).
- g. B-7, Fayette County Professional Staff Development Council. A copy of the policy located in the printed policy manual was dated 09/05/06, but was not available to view online even though it was listed as a policy online at the website. The Associate Superintendent indicated that the printed copy was being formatted for electronic access.
- h. E-2, Student Code of Conduct (revised 07/16/07). The county policy was current with West Virginia Board of Education Policy 4373, *Student Code of Conduct* (7/1/03).
- i. E-10, Emergency Plans (revised 02/19/07), was aligned with WV Code §18A-5.42 & §18A-5.43 (1995).
- j. E-13, Procedures for the Collection, Maintenance and Disclosure of Student Data (revised 12/14/82). West Virginia Board of Education Policy 4350, *Procedures for the Collection, Maintenance and Disclosure of Student Data* (effective 09/18/03). The Fayette County Board of Education policy needed to be reviewed since the State Board policy was revised in 2003.
- k. E-25, Valedictorian/Salutatorian (revised 11/21/05).
- l. E-27, 504 Policies and Procedures (adopted 03/03/87). The policy was found in the printed policy manual and was listed online, but it was not available electronically for review. The Fayette County Board of Education policy needed to review Policy E-27 given revisions to federal law/regulations and West Virginia Board of Education Policy 2419 since 1987.
- m. F-12, Location of Parked Buses (adopted 08/21/06), local policy.
- n. G-5, Medication Administration (revised 03/05/07). West Virginia Board of Education Policy 2422.8 (adopted 07/01/04). The county policy aligned with West Virginia Board of Education policy.
- o. H-2, Sale of Healthy Beverages and Soft Drinks in Schools (revised 02/05/07). Fayette County Board of Education policy aligned with and directly quoted current WV Code §18-2-6a.

OEPA December 2009 Review

PROGRESSING. The superintendent and associate superintendent specifically stated that all Fayette County Board of Education policies were available online. Also, a printed copy of the policy manual was located at each school and aligned with the online policies. Practices to ensure prompt changes were implemented as needed to the on-site printed policy manuals included a memorandum and a printed copy of the

newly revised policy stating what policy should be removed and what should be inserted as a replacement.

4. Fayette County Board of Education Policy A-25, School Board Policy Process (revised 06/04/07), Section 5. The Review of Board Policies. states: “5.1. **Outdated, Unnecessary, and Ineffective Policies.** After a period of three years from the date of the Board’s approval or last modification of a policy, the Superintendent shall notify the Board if the policy is out of date, seems unnecessary, or has proven ineffective, or whether it is in need of modification or repeal for any other reason.”

This policy illustrates that the Fayette County Board of Education **now** has a process in place to review its current policies on a cyclical basis.

OEPA December 2009 Review

No change since last review.

NEW RECOMMENDATION. Fayette County Board of Education Policy A-25 establishes the policy review/revision/repeal process. However, under 1.1.2 *Purpose – Policy Dissemination, Review and Revision*, there was no provision for repealing a policy.

5. Fayette County Board of Education Policy A-3, Notice and Conduct of Meetings; Decorum and Order for Board of Education Meetings. Section 3.6 (b) of this policy states:

Persons or delegations desiring to come before the Board after going through the proper channels shall contact the Superintendent’s office prior to the time of a Board meeting and schedule an audience before the Board. Notice of all audiences scheduled shall, if possible, be included on the agenda delivered to members of the Board by the Superintendent.

WV Code §6-9A-3 states:

Except as expressly and specifically otherwise provided by law, whether heretofore or hereinafter enacted, and except as provided in section four [6-9A-4] of this article, all meetings of any governing body shall be open to the public. Any governing body may make and enforce reasonable rules for attendance and presentation at any meeting where there is not room enough for all members of the public who wish to attend. This article does not prohibit the removal from a meeting of any member of the public who is disrupting the meeting to the extent that orderly conduct of the meeting is compromised: Provided, That persons who desire to address the governing body may not be required to register to address the body

more than fifteen minutes prior to time the scheduled meeting is to commence.

County policy states that those desiring to come before the county board to contact the Superintendent's office prior to the time of a Board meeting while W.Va. Code states that persons who desire to address the governing body may not be required to register to address the body more than fifteen (15) minutes prior to the time the scheduled meeting is to commence.

OEPA December 2009 Review

COMPLIANCE. Fayette County Board of Education Policy A-3, *Notice and Conduct of Meetings*, was revised 3/17/08 and 4/21/09. It complied with W.Va. Code §6-9A-3. Specifically, the Fayette County Board of Education policy states that persons who desire to address the governing body may not be required to register to address the body more than five (5) minutes prior to the time the scheduled meeting is to commence.

6. The following policies were rescinded by the Fayette County Board of Education on the date indicated as verified by the Team review of the Official Fayette County Board of Education Minutes of meetings.
 - a. A-29, Evaluation of Administration by Subordinates, rescinded 10/01/07.
 - b. A-33, Assignment of School Staff, rescinded 02/19/08.
 - c. E-2a, Discipline of Students with Exceptionalities, rescinded 10/01/07.
 - d. E-14a, Schedule Changes, rescinded 03/17/08.
 - e. E-14b, Acceptance of Credits Outside the School Curriculum, rescinded 05/19/08.
 - f. E-23, Male-Female School Social Relationships, rescinded 10/15/07.
 - g. F-3 rescinded 06/16/08; replaced by F-2, Transportation Policy and Procedures (06/16/08).
 - h. F-4 rescinded 06/16/08; replaced by F-2, Transportation Policy and Procedures.
 - i. F-6 rescinded 06/16/08; replaced by F-2, Transportation Policy and Procedures.
 - j. F-8 rescinded 06/16/08; replaced by F-2, Transportation Policy and Procedures”
 - k. F-10 rescinded 06/16/08; replaced by F-2 “Transportation Policy and Procedures.
 - l. B-24, Annual Recommendation of School Personnel by Principals, rescinded 03/19/07.
 - m. E-6b, Special Education Requirements for Graduation, rescinded 03/05/07.

OEPA December 2009 Review

COMPLIANCE.

7. (Bomb Hoax) was changed to J-5 (Bomb Hoax) on 12/18/07. The Associate Superintendent said that I-5 was never a policy and was moved to the Fayette “County Superintendent Directives” section of the online policies.

The Follow-up Education Performance Audit Team found a lack of consistency in what the county provided as the “official” printed Policy Manual for Fayette County Schools and the online policies. The Team found a lack of continuity between the new online list of policies and the printed policy manual.

It should be noted that the references above by the November OEPA Team to the “written policy manual” was the manual provided the Team for review along with the online policies on the Fayette County Board of Education website.

OEPA December 2009 Review

COMPLIANCE/CONCERN NOTED.

Other pertinent information from the December 2009 OEPA Review.

- The Team performed a random comparative analysis of the current Fayette County Board of Education policies and West Virginia Board of Education policies with particular emphasis on those cited during previous OEPA visits. This was done via direct policy review/observation and interviews with the superintendent and associate superintendent.

Fayette County Board of Education Policy A-11 established personnel file confidentiality. Given the language of Section 2.2.3 (d), *Security & Confidentiality*, the policy seemed to grant **individual** board members access to personnel files. This is contrary to the working definition of “BOARD OF EDUCATION” – an entity consisting of five individuals that work collectively as one unit.

- All Fayette County Board of Education policies were online.
- A printed policy manual was provided to each school principal; a process (practice, no written procedure) was in place to ensure prompt replacement of revised policies.
- Continuity was evident between the online policies and the printed policy manual.
- Central office personnel provided staff development to all on-site administrators concerning policy review and replacement at the beginning of the school year (August 12, 2009).
- Appropriate student policies were provided and reviewed with students at the beginning of the school year (2009-2010) via the Fayette County Student/Parent Handbook and Calendar and Student Code of Conduct brochure.
- Appropriate employee policies were provided and reviewed with employees at the beginning of the school year via the Fayette County personnel handbook.

- Appropriate policies were published in the newspaper to inform the community of the important policies and how to access them.
- Policy issues were a standing item on the Fayette County Board of Education regular meeting agendas.
- The Student Code of Conduct and the Bullying/Harassment policies were updated and complied with West Virginia Board of Education policies. Practices (not written procedures) were in place that ensured consistent and equitable practices regarding student due process, parent notification, and appropriate data entry into WVEIS.

OEPA PROGRESS REVIEW JUNE 2014

COMPLIANCE. The Office of Education Performance Audits (OEPA) reviewed Fayette County School District's policies cited in previous OEPA reports. The Team found all county policies were current and included the necessary information.

OEPA RECOMMENDATION

Based upon the results of the progress Education Performance Audit, it **is recommended and a motion is requested that partial control be returned to the Fayette County Board of Education in Policies.**

The Office of Education Performance Audits (OEPA) recommends that all other areas of intervention remain in place.

The OEPA recommends that the West Virginia Board of Education continue the Nonapproval status of the Fayette County School District.