

# Hope Scholarship Committee on Appeals Minutes

Microsoft TEAMS

March 4, 2024

The meeting of the Hope Scholarship Committee on Appeal was called to order by Anthony Woods, Chair, on Thursday March 4, 2024 at 2:02 P.M. after determination that a quorum of members was present through a silent roll call. Committee members attending the meeting: Anthony Woods, Jonathan "Zak" Ritchie and Charlie Russell.

The following West Virginia State Treasurer's Office (WVSTO) staff members attended the meeting: Steve Bohman, Amy Willard, Michelle Penaloza, Lindsay Marchio, Sarah Canterbury, Michelle Storage, James Fuerhoff, Christian White, Amy Constable, Kayla McNair, and Elizabeth Liston.

The agenda for the meeting consisted of the following

- I. Welcome – Introductions/Roll Call – Call to Order
- II. Approval of Minutes
- III. Review and Consideration of Applicant Appeals
- IV. Review and Consideration of Reimbursement Appeals
- V. Review and Consideration of Draft Procedures for Termination and Disqualification Appeals
- VI. Future Meetings
- VII. Adjournment

## Approval of the Minutes

Anthony Woods, Chair, indicated the first item on the agenda was the approval of the minutes of the January 25, 2024 meeting, which were distributed to the members prior to the meeting. The Chair asked if there were any additions or corrections to the minutes and none were noted. Zak Ritchie moved to approve the minutes and the motion was seconded by Charlie Russell. The Chair asked for discussion and there was none. The Chair polled the members and the motion to approve the minutes was adopted.

## Review and Consideration of Applicant Appeals

Anthony Woods, Chair, indicated the next item on the agenda of the meeting was the review and consideration of applicant of appeals pursuant to W.Va. CSR 112-19-11. Zak Ritchie made a motion to enter Executive Session as provided in *[West Virginia Code, Chapter 6, Article 9A, Section (4), Subsection (b), Subdivision (12)]*, which states a public agency may hold an Executive Session if there

is discussion of "...any matter which, by express provision of federal law or state statute or rule of court is rendered confidential, or which is not considered a public record within the meaning of the freedom of information act." Charlie Russell seconded the motion. No discussion was heard. The Chair polled the members, and the motion was approved to move into Executive Session.

The Committee entered Executive Session at 2:05 P.M. There were only board members and board staff in attendance.

The Board returned to order at 2:16 P.M. The Chair issued a reminder that no action was taken during the Executive Session.

Zak Ritchie made the following motions regarding applicant appeals:

- For appeal #229, which was previously put on hold by the Committee on January 25, 2024, and appeal #238, I hereby move the appeals be approved and that the Hope Scholarship Board staff notify the applicant of the Board's determination.
- For appeals #239, #240, and #241, I hereby move the appeals be denied and that the Hope Scholarship Board staff notify the applicant of the Board's determination.

The Chair asked if any members wished to vote separately on any of the student application appeals and the offer was declined. Charlie Russell seconded the motion. No discussion was heard. The Chair polled the members and the motion carried.

## **Review and Consideration of Reimbursement Appeals**

Anthony Woods, Chair, indicated the next item on the agenda was the review and consideration of reimbursement appeals pursuant to W.Va. CSR 112-19-11. Zak Ritchie made a motion to enter Executive Session as provided in *[West Virginia Code, Chapter 6, Article 9A, Section (4), Subsection (b), Subdivision (12)]*, which states a public agency may hold an Executive Session if there is discussion of "...any matter which, by express provision of federal law or state statute or rule of court is rendered confidential, or which is not considered a public record within the meaning of the freedom of information act." Mr. Russell seconded the motion. No discussion was heard. The Chair polled the members, and the motion was approved to move into Executive Session.

The Committee entered Executive Session at 2:18 P.M. There were only board members and board staff in attendance.

The Board returned to order at 2:24 P.M. The Chair issued a reminder that no action was taken during the Executive Session.

Zak Ritchie made a motion that reimbursement appeal R159 be approved and R160 be denied and that Hope Scholarship Board staff notify applicants of the Board's determination.

The Chair asked if any members wished to vote separately on any of the student reimbursement appeals and the offer was declined. Mr. Russell seconded the motion. No discussion was heard. The Chair polled the members and the motion carried.

## **Review and Consideration of Draft Procedures for Termination and Disqualification Appeals**

The Chair indicated that the next order of business on the agenda was the review and consideration of proposed procedures for termination and disqualification appeals. The Chair recognized General Counsel, Sarah Canterbury, to provide a summary of the proposal.

Ms. Canterbury mentioned that she had previously circulated a draft process for the Committee to handle the program termination and disqualification appeals. She stated there were very few concerns from the Committee, so a consideration of the draft has been added to the agenda today, as we are very close to a final product. She further indicated the agenda item could be laid over if desired.

Ms. Canterbury summarized that the draft procedure sets forth a simple procedure for program termination and disqualification appeals. The procedure outlines definitions, how an appeal would be filed, reiterates the deadline in the procedural rules, allows an appellant to receive all documents relevant to the appeal in board custody, and gives the appellant a chance to appear and be heard by the committee in person or by counsel.

Ms. Canterbury advised if Committee members if they had any legal questions about the draft under attorney-client privilege, they could go into executive session. The Chair asked if there were any questions for Sarah. None were heard.

The Chair asked if there was a motion to adopt the proposed procedures for termination and disqualification appeals, as presented by Board Staff. Zak Ritchie made a motion to adopt the proposed procedures for termination and disqualification appeals. Charlie Russell seconded the motion. No discussion was heard. The Chair polled the members and the motion carried.

## **Future Meetings**

The Chair indicated that the next order of business was to discuss future meetings. He stated that the Committee on Appeals will meet as needed depending on eligibility appeals received by staff. Staff will coordinate with Committee members on the need for meetings when appeals are received. The date and time of any meetings will be announced later in accordance with the Open Meetings Act.

No additional discussion was heard regarding future meetings.

## **Adjournment**

The Chair asked if there was any other business to come before the Committee on Appeals. Hearing none, Mr. Ritchie made a motion to adjourn the meeting. Mr. Russell 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 2:29 P.M.

Minutes prepared by Elizabeth Liston

**Minutes approved by the Committee on April 15, 2024**



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**Anthony Woods**

**Chair of Hope Scholarship Committee on Appeals**