

**Hope Scholarship Board Meeting Minutes**  
315 70th Street, SE – 2nd Floor Conference Room  
Charleston, WV 25304

December 12, 2023

The meeting of the Hope Scholarship Board was called to order by Treasurer Riley Moore, Chair, on Tuesday, December 12, 2023, at 2:00 p.m., after determination that a quorum of members was present through a silent roll call. Treasurer Moore, State Attorney General Designee, Steven Travis, State Auditor's Designee Anthony Woods, Director of the Herbert Henderson Office of Minority Affairs, Jill Upson, and parent representative Jonathan "Zak" Ritchie, attended the meeting in person. The State Superintendent of Schools Designee, Dustin Lambert, the Chancellor of Higher Education's Designee, Brian Weingart, and parent representatives Amanda Hoylman and Charlie Russell attended via Microsoft Teams.

The following West Virginia State Treasurer's Office (WVSTO) staff members attended the meeting in person: Steve Bohman, Gina Joynes, Sarah Canterbury, Lindsay Marchio, James Fuerhoff, Michelle Storage, Amy Willard, Michelle Penaloza, and Alonzo Perry. Christian White, Kayla McNair, Amy Constable, and Phyllis Mease attended via Microsoft Teams.

The agenda for the meeting consisted of the following:

- I. Welcome – Introductions/Roll Call – Call to Order
- II. Approval of Minutes from the August 9, 2023 Meeting
- III. Consideration of Subcommittee Report
- IV. Hope Scholarship Program Update
- V. Consideration of Hope Scholarship Annual Report
- VI. Consideration of amendment to the Board's legislative rule, §112 CSR 18
- VII. Consideration of application windows and deadlines
- VIII. Consideration of final file of Board's bylaws and procedures, §112 CSR 19
- IX. Consideration of qualified expense requests pursuant to W.Va. Code §18-31-7(12)
- X. Consideration of reimbursements for specialized musical instruments
- XI. Consideration of late application
- XII. Consideration of Hope Scholarship Board inquiries and audits into potential misconduct
- XIII. Consideration of board action relating to Hope Scholarship Program audits into potential misconduct.
- XIV. Future Meetings
- XV. Other Business
- XVI. Adjournment

## **II. Approval of Minutes**

The Chair indicated the first item on the agenda was the approval of the meeting minutes from August 9, 2023, which were distributed to the members prior to the meeting. The Chair asked if there were any additions or corrections to the minutes. None were heard. A motion to approve the minutes was made by Anthony Woods and was seconded by Zak Ritchie. There being no discussion, the Chair polled the members and the motion to approve the minutes was adopted.

## **III. Consideration of Subcommittee Report**

The Chair indicated the next order of business before the Board was consideration of the Subcommittee Report. The Chair recognized the Chairman of the Subcommittee on Appeals, Anthony Woods, to give the subcommittee report.

Mr. Woods noted that the Subcommittee on Appeals had held five meetings since the last full Board meeting. Those meetings took place on August 21, September 15, October 6, November 6, and December 5, 2023.

During the subcommittee's meeting held on August 21, 2023, the subcommittee heard 49 applicant appeals. Of those, eight were approved, two were held for additional documentation requests, and 39 were denied. Additionally, the subcommittee heard three reimbursement appeals; all three were denied.

During the subcommittee's meeting held on September 15, 2023, the subcommittee heard 32 applicant appeals. Of those, three appeals were approved, one was held for additional documentation requests, and 28 were denied. Additionally, the subcommittee heard 31 reimbursement appeals. Of those, five were approved and 26 were denied.

During the subcommittee's meeting held on October 6, 2023, the subcommittee heard 20 applicant appeals. Of those, two were approved, one was held for additional documentation requests, and 17 were denied. Additionally, the subcommittee heard 22 reimbursement appeals. Of those, all 22 were denied.

During the subcommittee's meeting held on November 6, 2023, the subcommittee heard 13 applicant appeals. Of those, six were approved and seven were denied. Additionally, the subcommittee heard 13 reimbursement appeals. Of those, three were approved and ten were denied.

During the subcommittee's meeting held on December 5, 2023, the subcommittee heard three applicant appeals. One was approved and two were denied. Additionally, the subcommittee heard five reimbursement appeals. Of those, all five were denied.

The Chair asked if there were any questions for Mr. Woods and none were heard.

A motion to adopt the subcommittee report and meeting minutes included in the Board Packet was made by Anthony Woods and was seconded by Zak Ritchie. Hearing no discussion, the Chair polled the members, and the motion was adopted.

#### **IV. Hope Scholarship Program Update**

The Chair indicated the next order of business before the Board was a general update regarding the Hope Scholarship Program. The Chair recognized Deputy Treasurer of Savings, Amy Willard, to give the update.

Ms. Willard reported that as of December 11, 2023, there were 6,024 awarded applications; 231 declined applications; two applications in eligible status (soon to be awarded pending final system work); 632 applications were ineligible; 26 applications are on hold (missing documentation); and 27 applications are currently in submitted status (waiting for a processor to review them), for a total of 6,942 total applications. The application counts are constantly changing as additional late applications are received for the program under the 45-day rule. It is expected that the number of awarded applications will decrease and there will be a corresponding increase in the number of declined applications due to students who have remained in public school for the 2023-2024 school year. County boards of education have helped to identify a large population of Hope Scholarship students who have remained enrolled in public school this year. A financial hold was placed on the accounts of the first batch of those students in EMA, and they were sent closeout letters at the end of October notifying them that their Hope Scholarship accounts would be closed in 45 days. At the conclusion of the 45-day period, Board staff will ask Step Up for Students to update the account status in EMA to “declined” and to return those scholarship funds to the Board. Board staff anticipate closing approximately 350 additional accounts as a result of this process. Closeout letters for a second batch of approximately 50 additional students identified as “remaining in public” were sent out on November 30, 2023, and those accounts will officially be closed in mid-January.

Board staff processed first semester Hope Scholarship funding for the majority of awarded Hope Scholarship students in August to meet the statutory deadline of August 15, 2023, but have processed monthly funding files in September, October, and November to fund any additional students who were awarded the scholarship and eligible to receive their scholarship funds for the 2023-24 school year. Board staff will process first semester funding for December for any newly approved students and will then work to fund the second semester for all students by the statutory deadline of January 15, 2024.

Due to some issues reported by prospective Hope Scholarship parents at the beginning of the school year related to the practice of dual-enrollment, Treasurer Moore requested an opinion from the Attorney General. The Attorney General’s Office provided a written opinion on November 16, 2023, and found that county boards of education or public schools cannot lawfully prohibit a student from engaging in the practice of dual enrollment. The Attorney General advised that any local school authorities who were acting or intending to act against dual-enrolled students should stop immediately. This opinion letter from the Attorney General’s Office makes it clear that students are permitted to be

dually enrolled in a public-school program while simultaneously being enrolled in a nonpublic educational option while trying to become eligible for the Hope Scholarship Program under the 45-day rule.

Ms. Willard noted there were some challenges this fall as students newly eligible under the 45-day rule attempted to withdraw from their public schools once they were awarded the scholarship, particularly public charter schools. Board staff have worked collaboratively with the WV Department of Education to put together instructions to clarify the process. Board staff are also working with the WV Professional Charter School Board on this issue to prevent these issues in the future. Joint guidance will be issued soon.

Board staff are also working on a project to identify missing Notice of Intent forms (NOIs), and to reach out to parents to ensure that they submit the statutorily required NOI form to the school superintendent of their county of residence. Missing NOIs caused many problems and delays with year-end academic progress data for the 2022-2023 school year, and staff are working to prevent similar issues for the 2023-2024 school year.

Finally, Ms. Willard noted that Board staff continue to review reimbursement requests, late application requests, and appeals, to help resolve financial issues for participating schools and providers and to answer phone calls and emails from Hope families and providers. The volume of work in the day-to-day operations has not slowed and has necessitated the hiring of an additional Hope Scholarship Family Outreach Coordinator. Hope staff currently consists of four full-time professionals dedicated to the program, as well as much of Ms. Willard's time and that of her executive assistant.

The Chair asked if there were any questions for Amy Willard, and none were heard.

## **V. Consideration of Hope Scholarship Annual Report**

The Chair moved to the next order of business, which was consideration of the Hope Scholarship Annual Report. Treasurer Moore recognized Assistant State Treasurer of Savings Programs, Amy Willard, to give the presentation.

Ms. Willard began her overview by noting that, although there is no requirement for a Hope Scholarship Annual Report, Treasurer Moore felt it is important for one to be issued as a matter of transparency. Ms. Willard then walked the Board through the Annual Report for the 2022-2023 year, including the following key sections: Message from the Chairman, list of Board Members, Hope Scholarship 101 with basic background information, 2022-2023 Academic Year by the Numbers, Recipients by County, Recipients by Grade, Hope Recipients by Educational Pathway, Recipients by Race, Spending Summary, Location of Nonpublic School Payments, Location of Education Service Provider Payments, MyScholarShop Spending, and the Appendix with Non-Public School and Service Provider payment data.

The report identifies the Hope Scholarship Board members and provides a Hope Scholarship 101 containing basic background information regarding the scholarship.

Following Ms. Willard's presentation and review of the Annual Report, Jill Upson commended Board staff for preparation of the Annual Report and the compilation of data. The Chair commended Board staff for their efforts and stressed his commitment to transparency of the program. Zak Ritchie asked if the Annual Report would be posted on the website and Ms. Willard responded that it was scheduled to be posted on the Hope Scholarship website following adjournment of the Board meeting at approximately 4:00 p.m.

Dustin Lambert inquired if the MyScholarShop by Vendor section of the annual report represented an inclusive list of all suppliers that are in the EMA system. Ms. Willard advised that the list only contained the vendors that families chose to spend their funds with last year. There are currently approximately 79 suppliers in the MyScholarShop portal.

The Chair asked if there were any additional questions, and none were heard. A motion to adopt the Hope Scholarship Annual Report was made by Anthony Woods and was seconded by Zak Ritchie. Hearing no discussion, the Chair polled the members and the motion carried.

## **VI. Consideration of amendment to the Board's legislative rule, §112 C.S.R. 18**

The Chair indicated the next order of business was consideration of staff-proposed amendments to the Board's legislative rules contained in W. Va. §112 C.S.R. 18. The Chair previously asked staff to develop a proposed amendment to allow year-round acceptance of program applications. The Chair recognized General Counsel, Sarah Canterbury, to give a presentation regarding the proposed amendment to the rule.

Ms. Canterbury explained that the proposed amendment contains significant changes to the program application process and clarifies several issues that have caused confusion during the program's initial year of implementation. The proposed amendment would contain the following changes to the Board's current legislative rule:

- Clarifies that the term "curriculum" includes only K-12 curriculum, not preschool curriculum.
- Clarifies the term "elementary of public schools" includes only K-12 schools.
- Provides that the Board will accept applications year-round and requires the Board to adopt any deadlines by motion and publish them on the Board's website.
- Clarifies that student and account holders must provide their legal names.
- Clarifies that various residency documentation accepted by the Board must be current.
- Reminds parents that renewal applications are required from year-to-year to continue in the Program and requires the Board to adopt any deadlines related to renewal applications by motion and publish them on the Board's website.
- Reminds parents that if they do not renew an application and must submit a new application, their student will be subject to eligibility criteria for new students.

- Provides that students entitled to partial scholarship amounts, the Board will adopt a quarterly funding model for prorating funds and will be published on the Board website. Full-year students will still receive funding twice per school year; students provided funding for less than the full year amount will be funded as soon as practicable after application approval.
- The Board may adopt reimbursement policies that direct Board staff to approve or deny categories of reimbursement request.
- Clarified expenses for Pre-K are not qualified expenses;
- Public charter schools are treated the same as other public schools relating to the ability to charge fees for Hope Scholarship students taking individual courses from public school.
- Requires an account holder to immediately notify the Board if the student withdraws from or becomes ineligible to participate in the Program.
- Only final Board actions can be appealed.
- Permits any public education entity offering services to Hope Scholarship students for a fee to be automatically considered an approved education service provider.
- Permits the Board to direct all communications to account holders and service providers, including written communications, by electronic mail to the email address for an account holder or service provider. It also requires the account holder to maintain and regularly monitor the email address and to update the email address if it changes.

The Chair asked if there were any questions for Ms. Canterbury. Anthony Woods inquired if an applicant late for one application window can apply for the next window. Ms. Canterbury explained that the rule requires applications to be accepted year-round and it empowers the Board to adopt windows for funding amounts. If this amendment is approved by the Board, Ms. Willard will address the proposed windows and allow the Board to make the decision.

The Chair asked if there were any further questions or additional proposed amendments to the Board's legislative rule, §112 C.S.R. 18, and none were heard. A motion to adopt the proposed amendment to the Board's legislative rule, §112 C.S.R.18, and to authorize the State Treasurer to file the rule with the Secretary of State's Office was made by Anthony Woods and seconded by Zak Ritchie. Hearing no discussion, the Chair polled the members and the motion carried.

## **VII. Consideration of application windows and deadlines**

The Chair indicated the next order of business was the presentation and consideration of applications and funding dates for year-round acceptance of Program applications, and recognized Assistant Treasurer of Savings Programs, Amy Willard, to give the presentation.

Ms. Willard noted that, beginning with applications for the 2024-2025 school year, the Hope Scholarship Board Staff proposed to adopt the following application windows and funding amounts for participation in the program to facilitate the year-round acceptance

of applications. The window submission of the renewal applications for continued participation in the program, would be annually from January 3<sup>rd</sup> to June 15<sup>th</sup>. Applications for new Hope Scholarship participants would be accepted year-round, but the timing of submission of the original application would determine the amount of Hope Scholarship funding received for the initial year of participation. The corresponding funding amount would be as follows:

March 1 – June 15	100% of Scholarship
June 16 – September 15	75% of Scholarship
September 16 – November 30	50% of Scholarship
December 1 – February 28	25% of Scholarship
After February 28	No funding for current school year, but can apply for subsequent school year

Applications for the 2023-2024 school year will close on February 28, 2024, after which new Hope Scholarship applications will receive scholarship funding for the 2024-2025 school year.

Ms. Willard noted that since May 15, 2023, Board staff have received over 1,175 late application request forms for the 2023-2024 school year. Roughly half of those late application request forms were for students who were otherwise eligible for the program, but had their late application request denied for failure to meet the deadline without an extenuating circumstance. This includes parents who weren't aware of the program, parents who made a school choice decision after the application window, etc. Under this new proposed model, these students would have a pathway to receive the Hope Scholarship since applications would be accepted year-round for all eligible students.

The new timeline extends the current end-date of the application window to receive full funding from May 15 to June 15, giving parents an additional month to make an educational choice for their child. Ms. Willard noted the new timelines also provide increased administrative efficiency for Board staff.

Ms. Willard further noted that the new funding model still allows the Hope Scholarship Board to meet the statutory funding dates of August 15 and January 15 annually. In addition, Hope Scholarship students must meet the annual Hope Scholarship academic reporting requirements set forth in W. Va. Code §18-31-8(a), regardless of when they begin participating in the program for a specific academic year, so having a clear cutoff at the end of February for current year applications will help eliminate confusion.

The Chair asked if there were any questions, and none were heard. A motion to adopt the proposed application deadlines and windows as described by Ms. Willard was made by Anthony Woods and was seconded by Zak Ritchie. Hearing no discussion, the Chair polled the members and the motion carried.

## VIII. Consideration of final file of Board's bylaws and procedures, §112 CSR 19

The Chair moved to the next order of business which was consideration of a staff proposed amendment to the Board's bylaws and procedures contained in §112 C.S.R. 19. The Board previously considered an amendment from the August 9, 2023 meeting. The Rule was put out for public comment on August 16, 2023, and no public comments were received. Board staff identified additional proposed amendments to the Rule for the Board's consideration. The Chair recognized Sarah Canterbury, General Counsel, to give a presentation.

Ms. Canterbury stated that through the process of conducting inquiries and audits into potential misconduct involving Hope Scholarship funds, Board staff have observed instances where the Board's procedural rules and bylaws require additional amendment. The proposed amendment to W. Va. C.S.R. §112-19-1 *et seq.*, includes the amendments to this rule adopted at the most recent full Board meeting and filed for public comment, and proposes additional amendment as follows:

- Make technical changes throughout the document dealing with grammar, word choice, and punctuation.
- Add definitions for the terms "account hold" and "account freeze," in the context of a Board staff inquiry and audit.
- Update the definition of "reasonable suspicion" to more closely resemble United States Supreme Court caselaw.
- Alter the procedural requirements around inquiries and audits into potential program misconduct by making account holds and freezes discretionary, based on whether Board staff believe that a hold or freeze is necessary to prevent further violations or loss of funds.
- Remove the time limit after developing reasonable suspicion for Board staff to make an inquiry into suspected misconduct.
- Allow a verbal inquiry into suspicious behavior, rather than a written inquiry.
- Require Board staff to provide a due date to parents or providers for any information requested in an inquiry or audit.
- Clarify and itemize the steps Board staff may take following an audit, by including steps to share information with the Board prior to a Board determination.
- Make clear that the Board may act based on a provider or account holder's misconduct if violations are clearly demonstrated, even if an audit or inquiry is not yet complete.
- Provides that a provider's email address being the same as an account holder is sufficient to constitute reasonable suspicion of unlawful sharing in Hope Scholarship funds.
- Allow Board staff to develop a form for an account holder and education service provider to complete and submit to the Board to attest that a control employee is not able to unlawfully share in Hope Scholarship funds.
- Itemize and clarify the actions the Board may take if misconduct is demonstrated in an inquiry or audit.



- Set forth Board staff procedures following a Board motion for suspension or permanent disqualification of a program participant or provider.
- Provide that if an inquiry or audit reveals that improper payments of Hope Scholarship funds has occurred, the Board's General Counsel must make a written demand to the necessary parties to recover funds, and if the amount is not ascertainable or recovery is unsuccessful, the General Counsel will refer the matter to the State Auditor for collection.
- Amend the Board's appeal process in several ways. The amendment clarifies that only final decisions of the Board may be appealed. The time for the Board to decide on the appeal is extended from 30 days to 45 days to complete the review of an appeal, and 15 days to deliver an appeal determination. The subcommittee on appeals is still the Board's arbiter of appeals submitted to the Board.

The Chair asked if there were questions for Ms. Canterbury. Zak Ritchie noted that appeals are frequently held in abeyance by the Appeals Subcommittee to obtain more information and inquired how that would work with the proposed 45-day deadline. Ms. Canterbury said that staff has considered that to be a type of decision on the appeal, but the Board could, as part of the motion, conceptually authorize staff to clarify that. Anthony Woods said it would be helpful to clarify the language.

The Chair asked if there were any additional proposed amendments to the Board's bylaws and procedures, as recommended by Board staff. Mr. Ritchie made a motion to add an exception clause to Section 13.3 to address appeals held in abeyance. The motion was seconded by Anthony Woods. Hearing no discussion, the Chair polled the members and the motion carried.

Hearing no further proposed amendments, the Chair asked for a motion to adopt the proposed amendment to the Board's bylaws and procedures, §112-CSR-19, as explained by staff and as amended, and to authorize the STO to file the rules with the Secretary of State. Anthony Woods made the motion, which was seconded by Zak Ritchie. Hearing no discussion, the Chair polled the members and the motion carried.

#### **IX. Consideration of qualified expense requests pursuant to W.Va. Code §18-31-7(12)**

The Chair indicated the next order of business was a discussion of requests submitted to the Board to approve additional qualified expenses, and recognized Legislative Director, James Fuerhoff, for a presentation.

Mr. Fuerhoff explained that pursuant to §9.3 of the Board's legislative rules, account holders and service providers may seek approval of additional qualified expenses. Board staff have received requests from Hope Scholarship families and service providers. Mr. Fuerhoff provided a summary of the qualified expense requests and explained generally how other states are handling the same or similar requests.

The Chair recognized Sarah Canterbury to provide a summary of staff recommendations and the potential Board motions relating to the requested qualified expenses and Ms. Canterbury provided an overview of proposed recommendations and motions for each.

The following are the qualified expenses requested, with commentary and action taken on each:

**To approve entrance fees for educational field trips as a qualifying expense.**

Anthony Woods made a motion that the Board approve, as a qualifying expense, fees for general or special event admission to museums, art centers, science centers, agricultural centers and zoos for educational purposes. Zak Ritchie seconded the motion. After hearing no discussion, the Chair polled the members and the motion carried.

Anthony Woods then moved that the Board disapprove as a qualifying expense, any travel fees or costs associated with educational field trips or other offsite learning experiences including, but not limited to, transportation costs, parking fees, the cost of food purchased during the trip, and the costs of hotels or lodging. Zak Ritchie seconded the motion. There being no discussion, the Chair polled the members and the motion carried.

**To approve the purchase of bookcases or household furniture as a qualifying expense.**

Anthony Woods moved that the Board disapprove as a qualifying expense the purchase of household furniture including, but not limited to, desks, chairs, bookcases, couches, tables, and storage organizers. Zak Ritchie seconded the motion. There being no discussion, the Chair polled the members and the motion carried.

**To approve the purchase of DVD and/or CD players as a qualifying expense.**

Concerning DVD and CD players, Steve Travis asked about the possibility to limit the purchase of DVD or CD players to people who can prove the purchase of a DVD or CD-based curriculum. Amy Willard stated that with the Program's current platform, it would be very difficult to analyze CD and/or DVD curriculum purchases and have it link back through the transaction history because it could be coming from multiple places. Sarah Canterbury pointed out that account holders could use non-Hope funds for the curriculum, which would then necessitate an audit or inquiry.

Anthony Woods moved that the Board approve as a qualifying expense the purchase of portable DVD and CD players for educational purposes. Zak Ritchie seconded the motion.

Jill Upson inquired whether account holders would be able to purchase a DVD or CD player on a yearly basis, despite the life cycle of the players being longer. Amy Willard explained that she could ask the program manager of MyScholarShop to add the players

to the technology limitations already in place. Ms. Upson believes there should be limitations on the frequency with which DVD and CD players may be purchased.

Anthony Woods withdrew his previous motion.

Jill Upson moved to approve the purchase of portable DVD and CD players as a qualifying expense, provided it is in alignment with the current Board limits on technology purchases. Zak Ritchie seconded the motion. There being no discussion, the Chair polled the members and the motion carried.

Anthony Woods then moved that the Board disapprove as a qualifying expense, the purchase of items considered primarily to be home theater equipment including, but not limited to, game consoles or multimedia gaming accessories. Zak Ritchie seconded the motion. There being no discussion, the Chair polled the members and the motion carried.

**To approve fees for on-site private school lunches served during the school day as a qualifying expense.**

The Chair expressed his support in favor of approving student lunch fees charged by a participating private school for lunches consumed on school property during the school day as a qualified expense, noting that public school students often receive free lunch.

Anthony Woods moved that the Board approve as a qualifying expense student lunch fees charged by a participating school for lunches consumed on school premises during the school day. Zak Ritchie seconded the motion. There being no discussion, the Chair polled the members and the motion carried.

**To approve the purchase of Armed Services Vocational Aptitude Battery (ASVAB) Prep Programs as a qualifying expense.**

Anthony Woods moved that the Board approve as a qualifying expense, fees for Armed Services Vocational Aptitude Battery (ASVAB) preparatory courses. Zak Ritchie seconded the motion. There being no discussion, the Chair polled the members and the motion carried.

## **X. Consideration of reimbursements for specialized musical instruments**

Before moving to the next order of business, the Chair asked if anyone needed a break. No members requested one, so the Chair stated that the next order of business was a presentation and consideration relating to the reimbursement for specialized musical instruments. He recognized Assistant State Treasurer of Savings Programs, Amy Willard, to give the presentation.

Ms. Willard explained that Board staff received a request from a parent relating to musical instruments. The parent indicated that their child was a very talented musician and had

been advised by their music instructor that they needed to upgrade their guitar. The only guitars available for purchase on MyScholarShop were not considered an upgrade from the current guitar being played by the student. The student's music instructor submitted a letter affirming the assertions made by the parent, indicating that the teacher had reviewed the instruments available on the portal and that they were all more suitable for beginner or intermediate students, instead of advanced students. The teacher expressed concern that the student would stall in his musical progression without the appropriate instrument. Board staff are working with the program manager to add more musical instrument offerings to the MyScholarShop platform. However, onboarding a new provider to offer advanced instruments takes several months. To help this Hope Scholarship student quickly, another possibility would be to allow reimbursement for the musical instrument under the provisions of the Board's adopted reimbursement policy. Board staff are seeking guidance from the Board regarding whether it would be appropriate to consider this request as another specialized educational need that requires a specialized piece of equipment and that a substantially similar piece of equipment is not offered by an approved provider or vendor. Given the documented advanced musical talent of the student in this specific situation, Board staff would recommend allowing the parent to purchase the guitar out of pocket and submit for reimbursement in accordance with the Board's policy.

Anthony Woods moved to approve reimbursements for specialized musical instruments under an interpretation of the Board's reimbursement policy. Zak Ritchie seconded the motion. There being no discussion, the Chair polled the members and the motion carried.

#### **XI. Consideration of late application requests**

The Chair indicated the next order of business was consideration of late applications for the 2023-2024 school year involving extenuating circumstances not addressed in the Board's late application policy. Currently, there are no such applications, so no action was needed for this agenda item.

#### **XII. Consideration of Hope Scholarship Board inquiries and audits into potential misconduct**

The Chair said the next order of business was an inquiry into a case involving specific violations of the Hope Scholarship Act.

Zak Ritchie made a motion to enter into Executive Session for this agenda item, as provided in W. Va. Code §6-9A-4(b)(7), which states that a public agency may hold an executive session "to plan or consider official investigation or matter relating to crime prevention or law enforcement inquiries." Anthony Woods seconded the motion. There being no discussion, the motion carried and the Board entered into Executive Session at 3:15 p.m.

The Chair called the meeting back to order from Executive Session at 3:24 p.m.

### **XIII. Consideration of board action relating to Hope Scholarship Program audits into potential misconduct**

Zak Ritchie moved that, based upon the Board's inquiry into the account holder for student number 20002702, identified by the student's ID number in the Education Market Assistant System, that Board staff be directed to issue an official letter to the account holder warning against identified program violations. Anthony Woods seconded the motion. There being no discussion, the Chair polled the members and the motion carried.

### **XIV. Future Meetings**

The Chair moved to the next order of business, future meetings. He announced the next meeting of the full Hope Scholarship Board will be announced in accordance with the Open Meetings Act. He asked for discussion regarding future meetings, and none was heard.

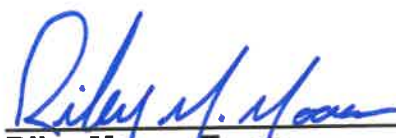
### **XV. Other Business**

The Chair advised he was directly Board staff to compile a list of non-qualifying expenses that are prohibited from being purchased with Hope funds. A number of other states have such a list and now that the Board has voted to disapprove an item, he believes it is a prudent next step. Board staff will present the list at a future meeting for the Board's consideration.

### **XVI. Adjournment**

The Chair asked if there was any other business to come before the Board. Hearing none, Anthony Woods made a motion to adjourn the meeting and the motion was seconded by Zak Ritchie. Hearing no discussion, the Chair polled the members and the motion carried. The meeting adjourned at 3:37 p.m.

**Minutes approved by the Board on February 22, 2024.**



---

**Riley Moore, Treasurer  
Chairman, Hope Scholarship Board**

Minutes prepared by Phyllis Mease