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## Board of Education Subpoenas Dept. of Education Officials, St. Thomas High School Seniors to Graduation-Related Hearing Set for Tuesday

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Charlotte Amalie High School students on Thursday, May 13 staged a protest against the Dept. of Education's plan to host a walk-thru graduation ceremony. The video as been viewed more than 20,000 times.

The dispute between the V.I. Dept. of Education and seniors of the territory's high schools relative to graduation will come to a head on Tuesday afternoon, as the V.I. Board of Education — acting on a complaint from the student leadership of Charlotte Amalie High School's senior class — has summoned representatives of both parties to a hearing to settle the matter.

During an emergency board meeting held at 2:00 p.m. today, board members — after an hour of discussions — voted 9-0 to subpoena Dept. of Education Commissioner Racquel Berry-Benjamin along with the C.A.H.S. senior student leadership. The hearing is scheduled for Tuesday at 1:00 p.m. Board attorney Jennifer Jones said the short-notice subpoena could pose some challenges, however because of the emergency nature of the meeting, the hearing should be able to move forward.

During the hearing the board will take up jurisdictional issues first, thereafter, "in that process will be decided whether the remedy is something that is within the authority of the board, so the hearing has to play out," said Ms. Jones. The hearing will be held behind closed doors and the outcome will be presented to the media, board members said.

The latest action follows [an article](#) published Sunday on the Consortium, which showed a path through which students could challenge the Dept. of Education by presenting grievances in a written, notarized complaint to the Board of Education. After C.A.H.S. students read the article, they took action and on Monday submitted a notarized complaint to the board — leading to today's [emergency board meeting](#).

The students' efforts and the board's decision to take up the matter may wind up being ineffective as Governor Albert Bryan on Monday told the Consortium that the territory remains under a state of emergency, which gives Mr. Bryan vast powers to take unilateral action.

Even without the state of emergency, the same law that empowers students to go before the board to seek a resolution, states that though the board's decision on a matter may be final, it can be overridden by the territory's governor.

On Monday, Mr. Bryan appeared to be immovable in his stance that in-person, seated events were off limits. "The Board of Education has no say in what the health protocols of the Virgin Islands are. And I think people forget, we're under a state of emergency still, so the Board of Education ruling is a matter of course but it has no effect on what's going to happen. We've already made our decision and that's how the graduations will be carried out," Mr. Bryan said.

Earlier, Mr. Bryan responded to a Consortium question pointing to in-person, seated graduations ongoing in states across the U.S. "From the beginning of this pandemic I knew that we had to take care of ourselves; we had to make the decisions here. So every other place else in the United States can do what they want to do, we're going to continue to do the things that allow us to receive and make the progress that we've done over the last year and continue that."

Only grievances from students in the St. Thomas-St. John District will be represented at the hearing, as St. Croix students did not file a complaint, though those students were the first to stage a protest against the Dept. of Education. St. Croix students were hastily attempting to file their complaint Monday afternoon, however even if they are successful, the complaint would have no effect on at least one of the graduation events on St. Croix, as the first — the St. Croix Central High School — is set for 10:00 a.m. tomorrow, while the emergency hearing has been scheduled for 1:00 p.m. the same day.

The students' chief complaint is what they say is D.O.E.'s failure to host in-person, seated graduation events, which they contend would be the culmination of a tragic high school experience: in ninth grade, Hurricanes Irma and Maria disrupted their education resulting in the closure of some buildings and the start of double school sessions — which displaced many students. In grades eleven and twelve, Covid-19 disrupted learning, leading to virtual classes that are in place for public schools in the USVI at present.

**Correction: May 18, 2021**

A previous version of this story listed Monique Matthias as the Board of Education attorney, however that's incorrect. The V.I. B.O.E. attorney is Jennifer Jones. We've updated the story to reflect the correct information.

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