

**GOVERNMENT OF THE VIRGIN ISLANDS
VIRGIN ISLANDS BOARD OF EDUCATION**



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**Virgin Islands Board of Education
Regular Meeting Minutes – February 25, 2022**

I. Call to Order

The special meeting of the 20th Virgin Islands Board of Education was called to order at 4:02 p.m. by Chair Kyza Callwood.

II. Roll Call

The following were present: Kyza Callwood, Winona Hendricks, Shawna K. Richards, Emmanuella Perez-Cassius, Angel Bolques, Jr., Nandi Sekou and Terrence Joseph. Members Jeanette Smith-Barry and Judy Gomez joined after the roll call.

Staff Members Present: Executive Director Stephanie Berry. Atty. Jennifer Jones was also present.

Stenographer: Keema Krieger

III. Approval of Agenda

MOTION: Member Richards made a motion to approve the agenda.

SECOND: Member Joseph

IV. Review and Approval of Minutes

Member Smith-Barry said one of her motions from the December 29, 2021 meeting was incorrect and should correctly refer to “actual learning time”, which she wishes the Board would address at the appropriate time. Member Smith-Barry also mentioned the Vice-Chair’s motion to approve the inserted actions. She said only 3 members voted on the policy, which does not include addressing dual enrollment, early admissions, adult continuing ed, grading guidelines, guidelines for valedictorian and salutatorian, graduation credits, exit plan and other issues.

MOTION: Member Sekou moved to accept the December 29, 2021 minutes with corrections.

SECOND: Chair Callwood

So ordered.

MOTION: Member Joseph moved to accept the October 29, 2021 minutes.

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SECOND: Member Perez-Cassius

So ordered.

MOTION: Member Sekou moved to accept the January 31, 2022 minutes

SECOND: Member Joseph

So ordered.

Member Bolques asked for a roll call. Voting was as follows:

Yea (6) – K. Callwood, W. Hendricks, S. Richards, T. Joseph, E. Perez-Cassius and N. Sekou.

Nay (1) – A. Bolques, Jr.,

Not Voting (2) – J. Gomez and J. Smith-Barry

The motion carried.

MOTION: Member Joseph moved to accept the January 10, 2022 minutes.

SECOND: Chair Callwood

Objection: Member Bolques said it was a pending PERB matter and the matter should be addressed in Executive Session.

Voting was as follows:

Yea (5) – K. Callwood, W. Hendricks, S. Richards, T. Joseph and E. Perez-Cassius

Nay (1) – A. Bolques, Jr.,

Not Voting (3) – J. Gomez, N. Sekou and J. Smith-Barry

Each member was allowed two minutes to discuss matters arising from the minutes

December 29, 2021

1. Vice Chair Hendricks said that Member Smith-Barry has objections to the 9-12 policy and has not communicated her concerns to the Committee Chair or members or submitted in writing. She asked that Member Smith-Barry send her concerns to the committee, so it can be discussed and shared with the full Board.
2. Member Smith-Barry said the 9-12 policy that was approved is incomplete and does not address critical areas.

October 29, 2021

1. Member Smith-Barry asked if there is any update on the Board's inquiry to the DOE on international teachers. ED Berry said that no full list has been received.
2. Member Sekou reiterated her request for the listing of employees receiving financial assistance. ED Berry said she would send. Chair Callwood asked that it be sent to all members.

January 10, 2022

Member Smith-Barry asked if there was any feedback on the second letter sent to the former employee. Atty. Jones said a letter was sent and there was a response.

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January 31, 2022

Member Perez-Cassius asked if the offer for the Director of Business and Finance (DBF) was accepted. ED Berry confirmed that it was, and the employee would start on Monday.

October 15, 2021 Executive Session

Member Smith-Barry said the minutes did not include a motion from Member Smith-Barry.

V. Correspondence

ED Berry reviewed VIBE’s incoming and outgoing correspondence.

VI. Executive Director’s Report

ED Berry highlighted a few items:

1. Resolution on the matter involving former ED Hansen
2. The St. Croix office continues to be a challenge. ED Berry and Property and Procurement representatives met with the landlord. P&P is recommending commencement of termination of the lease and is of like mind that the Board should not be in an environment that is that is prone to mold. The landlord has not addressed the leaking roof for over a year. The office is also not ADA compliant. ED Berry reviewed a few office options: Caribe (Small), Orange Grove (Small, parking is challenging), and a new build is not yet online. ED Berry asked the Board for permission to proceed with the termination of the lease.
3. The transition to online is going well. The financial aid application process has started. The staff has conducted virtual scholarship workshops. The application cycle has been advertised as per statute and VIBE will do periodic blasts.
4. There was a soft launch for online teacher certification and some kinks are being worked out.
5. The VIBE continues to operate in budget, with no cost overruns.
6. There is no extension to the CARES scholarship, which is by executive order and is not determined by the Board. The VIBE is presently processing last payments.
7. The ED has not been successful in contacting Mr. Turnbull. She is asking for support in authorizing her to retain an architectural firm to design the Guirty House. She cited rising material costs, and legislative funding appropriated over 2 years ago as reasons to move quickly. ED Berry also noted the need to hire a construction project manager on a temporary basis.
8. VIBE’s grant application to DPNR has moved to Level 2. There is a March 4th deadline and the remaining documentation will be submitted before then.
9. For FEMA claims, the STX Project Worksheet is fully obligated. Insurance proceeds need to be deducted. For the STT PW, the ED met with FEMA and will begin to work on permitted work. Member Joseph asked what happened to the \$18,000 previously committed by FEMA. ED Berry clarified that it is a reimbursable process, and in order for the monies to be released, the VIBE will need to provide proof of purchase and pass an inspection.

MOTION: Member Perez-Cassius moved to authorize the Executive Director to commence termination of the Christiansted Restoration Corporation’s lease through Property and Procurement and identify a suitable location no later than 90 days of the Board’s approval.

SECOND: Chair Callwood

Objection: Member Joseph

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Member Gomez questioned the order of events, and whether a suitable location should not be identified before the lease is terminated. The motion was subsequently withdrawn.

MOTION: Member Perez-Cassius moved for the Executive Director to identify a suitable location for the relocation of the St. Croix VIBE office and authorize the Executive Director to proceed with termination of the lease with the Christiansted Restoration Corporation once it has been done.

SECOND: Chair Callwood

Objection: Member Joseph would like to know what the Board has done and if the owners have responded to any letters. Member Perez-Cassius said the 20th Board has discussed the status of the building since taking office and her concerns that people with disabilities do not have access to the building. Member Joseph asked to see the specific recommendations from P&P.

Voting was as follows:

Yea (8) – K. Callwood, W. Hendricks, S. Richards, A. Bolques, Jr., J. Gomez, E. Perez-Cassius, N. Sekou and J. Smith-Barry.

Nay (1) – T. Joseph

The motion carried.

Member Bolques asked if three quotes had been received for the Guirty House. ED Berry clarified that the Board is unable to proceed until an architect/plans are secured.

Member Sekou asked how much has been disbursed for the CARES grant. ED Berry said that approximately \$659,000 + \$100,000 in administrative costs has been expended so far. There has been no response from Government House whether an extension will be granted. She also said that more information is needed on the website regarding the scholarship application regarding the process and timelines. ED Berry said the verbiage has been provided to the vendor and she will expedite that.

Member Hendricks recommended that an Ad-Hoc committee be put in place to address the STX Strand Street location and Guirty House. She also suggested that another letter be sent to the Governor regarding the CARES letter. Member Richards said that we can't keep moving the needle if students aren't applying. Member Sekou clarified that the remaining funds can be given to students who have already applied. Member Smith-Barry said we don't need to send any money back. She also objected to Board member's involvement in the Strand building or Guirty House and said members should simply be kept apprised.

There was additional discussion on the FEMA claim. ED Berry said the documentation for the FEMA claim does not match with the amount received from the insurance. At this time, the Board has not met the amount for overage (contents on STX and structure for STT).

MOTION: Member Sekou moved to write to the Governor to request that the balance of CARES monies be distributed to 2020 and 2021 students who are eligible, or if that's not possible to be extended to 2022 graduates to exhaust all monies.

SECOND: Vice-Chair Hendricks and Member Joseph

All were in favor and the motion carried.

VII. Legal Counsel's Report

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Atty. Jones reported that the trial date is coming up for Moorhead v. Board of Education. She also vetted the Financial Aid Policy for Legal Sufficiency. Member Sekou asked if answers to discoveries went back out and requested a copy. Atty. Jones said she would provide.

VIII. Standing and Ad-Hoc Committees Reports

Certification

MOTION: Member Smith-Barry moved to approve the list of candidates for certifications as presented, with recommendations as indicated.

SECOND: Member Joseph

So ordered.

Member Smith-Barry reported on the work of the committee and discussed her concerns about virtual academy, which she says seems to be a separate school. She thanked her committee members and all members who attend the certification committee meetings.

MOTION: Member Smith-Barry asked that the requirements for 5 years experience be removed from requirements for counselors and social workers to take effect immediately.

SECOND: Member Gomez

Objection: Chair Callwood said that persons should have experience before working in our schools and that people coming out of college should be prepared to work in the schools.

Member Richards said that counselors and social workers are extensively trained and that the current practice is exclusionary and protectionist and keeps any qualified people out of the public school system. Member Gomez said that the imposition of 5 years is improper.

Voting was as follows:

Yea (7) – W. Hendricks, S. Richards, A. Bolques, Jr., J. Gomez, T. Joseph, J. Smith-Barry, and N. Sekou.

Not Voting (2) – K. Callwood, E. Perez-Cassius

The motion carried.

MOTION: Member Smith-Barry moved to increase the certification fee from \$25 to \$30 to take effect with the 2022-2023 school year.

SECOND: Member Joseph

Objection: Member Smith-Barry asked whether the motion has been voted out of committed.

Member Gomez said VIBE should not be increasing fees at this time.

Member Sekou said the Board is the final arbiter. She says the motion is relevant and can be brought at any time. The fee has been the same for over 11 years.

ED Berry spoke about the maintenance costs of the online system and other associated costs for certification, in response to Member Bolques' inquiry about her opinion.

Voting was as follows:

Yea (6)- W. Hendricks, S. Richards, A. Bolques, T. Joseph, J. Smith-Barry and N. Sekou.

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Nay (2) – K. Callwood and J. Gomez
Not Voting (1) – E. Perez-Cassius

The motion carried.

MOTION: Member Smith-Barry moved that effective immediately, there is no recommendation for certification without the police report.

SECOND: Member Gomez

Objection: Chair Callwood, who spoke about the importance of other required documents and said he would offer an amendment.

Voting occurred after the amendment was acted on.

Voting was as follows:

Yea (8)- W. Hendricks, S. Richards, A. Bolques, T. Joseph, J. Smith-Barry, J. Gomez, E. Perez-Cassius and N. Sekou.

Not Voting (1) – K. Callwood

MOTION: Chair Callwood moved that none of the required documents, specifically certification application, VI Driver’s License, Police Record, Physicians Statement and Official Transcript, can be waived in moving a candidate forward.

SECOND: Hendricks

Objection: Member Gomez objected to the inclusion of the VI Drivers License.

Voting was as follows:

Yea (1)- K. Callwood,

Nay (5) – S. Richards, J. Gomez, T. Joseph, N. Sekou and J. Smith-Barry

Not Voting (3) – W. Hendricks, A. Bolques, Jr., E. Perez-Cassius

The motion failed.

Items Arising from ED Report

Consistent with ED Berry’s recommendation and Member Gomez stating that the original architect should be notified, the following motion was made.

MOTION: Chair Callwood moved that the Board notify Mr. Turnbull that his services are no longer needed and to authorize the Executive Director to retain architectural and engineering services to design and develop plans for the renovation, restoration and rehabilitation of the Gurdy House no later than 60 days. Said plans must be 10 in accordance with the VIBE’s Financial Policy regarding obtaining contracts and 2) fully retaining the historical requirements as much as possible.

SECOND: Gomez

Member Bolques noted that the Board should set parameters for spending for the architectural drawings, since it will still need money for build out. ED Berry said expenditures must be consistent with VIBE financial policy. Member Perez-Cassius asked that project reports be submitted.

Voting was as follows:

Yea (8)- K. Callwood, S. Richards, A. Bolques, T. Joseph, J. Smith-Barry, J. Gomez, E. Perez-Cassius and N. Sekou.

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Absent (1) – W. Hendricks

Member Perez-Cassius reminded members of the requirement to submit committee reports.

MOTION: Member Smith-Barry moved to authorize the Executive Director to act on behalf of the VI Board of Education regarding the recovery of VI Board of Education Foundation funds in the amount of \$9,572.45 from checking account number 193-037616 that was maintained at Banco Popular de Puerto Rico.

SECOND: Chair Callwood

So ordered.

Finance Committee

Member Richards reported on the actions on the Committee on resolving collections issues and in drafting the financial aid policy.

During the discussion of the draft policy, Member Richards noted that the committee did not resolve language relating to setting a time period for uncollectable debt and that the committee also approved both scoring rubrics.

Member Smith-Barry said she believed 20 or 25 years was sufficient, provided that the Board can provide documentation and due diligence to show that the Board has done everything possible to collect the debt. Member Gomez said the Legislature has granted the Board a great tool by not having a statute of limitations on VIBE debt, which she does not think the policy supports. She asked why the Board would want to tie its hands.

Member Smith-Barry said she would hate for the policy to be stalled based on the uncollectable debt section and recommended that it be deleted and tabled for future discussion.

MOTION: Member Smith-Barry moved that the uncollectable debt section be deleted so as not to delay the vote on the financial aid and collections policy.

SECOND: Member Gomez

Voting was as follows:

Yea (6)- K. Callwood, W. Hendricks, A. Bolques, J. Gomez, T. Joseph and J. Smith-Barry

Nay (3) - S. Richards, E. Perez-Cassius and N. Sekou

The motion carried.

MOTION: Member Richards moved to accept the financial aid awards and collections policy.

SECOND: Chair Callwood

So ordered.

Policy, Rules and Regulations

Vice-Chair Hendricks reported on the work in progress in the committee, which includes student discipline and promotion and retention policies. She spoke about two action items, - graduation details and the 9th to 12th policy.

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MOTION: Vice-Chair Hendricks moved to send the VIDE Commissioner a request to provide graduation and promotion information to the VIBE, with details pertaining to themes, sites and in-person appearances.

SECOND: Member Perez-Cassius

Objection: Member Smith-Barry said that graduation is a school activity and asked how the Commissioner is involved.

Voting was as follows:

Yea (7)- K. Callwood, W. Hendricks, A. Bolques, T. Joseph, J. Gomez, E. Perez-Cassius and N. Sekou.
Nay (2) – S. Richards and J. Smith-Barry

Vice-Chair Hendricks updated the Board on the 9th-12th policy, and the insertions which has been favorably voted on by the committee.

MOTION: Chair Callwood moved to approve the inclusion of the recommended changes to the Virgin Islands promotion and retention policy for secondary level grades 9-12 as discussed in the January meeting.

SECOND: Member Joseph

Objection(s): Member Smith-Barry said the policy is lacking and there are important parts that are missing. She reiterated her previous points and said it should be a comprehensive policy that is worthy of the Board and the Department of Education.

Member Sekou said a policy is a living document and asked the status of the policy and whether it went to the public.

Member Hendricks there was poor response from the public, but all responses were considered in committee. The insertions said that once the policy is voted on again, it will be sent back to the VIDE and EAA.

Voting was as follows:

Yea (7)- K. Callwood, W. Hendricks, A. Bolques, T. Joseph, J. Gomez, E. Perez-Cassius and N. Sekou.
Not Voting (2) – S. Richards, J. Smith-Barry

Schools, Plants, and Facilities Committee

Committee Chair Emmanuella Perez reported on committee activities.

MOTION: Member Perez-Cassius moved that the full Board accept and send the drafted letter presented to all auxiliary agencies identified in Title 17 requesting specific details prescribed by the Code and Committee to assist the Virgin Islands Board of Education in completing the 2021-2022 School Management Accountability Report.

SECOND: Vice-Chair Hendricks

So ordered.

MOTION: Member Perez-Cassius moved that the Board accept and send a drafted letter to the President of the 34th Legislature inviting all members of the 34th Legislature to discuss the VI Board's SMAR outline created for the 2021-22 school year during the March SPF committee meeting.

SECOND: Member Richards

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Objection: Member Smith-Barry said she didn't know why 15 senators needed to sit down with the Board, as if the Board doesn't understand its responsibilities.

Member Perez-Cassius referenced the Board's bylaws and strategic plan for stakeholder engagement in reaching out the Senate. She said discussions with the SPF Committee was for one committee and after discussions, decision was made to extend to the entire Senate.

Vice-Chair Hendricks said it was not the way to go but agrees that the Board should find out from the Senate what its expectations were. She said she could support the motion if the Board asked the Senate to put its concerns/suggestions in writing.

The motion was withdrawn

MOTION: Member Perez-Cassius moved that the full Board accept and send a letter presented to the President of the 34th Legislature inviting all members of the 34th Legislature to respond in writing to the School Management Accountability Report outline for the 2021-2022 school year.

SECOND: Member Richards

Objection: Member Gomez was against receiving input from the Legislature and said the VI Code indicates what should be a part of the SMAR

Voting was as follows:

Yea (6)- K. Callwood, W. Hendricks, S. Richards, T. Joseph, E. Perez-Cassius and N. Sekou.

Not Voting (3) – A. Bolques, J. Gomez, J. Smith-Barry

The motion carried.

The Board discussed the haphazard notification from the VIDE regarding the return to in person learning on Monday, February 28. Member Sekou referenced an email from CAHS that said, "as you have heard". She said that parents should have an option as to whether they wanted their students to return in person. The VIDE previously said that parents would have an opportunity to opt out, which is not being honored and spoke about the legitimate concerns that parents have, i.e., illness, COVID, etc. She said the Board should hold the VIBE to their commitment and take a position and send a letter to the Department.

Member Gomez spoke about the difficulties teachers face in simultaneously teaching in person and at-home. She also spoke about the issues with VIVAS and that an immediate intervention is needed with the return to school.

ED Berry said the VIVAS information was received today and forwarded to the members.

Member Hendricks said the letter should include how the VIDE will support socioemotional needs and how the Department plans to accelerate 21st century skills.

Member Gomez said jurisdictions all over the world are trying to get their children back to school and that we have to live with COVID. She said its important to know the number of students and amount of outbreaks at schools before deciding whether children should stay at home. She spoke about the impact of online learning on the elementary students.

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Member Richards said parents should have the ability to opt out and said the distance learning policy provides for parents to opt out of in-person learning for various reasons. She also reminded members that the schools were on a hybrid schedule for reasons other than COVID.

Member Smith-Barry said that everyone needs to be in school safely.

IX. PUBLIC COMMENTS

Sen. Whitaker said that the Department of Public Works is missing from the SMAR report. She also encouraged the Board to reach out to the Department of Labor and OSHA.

X. EXECUTIVE SESSION

MOTION: Member Joseph made a motion to go into Executive Session

SECOND: Member Bolques

So ordered. The Board entered Executive Session at 7:53 p.m. to discuss personnel and financial matters.

The Board returned to regular session at 9:20.

XI. Adjournment

MOTION: Member Hendricks moved to adjourn

SECOND: Member Joseph

So ordered. The meeting was adjourned at 9:21 p.m.

Submitted By:



Shawna K. Richards, PMP
Secretary

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