



***West Virginia School Board Association
Orientation '22 Program***

***June 24/25, 2022
Canaan Valley Resort & Conference Center***

***West Virginia School Board Association
2220 Washington Street, East, Suite 2, Charleston, WV 25311
(304) 346.0571 / www.wvsba.org***

Agenda

***West Virginia School Board Association Orientation '22
June 24/25, 2022
Canaan Valley Resort & Conference Center***



Friday, June 24, 2022

8:30 a.m. Registration
Main Lobby

8:30 a.m. Refreshments/Pastries
Aspen Room

10:00 a.m. **First General Session – “Putting County Board Service Into
Maple/Balsam/Spruce *Perspective: Reflections from a State Board of Education
Member Having Served on a County Board”***

Presiding –

Gus Penix, Ed.D. (Nicholas), WVSBA President -elect

Presenter –

Paul Hardesty, member West Virginia Board of Education / Co-
Chairman County Board Member Training Standards Review
Committee (TSRC)

10:45 a.m. Luncheon
Maple/Balsam/Spruce

Session Emphasis

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1:00 p.m.

Maple/Balsam/Spruce

Second General Session – “Welcome to West Virginia School Law!”

Presiding –

Tammy Jo Samples (Upshur), WVSBA Vice President

Presenters –

Howard E. Seufer Jr., Esq., Partner, Bowles Rice LLP,
Charleston, W. Va. School Board Association Counsel

Kimberly S. Croyle, Esq., Partner, Bowles Rice LLP,
Morgantown, W. Va.

It’s been said that West Virginia’s school laws restrict local school boards more than those of any other state, vesting most control over public education at the state level and limiting the discretion of county boards of education. Is this so? Where is your school board in the legal scheme of things? What are its legal powers and legal limits? Why should you, as a board member, be concerned about them? What can you lawfully do to advance your own dreams for the schools? Champions of county boards of education, Howard Seufer and Kim Croyle will lift the veil on these issues, with timely, practical suggestions for putting the school laws to good use.

3:00 p.m.

Aspen Room

Break

3:15 p.m.

Maple/Balsam/Spruce

Third General Session - “Parliamentary Procedure – What is Just the ‘Right Amount’ for County Boards?”

Presiding –

Jared T. Billings (Mason), WVSBA Financial Officer

Presenter –

Roger G. Hanshaw, Esq., Bowles Rice LLP Special Counsel

Mr. Hanshaw's presentation will serve as a guide for county board use of parliamentary procedure.

5:45 p.m.
Maple/Balsam/Spruce

Dinner

7:00 p.m.

**With *apologies* to Janis Joplin:
*Now that (we're) here, where (are we)?***

Discussion Cohorts:

Willow Room

Johnita Jackson (Wayne),* Lead Facilitator, Todd Alexander, Wayne County Schools Superintendent, Jared T. Billings (Mason)*

Hawthorne Room

Tammy Jo Samples, Ed.D. (Upshur),* Lead Facilitator, Mike Prichard (Wyoming), Daniel C. Metz (Wirt)

Pine Room

Torie Jackson, Ed.D. (Ritchie),* Lead Facilitator, Patrick H. Murphy (Berkeley),* Ryan Saxe, Cabell County Schools Superintendent

Birch Room

Nancy Walker, Gus Penix (Nicholas),* Lead Facilitator, Robin J. Lewis (Lewis County Schools Superintendent)

Elm Room

Charlotte Hutchens, Ed.D. (Raleigh), Lead Facilitator, Pat Gray (Fayette)*, Marie Hamrick (Raleigh)

Hemlock Room

L. Paul Hardesty, member West Virginia Board of Education, Lead Facilitator / County Board Member Training Standards Review Committee (TSRC), Howard M. O'Cull, Ed.D., West Virginia School Board Association Executive Director

Participants join in small-group discussions regarding county board service. During these sessions, participants discuss county board service from the vantage of Orientation presentations or to seek clarification regarding public education issues or matters of local or state concern, as well as discussing general county board matters of concern. Each group will prioritize three questions for the Saturday Orientation ‘Parliament.’

Accordingly, the group will choose a recorder from among its members. Or facilitators may serve in this role.

*Member West Virginia School Board Association Executive Board.

8:00 p.m. Reception
Aspen

Saturday, June 25, 2022

7:00 a.m. Breakfast Buffet
Maple/Balsam/Spruce

8:30 a.m. **Fourth General Session - “The West Virginia Ethics Act: It’s
Maple/Balsam/Spruce *Application to County Boards of Education and County Board
Members”***

Presiding –

Patrick H. “Pat” Murphy (Berkeley), WVSBA Past President

Presenter -

Kimberly B. Weber, Esq., Executive Director, West Virginia Ethics Commission

Ms. Weber’s presentation relates to general information regarding the state Ethics Act and the state’s Pecuniary Interest law, both of which have bearing on the conduct of county boards of education members and county boards. A portion of the presentation will focus on the state Ethics Commission’s role (through its Committee on Open Governmental Meetings) to interpret these laws – often referred to as the state’s “Sunshine Laws.” Especial mention concerns the Ethics Commission having no authority or power to enforce the Open Governmental Meetings Act. In terms of the state’s Pecuniary Interest Act (§61-10-15) and the strong import of this Code on county board member and county board actions. This Code, dating to the 1860s, relates to conflicts of interest.

9:45 a.m.
Aspen Room

Break

10:00 a.m.
Maple/Balsam/Spruce

Fifth General Session - “Fast Track Overview of School Finance”

Presiding –

James P. “Pat” Gray (Fayette) – WVSBA Incoming Financial Officer

Presenter –

J. P. Mowery, Pendleton County Board of Education Business Manager; Treasurer

This Orientation session concentrates on the county board of education’s role in budgeting; how to read financial reports; how to monitor or forecast county board fiscal health and

general information about excess levies and bonds; quick view of county board fiscal standing.

11:30 a.m. Lunch
Maple/Balsam/Spruce

12:45 p.m. **Sixth General Session - Orientation 'Parliament' Concerning
Maple/Balsam/Spruce *County Board Small Group Discussion Questions***

Presiding –

Torie Jackson, Ed.D. (Ritchie), WVSBA Region 5 Co-regional
Director

Orientation participants will discuss comments, questions and concerns relating to county board service.

2:15 p.m. Final Words / Adjournment – Dr. Penix



Conference Particulars

- ◆ **Cellular Telephone Usage.** Please turn cellular telephones off or on “vibrate.”
- ◆ **Microphones.** Please use floor microphones when asking questions of respondents/panelists or making comments.
- ◆ **General Conference Questions.** Inquire at the Conference Registration Desk or see members of the association staff or executive officers.
- ◆ **Menus. Friday AM Break:** Freshly Baked Scones, Pastries, Muffins, Granola or Fruit Bars. **Friday Lunch:** Field Greens Salad with Choice of Dressings, Potato Salad, Cream of Potato and Vegetarian Vegetable Soups, Slice Ham and Swiss on Marbled Rye, Smoked Turkey and Cheddar on a Kaiser Roll,

Roast Beef and Horseradish Cheddar on Sourdough, Kettle Chips, Chef's Choice of Dessert. **Friday PM Break:** Regular Popcorn, Carmel Popcorn and Cheese Popcorn, Chocolate Chip, Oatmeal Raisin, S'mores, M&M and Double Chocolate with White Chips Cookies. **Friday Dinner:** Fresh Baked Rolls and Butter, Mixed Field Greens Salad with Choice of Dressings, Chicken Marsala, Grilled Salmon, Roasted Red Mashed Potatoes, Char-Grilled Vegetables, Chef's Choice of Dessert. **Friday Reception:** Domestic Cheese Display, Fruit and Berry Display with Fruit Yogurt Dipping Sauce, Assorted Desserts – Cakes, Pies, Cheesecakes. **Saturday Breakfast:** Scrambled Eggs, Breakfast Potatoes, Bacon, Sausage, Sausage Gravy, Fresh Biscuits, Assorted Danishes, Assorted Cereals, Orange Juice. **Saturday AM Break:** Whole Apples, Oranges and Pears, Assorted Granola and Fruit Bars. **Saturday Lunch:** Caesar Salad, Antipasto Salad, Cheese Stuffed Tortellini Primavera in a Fresh Basil Pesto, Grilled Chicken Alfredo, Sausage Stuffed Shells, Ricotta Stuffed Manicotti with a Marinara, Fresh Vegetable Medley, Garlic Bread Sticks, Chef's Choice of Dessert.

Contact the Registration Desk if you have special dietary considerations.



W. Va. School Board Association Orientation '22 Roster of Presenters *(In Order of Program Appearance)*

The following persons are presenting, presiding or facilitating in various capacities during WVSBA Orientation '22. All biographical information was provided by each individual listed. Some edits were made for style and other considerations.

Roster of Presenters



Gus Penix, Ed.D., retired with over 43 years of service in the public schools of West Virginia. He has served as a teacher, principal, district financial officer, superintendent of two school districts, director of a Regional Education Service Agency, and director of the West Virginia Board of Education's Office of Education Performance Audits (OEPA). During his recent tenure as director of the OEPA, Dr. Penix guided the state board of education in developing a new system for accrediting all schools and school systems in WV based on legislatively enacted performance expectations and state board of education adopted high quality standards. The high quality standards focus on the continuous improvement of culture, instruction, learning, and leadership for all public schools and county school districts in WV. In

retirement, Dr. Penix continues his focus on improving education by serving as President of the Nicholas County Board of Education.



Paul Hardesty is the managing member of PDH Business Solutions, a business development and consulting company in Logan, WV. Hardesty has a 30-year career of public service on both the county and state levels. He is a three-term member of the Logan County Board of Education, first elected in 1994. He also served as Board President in 2016 and 2018. Hardesty was the Logan County Administrator from 1997 to 2001. He then became the Director of the Office of Coalfield Development and legislative liaison for Governor Bob Wise. Hardesty continued his service at the statehouse, serving as the Director of the Public Energy Authority and a member of the legislative staff for Governor Joe Manchin. In 2007, Hardesty founded Capitol Concepts LLC, which grew into the largest government affairs consulting business in the state of West Virginia. In 2019, Hardesty was appointed to the West Virginia State Senate by Governor Jim Justice. He served the citizens of the 7th District for two legislative sessions in that role. Hardesty, a 1981 graduate of Richlands Virginia High School, resides with his wife Debby, in Holden, WV. He has one daughter, Brooke.



Tammy Samples, Ed.D. is president of the Upshur County Board of Education. She is currently the Director of the School of Education at West Virginia Wesleyan College and teaching in the undergraduate programs. Prior to her time at West Virginia Wesleyan she taught for 16 years in the Upshur County School System. She completed her undergraduate degree in Elementary Education in 1991 at WVU. She also holds two Masters Degrees from Marshall, in Reading and Leadership Studies, graduating in 2000 and 2004. She completed her doctoral studies at WVU in 2013.



Howard E. Seufer, Jr. Having advised and represented all 55 of West Virginia's county boards of education over the last 40 years, Howard Seufer brings a wealth of experience to a range of legal matters for school districts. His work in public education has made a lasting impact in the areas of school board governance, board/superintendent relations, business and finance, human resources and student rights and responsibilities. Howard is the senior member of the **Bowles Rice Education Law Practice**. The firm's Education Law Practice has been ranked #1 in West Virginia Education Law by *Best Lawyers in America* and designated at Tier 1 in the practice of education law by *U.S. News & World Report's Best Law Firms*. Leading peer-review organizations *Super Lawyers* and *Best Lawyers in America* both recognize Howard for his education law skills. He is a longtime member of the National School Board Association's Council of School Attorneys and is West Virginia's liaison to the Council. Since 1983

he has been legal counsel to the West Virginia School Board Association. A trained facilitator, Howard is frequently engaged as a presenter, panelist and writer on school law issues, emphasizing practical preventive advice for education leaders and administrators. Policymakers at the state and local levels regularly request his input. On occasion, he addresses legislative committees on bills affecting public education. Howard is co-founder of the Bowles Rice invitation-only *Signature Series Workshops*. Over the past two decades, the more than 200 Signature Series workshops have provided hundreds of public school administrators with focused, full-day legal instruction in interactive, small group settings. In 2018, *West Virginia Executive* magazine inducted Howard into its class of “**Sharp Shooters**” – state leaders who have a record of active participation in community service and philanthropy. In the education arena, those efforts include his active service as emeritus director and past chair of the nation’s first statewide education fund, the Education Alliance, and his prior tenure as board member and chair of SW Resources Inc., a nonprofit focused on the vocational needs of adults with disabilities. Howard previously chaired and belonged to the Board of Governors of Southern West Virginia Community and Technical College and served West Virginia University on Visiting Committees for the College of Law and the Office of Diversity, Equity & Inclusion. To this day, Howard continues a longstanding tradition serving as a volunteer reader with Read Aloud West Virginia at the Mary C. Snow West Side Elementary School in Charleston.



Kimberly S. Croyle’s practice focuses on representing boards of education throughout the State of West Virginia. She does what she does so that boards of education can do what they do best — make a difference in the life of a child. Whether it is formulating policies and providing in-service training to faculty and staff, or offering advice and guidance to school boards throughout the state on education law issues, including bullying and harassment, OCR investigations and reviews; special education issues (IDEA), §504 accommodations, personnel matters, Title IX, FERPA, Title VII, the ADA and general school laws, Kim devotes her practice to guiding boards of education and administrators through the myriad of laws and regulations they face. She appears on behalf of her clients before the West Virginia Public Employees Grievance Board; at due process hearings and mediations; in state and federal court; and before the Supreme Court of Appeals of West Virginia. Kim interacts regularly with the West Virginia State Department of Education and federal agencies, such as the Office for Civil Rights and the EEOC, on behalf of local boards of education. Kim has been named to *The Best Lawyers in America*® (Education Law) from 2013 to the present and Croyle was recognized as *Best Lawyers’ Education Law Lawyer of the Year* in the northern West Virginia region (2015, 2013). She has been interviewed by the *National Law Journal* and *The Washington Post* regarding Harassment and bullying and has been published by the *American Association of School Administrators; Leadership Insider: Practical Perspectives on School Law & Policy*; and the *National School Boards Association*. She frequently offers insight and guidance to the *Special Ed Connection*, a publication devoted to issues involving the education of children with special needs. She was named to the 2021 class of the *West Virginia Bar Foundation Fellows*. Kim is actively involved with Bowles Rice Partner in Education – Eastwood Elementary School in Morgantown, West

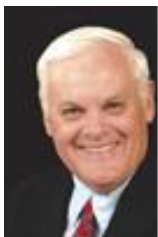
Virginia. When she is not working, you will most likely find her in the stands, cheering on her favorite players.



Jared Billings is a two-term member of the Mason County Board of Education, currently seeking his third term. He has served as President and Vice President of the local board. Jared is currently the financial officer of the WVSBA and has served as the Regional Co-Director of Region II. He is a graduate of Point Pleasant High School class of 2004, a graduate of Marshall University with an Associate Degree in Business Management in 2006, and also a graduate of the University of Rio Grande class of 2011 with an Associate Degree in Respiratory Therapy. Jared is employed at Cabell Huntington Hospital where he has been for nine years and also working PRN at Pleasant Valley Hospital. He is married to Sarah (Kinnard) Billings. They have two children, Makayla (11) and Jace (8) both attending the Point Pleasant Intermediate School. They reside in Gallipolis Ferry, WV. They attend and are members of the Henderson Church of Christ.



Roger G. Hanshaw concentrates his legal practice on the environmental and technical issues that arise in business transactions, as well as regulatory compliance matters and litigation for a diverse client base. He holds a Ph.D. in chemistry from the University of Notre Dame. This advanced science degree is critical in representing clients in the science driven field of environmental law. Roger is a certified professional parliamentarian and regularly counsels government bodies and nonprofit organizations throughout the state and nation on meeting procedures, parliamentary law, bylaws construction and convention management. He is also a certified magistrate court mediator and board of directors member for the West Virginia Farm Bureau. He is a member of the West Virginia House of Delegates, representing District 33 (Calhoun, Clay and Gilmer Counties). He is Speaker of the West Virginia House of Delegates.



Patrick Murphy is a sixteen year member of the Berkeley County Board of Education. Pat served as the President (2020-2021) of the West Virginia School Board Association. He was born in Elkins, WV, but grew up in Berkeley Springs and Martinsburg where he graduated from Martinsburg High in 1966. He enlisted and served honorably in the US Marine Corps (66-70) attaining the rank of sergeant. He graduated from Shepherd College with a bachelor's degree in elementary education (75) on the GI bill. He worked as a teacher's aide (73-75) and a classroom teacher in Berkeley County (75-00) and Jefferson County (00-05). Pat served in the WV House of Delegates (83-90) and upon the Berkeley County Commission (91-96). He serves his community as a volunteer photo instructor at the Martinsburg Boys/Girls Club (71-

present), the Martin Luther King Jr Scholarship Committee, at the Martinsburg Veterans Administration Medical Center, Berkeley County Association of Retired School Employees, AARP, and the Berkeley County chapter of the NAACP. Pat married his high school sweetheart, Beverly, fifty plus years ago, and they have two children, Tonya and Michael, along with four grandchildren.



Kimberly B. Weber is from Wheeling, West Virginia. She is a 1995 graduate of the West Virginia University College of Law. Kimberly is a former Associate Attorney for Pullin, Fowler & Flanagan, PLLC, from 1995-1999, a former Charleston City Attorney and Assistant City Attorney from 1999-2004, a former of-counsel Attorney for Moore & Weber, PLLC, from 2006-2008. Kimberly is the current Executive Director and former General Counsel and Staff Attorney for the Ethics Commission since 2010. She is married to Paul, Spirit Airline Pilot and West Virginia Attorney. She has two children daughter Kate (17) and son Wilson (15).



James P. Gray (Pat) is president of the Fayette County Board of Education and will begin his 4th term serving the citizens of Fayette County as a Board of Education member. He currently is serving an appointment by the State Board of Education on the WV Commission for Professional Teaching Standards and serves as the Preparation Committee Chair. He has worked for AT&T for 30 years with experience in corporate education and customer experience and holds a Project Manager Professional credential. He and his wife Meredith have 4 children and 3 grandchildren. Pat is a life long learner and believes all students have the chance to grow if given the right support and direction.



J. P. Mowery, CPA, is the Director of Finance/Treasurer of Pendleton County Board of Education and Adjunct Faculty at James Madison University, College of Business School of Accounting. He received his Bachelor of Business Administration in Accounting and Master of Business Administration from James Madison University. Mr. Mowery received the outstanding CPA in Government Award from West Virginia Society of CPAs in July 2013. He has worked with various state educational, political and legislative leaders to help reform the state school funding formula from 2002 to present. He has worked particularly to advocate for the basic funding needs for rural, sparsely populated counties. Mr. Mowery is a member of the West Virginia Association of School Business Officials (WVASBO) Board of Directors and a member of the WVASBO Accounting Procedures Committee. He is also a member of the West Virginia Association of School Administrators, Association of School Business Officials International and the West Virginia Society of Certified Public Accountants.



Torie Jackson, Ed.D., is president of the Ritchie County Board of Education. She is the Interim President at WVU Parkersburg, where she also oversees the WVU at Parkersburg Foundation. She's been a faculty member, a division chair, and a Vice President. She believes in putting the education of students as the priority in all of her endeavors, including rebuilding an Early College program at WVU Parkersburg. She believes that students can achieve if provided both opportunity and support. She strives to make sure they have both. She has three sons - Creed, Heath and Ruger. Her husband Todd serves in law enforcement and youth ministry.

