

## Hope Scholarship Board Meeting Minutes

322 70<sup>th</sup> Street, SE – 2<sup>nd</sup> Floor Conference Room  
Charleston, WV 25304

February 8, 2022

The meeting the Hope Scholarship Board was called to order by Treasurer Riley Moore, Chair, on Tuesday, February 8, 2022 at 10:12 am after determination that a quorum of members was present through a silent roll call. Board members attending the meeting in person were: State Treasurer, Riley Moore, Chair; State Attorney General, Patrick Morrissey; State Superintendent of Schools Designee, Dustin Lambert; Director of the Herbert Henderson Office of Minority Affairs, Jill Upson; State Auditor's Designee, Anthony Woods; Parent Member, Jonathan "Zak" Ritchie; and Parent Representative, Amanda Hoylman, The Chancellor of Higher Education's Designee, Brian Weingart, and Parent Representative, Charles Russell, attended virtually via Microsoft Teams

The following West Virginia State Treasurer's Office (WVSTO) staff members attended the meeting in person: Steve Bohman, Sarah Canterbury, Rex Crouser, James Fuerhoff, Jared Hunt, Gina Joynes, Lindsay Marchio, and Amy Willard. Doug Buffington of the West Virginia Attorney General's Office was also in attendance. Approximately 15 members of the public attended the meeting virtually.

The agenda for the meeting consisted of the following,

- I. Welcome – Introductions/Roll Call – Call to Order
- II. Approval of Minutes from the December 10, 2021 meeting
- III. Legislative Rules Subcommittee Report and Consideration of Legislative Rules
- IV. Discuss pending lawsuit *T. Beaver et. al. v. R. Moore et. al.* with counsel – This agenda item may involve an Executive Session as provided in W. Va. Code §6-9A-4 [matters involving attorney-client privilege per *Peters v. County Commission*, 205 W. Va. 481 (1990)]. The Board majority must vote to have an Executive Session. (No action will be taken in Executive Session).
- V. Future Meetings
- VI. Adjournment

### Approval of Minutes

The Chair indicated the first item on the agenda was the approval of the minutes of the December 10, 2021 meeting, which were distributed to the members in advance of the meeting. The Chair asked if there were any additions or corrections to the minutes and none were noted. A motion to approve the minutes was made by Zak Ritchie and seconded by Patrick Morrissey. The Chair asked for discussion and there was none. The Chair polled the members and the motion to approve the minutes was adopted.

### Legislative Rules Subcommittee Report and Consideration of Legislative Rules

The Chair indicated the next item on the agenda was the report from the Subcommittee on Legislative Rules and consideration of the emergency legislative rules for the Hope Scholarship Program. The Chair recognized Zak Ritchie to give a report on behalf of the Subcommittee on Legislative Rules. Mr. Ritchie indicated the Subcommittee met on February 1, 2022 to consider emergency legislative rules for the Hope Scholarship Program. The subcommittee considered an initial recommended draft of the

rules as prepared by Board staff. One minor amendment was made to those rules during the subcommittee meeting and the subcommittee voted to recommend the rules, as discussed and amended in the subcommittee meeting, for approval to the full Hope Scholarship Board. Upon conclusion of Mr. Ritchie's report, the Chair asked if there were any questions, and none were heard. The Chair asked for a motion to receive the report of the Subcommittee on Legislative Rules, as presented by Mr. Ritchie. The motion was made by Patrick Morrissey and seconded by Anthony Woods. The Chair asked if there was any discussion, and none was heard. The Chair polled the members, and the motion was adopted.

Next, the Chair stated the emergency legislative rules, hereafter referred to as the recommended rules, for the Hope Scholarship Program, as recommended by the Subcommittee on Legislative Rules, were under consideration. The Chair indicated that Board staff were proposing a number of minor amendments to the recommended rules and recognized Sarah Canterbury to explain the staff-proposed amendments to the recommended rules. Ms. Canterbury went through each of the proposed changes to the rules by section and explained the reason for each proposed amendment. At the conclusion of Ms. Canterbury's presentation, no questions were heard.

The Chair asked for a motion to incorporate the staff-proposed amendments into the recommended rules. The motion was made by Zak Ritchie and seconded by Patrick Morrissey. Upon hearing no discussion, the Chair polled the members and the motion to incorporate the staff-proposed amendments was adopted.

The Chair asked if there were any additional proposed amendments to the recommended rules. None were heard. The Chair asked for a motion to adopt the recommended rules, as amended, to be filed as emergency legislative rules for the Hope Scholarship Program. The motion was made by Zak Ritchie and seconded by Patrick Morrissey. The Chair asked if there was any discussion, and none was heard. The Chair polled the members, and the motion was adopted.

Upon adoption of the recommended rules by the Board, the Chair asked for a motion to authorize the State Treasurer's Office to file all rules approved by the Board with the Secretary of State's Office. The motion was made by Jill Upson and seconded by Zak Ritchie. Upon hearing no discussion, the Chair polled the members, and the motion was adopted.

### **Discuss Pending Lawsuit *T. Beaver et. al. v. R. Moore et. al.* with Counsel**

The next agenda item was discussion of the pending lawsuit, *T. Beaver et. al. v. R. Moore et. al.* The Chair opened the floor for a motion. Zak Ritchie moved to go into executive session based on W. Va. Code §6-9A-4(b)(12), based on Attorney Client Privilege and the Internal Memorandum exception to the WV Freedom of Information Act. Anthony Woods seconded the motion. As there was no discussion, the Chair polled the members and the motion to enter into executive session carried.

Before entering executive session, the Chair asked that all non-board members, except for necessary WV State Treasurer's Office Staff, to vacate the conference room and wait in the lobby. Members of the public attending the meeting through Microsoft Teams were asked to log off and log back in to be placed back into the Teams virtual lobby. The Chair reminded everyone that no action would be taken in executive session. The executive session began at 10:22 am.

Upon completion of the executive session, the Chair returned the meeting to order at 10:31 am, stated a quorum was maintained, readmitted attendees waiting in the Teams virtual lobby, and reported that no action was taken by the Board during the Executive Session.

## **Future Meetings**

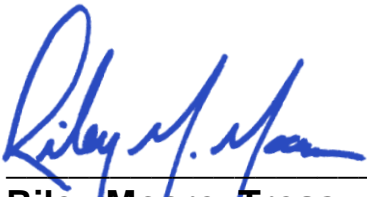
The Chair indicated that the next order of business was to discuss future meetings. He stated that the Subcommittee on Legislative Rules will need to meet after the 30-day comment period is complete for the legislative rules adopted during the meeting. Staff will work with the subcommittee members to select a meeting date and will announce the meeting in accordance with the Open Meetings Act. The Chair then indicated the next full meeting of the Hope Scholarship Board is anticipated to take place sometime after the next subcommittee meeting, with the date and time of the meeting to also be announced in accordance with the Open Meetings Act.

## **Adjournment**

The Chair asked if there was any other business to come before the Board. Hearing none, Patrick Morrissey made a motion to adjourn the meeting. Zak Ritchie seconded the motion. Upon hearing no discussion, the Chair polled the members and the motion to adjourn the meeting passed. The meeting was adjourned at 10:33 am.

Minutes prepared by Amy Willard

**Minutes approved by the Board on April 18, 2022**



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**Riley Moore, Treasurer**  
**Chair of Hope Scholarship Board**