



## Concluding first semester before winter break stressed Instructional Time Discussion Continued

By Jason B. Keeling

The W.Va. Legislature continued discussion regarding school instructional time within Education Subcommittee B on Sunday (June 8), with varying opinions presented.

Although the Legislature made strides during its most recent regular session in terms of the school calendar, a further step needs to be taken by rolling back the calendar's August 26 beginning date by five or so days, according to Dr. Robert Rupp, Upshur County Board of Education president. *See page 5 for presentation text.*

Rupp heralded the newly created Instructional Support and Enhancement (ISE) days as positive legislation, specifically noting the manner in which local control over the scheduling of these days was maintained.

This type of legislation should serve as a model for future mandates, he said. "The state sets the policy, but the local boards handle the process."

The varying geography, county fairs, and other circumstances across the state present conditions that merit local control of instructional calendars, particularly for counties that experience significantly inclement weather, said Rupp.

The contiguous states of Kentucky, Maryland, and Ohio currently do not mandate a specific instructional term, he indicated.

County school calendars are still overseen and must be approved by the state Board of Education, opening the front end of the calendar would not change this, he said.

Teachers group representatives opposed any changes to the length of the school calendar, saying greater focus on the use of current instructional time should occur.

"We contend that there is flexibility" within the calendar's current structure, said W.Va. Education Association President Tom Lange.

Adding days to the calendar window would equate to a pay cut for school employees, said W.Va. Federation of Teachers representative Bob Brown, who also contended that beginning instruction prior to August 26 would place additional air conditioning costs on school districts.

"County boards are not being creative." Days such as those available during deer season and spring break can be used, he said.

Rupp provided a retort to that comment, saying it was an impractical solution.

Some school districts liberally allow their students to participate in non-instructional activities such as athletic tournaments and fundraisers, which reduce instructional time, said Brown.

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### OVERVIEW

#### STATS

2003 Regular Session:	<i>Adjourned Sine Die</i>
Days Until 2003 Regular Session:	215
Interim Meetings Remaining:	July - January 2004

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#### QUOTE

"Now please go home and get back to work."  
— House Education Chairman Jerry Mezzatesta (D-Hampshire) to RESA directors after commending them for their "proactivity" in responding to the terms of House Bill 4319, legislation passed in 2002.

## Minutes study/17 recommendations Seufer, O'Cull Meet With State Board of Education

W. Va. School Boards Association counsel Howard E. Seufer Jr. and Association Executive Director Howard M. O'Cull presented a workshop to the state Board of Education on June 5 at Cedar Lakes Conference Center.

Seufer and O'Cull met with the SBE by invitation of President Howard M. Persinger Jr. and the board, based on work O'Cull initiated with the board in January.

In his presentation, Seufer discussed the constitutional and legal foundations of the board and also reviewed the state's sunshine law, providing the SBE with several documents and recommendations for meetings.

#### SBE Minutes Study

O'Cull based his presentation on a review of SBE minutes from the past five years—similar reviews are conducted every five years

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# MINUTES STUDY

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of county board minutes, by request of the state Legislature. A complete review of his findings are listed on the Association's Web site, [www.wvsba.org](http://www.wvsba.org).

Summarizing his study, O'Cull says the SBE's primary "outputs" appear to be staff presentations (such as the CATS science program and Office of Healthy Schools), facilities-related matters, delegations (mostly officials), program approval, reports, matters dealing with counties in which the SBE has intervened, policies (33 were approved last year), minutes approval, recognitions, relations with agencies such as the School Building Authority of West Virginia, personnel matters (state Department-related), county board finances, and several other categories of emphasis.

## Executive sessions

He also discovered that the SBE has, over a five-year period, conducted 57 executive sessions, totaling just over 50 hours, most of which dealt with "personnel," although the minutes recorded no reason for several executive sessions and included no beginning or ending times.

In terms of consent agendas—it would appear the SBE began using a consent agenda during 1998—the items most often pulled from the agenda relate to county Comprehensive Educational Facilities Plans, SDE personnel hiring, minutes, and school closures.

In a discussion of the study, SDE officials say the board has, over the past few years, embarked on scheduled policy reviews and approvals, meaning that the volume of policies, if taken over a 10-year period, would show the 'cycle' represented in O'Cull's study. Some SBE members, however, contend policies sometimes are reviewed during several meetings in order that "corrections" can be made, or as a result of public input and comments.

**The Legislature** provides county boards of education members, state policymakers, school administrators, and others information, opinion and commentary regarding West Virginia legislative issues. This publication does not necessarily reflect the official views, opinions or policies of the WWSBA, unless specifically stated.

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## 17-point plan

Following a dialogue with the SBE, and based on member and SDE staff comments, O'Cull presented a 17-point plan to the board. He said the plan, if implemented over a period of time, would allow the SBE to refocus and retool.

Among the recommendations, he said the state board should consider:

1. Completing a self-evaluation, using a similar process and instrument(s) developed by the W. Va. School Boards Association Senate Bill 522 Implementation Committee.
2. Developing an expectations and "vision" plan, including the development of expectations for the state Superintendent of Schools.
3. Placing a six-month moratorium on policy approval by the SBE, except as it satisfies current law (2003 regular session), required federal policies/regulations, the No Child Left Behind Act, or policies in process. O'Cull said this procedure would allow the board time to "get a handle" on policies and policy-related matters, including a historical overview of what future policies are in the "review cycle."
4. Developing an annual calendar, affixing the above policies, if desired on the calendar and other matters to be discussed by the board—as informed by later work with the board concerning "targets" and the process for development of broader state Board of Education initiatives and goals.

## CEFPs

5. Developing a procedure or process for board approval of CEFP amendments and school closures that includes a sign-off by a state Department of Education committee that is charged for such. He said, as a means of oversight, the board may wish to communicate to county school boards that a random number of CEFP documents, in their entirety, will be selected for review.

6. Establishing an SBE "Grant Monitoring Oversight Committee" responsible for providing direction and oversight to the SDE in terms of how potential grants "fit" within larger SBE objectives.

7. Revamping all SDE communications through several steps, including the establishment of a state board communications team. He says this plan could be developed through work with area organizations and groups to develop a refined communications strategy. He also called for an independent review of existing communications and public relations efforts.

8. Ensuring that staff presentations (a) fit within the parameter of board "targets" and not in "isolation," (b) that the information is best delivered in an oral format rather than a preferred one-page written format, and (c) that presentations actually inform prospective board decision making.

## Format for receiving information

9. Providing a formatted executive summary of all major communications to the SBE—in addition to actual documents themselves. The format, to be determined by the board working with department staff, would include such information as a history of the document or issues included in the document, its policy implications, its costs, the relative need for the policy, program or service, how the policy, program or service will be evaluated, and when the matter should be revisited, given the board's annual calendar and "targets." He said other 'formatted' items could include any external data, research or information that more fully "informs" the document, or that will lead to a more pronounced, better informed decision.

10. Setting aside time during each meeting for discussion of a major item, inviting groups to respond to that item.

11. Developing a “working team” for consultation with legislators, having the team to meet at least every other month. He said this “team” is of critical importance to developing effective legislative relations, and may assist the SBE in determining its legislative thrust.

### SDE focus study

12. Establishing a broad-based group of persons to provide direction to the board as to the *possible* reorganization of the SDE to meet emergent and future needs, with the team reporting to the board initially in January and by July 1, 2004. He said items to consider include possible SDE reorganization and alignment with Regional Education Service Agencies (RESAs), revamping the SDE staff to work with low performing schools and developing “rapid or matrix deployment teams” to provide quick, focused technical assistance, building on current or existing efforts.

13. Developing SBE positions, founded on research and data, in regard to the following issues, asking for interest groups to appear before the board to discuss such:

- a. Efficiencies;
- b. Educational restructuring for the new century;

- c. Emergent educational personnel needs and trends;
- d. Educational alignment for achieving high quality performance;
- e. Innovative regards concerning school facilities, bus travel times, etc.;
- f. Develop a “trends” review quarterly, which could be augmented by non-educators;
- g. Expect the state superintendent of schools to take a more frontal role in regard to inter-district construction of school facilities by ensuring that legislation and policies align for such.

### Timeline

O’Cull also provided the SBE with a timeline to accomplish these objectives, including the use of an external consultant to work with board and department during the next several months.

The background for most of O’Cull’s recommendations is based on his work with several school boards in West Virginia and nationally, as well as research he conducted for a dissertation.

Seufer is a member of the Charleston-based law firm, Bowles Rice McDavid Graff & Love PLLC. He has been Association counsel since the late 1980s.

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## RESAs Focusing on ‘Unsolved Opportunities’

By Jason B. Keeling

West Virginia’s Regional Education Service Agencies are gaining momentum and moving into their newly envisioned role, according to RESA III Executive Director Charles “Chuck” Nichols. In June 10 comments before the Legislative Oversight Commission on Education Accountability, Nichols outlined the manner in which the agencies have worked to meet the requirements mandated by the Legislature in 2002, under **House Bill 4319**.

This law gave RESAs two primary responsibilities: 1) to provide technical assistance to low performing schools and school systems; and 2) to provide high quality, targeted staff development designed to enhance student performance and progress.

At this point, RESAs have established their respective regional councils, and are focusing on capacity building, said Nichols. Building capacity requires each RESA to identify the strengths that exist within their member counties, and then to begin utilizing these strengths in an efficient manner, he continued.

Avoiding duplication of services is another priority, in line with the state Board of Education’s recently issued “memorandum of understanding,” which outlines the roles and responsibilities of the state’s various education agencies, he said.

He also said other adaptations include development of a flow chart that delineates the process for receiving technical assistance, No Child Left Behind taskforces, an online calendar highlighting the activities of each RESA, and working with the state Department of Education to train teachers on content standard and objectives.

RESAs have a new philosophy, “There are no problems, but a number of unsolved opportunities,” stated Nichols.

Working with TetraData, a Greenville, S.C. based organization, RESA VIII has developed a data mining technology designed to help its districts meet the data driven demands of NCLB, according to Executive Director Dr. John Hough.

TetraData representatives demonstrated how educators could use the program to break down demographic information and to identify specific areas in need of improvement. The W. Va. Education Information System (WVEIS) currently collects data, but has little data analyzing capability, said Donnie Coggins, TetraData’s VP

of business development.

Del. Jerry Mezzatesta (D-Hampshire) commended Nichols and Hough for their efforts, saying that he had received positive feedback regarding the manner in which RESAs were proactively undertaking their new charge. “Now please go home and get back to work,” he said.

Sen. Donna Boley (R-Pleasants) prompted discussion regarding the manner in which state officials work with low-performing schools. Boley said the morale of a school within her district, which had improved test scores, was greatly diminished as a result of a state official’s negative comments to a local newspaper.

NCLB has placed a great deal of pressure on all parties, said Mezzatesta, who urged greater efforts to recognize schools that make progress.

Nichols said a committee was reviewing the manner in which low-performing schools were identified. The term “low-performing” has a negative connotation and can stifle progress, he said, offering the term “priority school” as a possible alternative.

State Schools Superintendent Dr. David Stewart discussed the state’s four-year-old education program, which was also mandated by the Legislature in 2002. The specifics are detailed in the state Board of Education’s Policy 2525, which includes guidelines ranging from attendance requirements to allowable service providers for pre-k students.

Counties may receive state and federal funds for students attending Head Start programs, with the Department of Health and Human Resources being given the charge of administering such in cooperation with the SDE, he said.

Plymale and Mezzatesta each urged the SDE to continue reviewing its budget, saying that recent changes to the federal tax code may result in \$29 million to \$30 million less in revenue for the state.

Stewart said the department had reduced several positions and would be continuing to look at how to achieve greater fiscal efficiencies.

—Keeling is WVSBA executive assistant.

## *Costs among issues*

# Committee Discusses Age 18 for Drop-Outs

By Howard M. O’Cull, Ed.D.

What would happen if the age at which students could drop out of school in W. Va. was raised to age 18 rather than age 16? That question was on the minds of legislators who attended a June 8 interim meeting in Charleston.

The focal point of discussion was a measure, **Senate Bill 183**, which had been considered—albeit briefly—by the Senate Education Committee last session, before being referred to legislative study.

The primary sponsor, Sen. Mike Ross (D-Randolph), argues the bill would be better for drop-outs than seeing them end up with marginal jobs—or, as explained in committee testimony, most likely as state social service recipients, or persons “on the fringes” who also likely will end up having run-ins with the state’s juvenile and penal systems.

Upshur County Prosecutor Alex Ross, a chief proponent of the measure, told legislators that he knew the age 18 proposal would be controversial, given some of the students who would be affected by any legislation, and that there are no easy answers to the problem.

### **‘We see them all the time’**

He also echoed another of the ramifications for what he said were many such students. “We see them in my business all the time,” according to the veteran prosecuting attorney, who said, “These students are left out of the mainstream of society,” often without meaningful employment or contributing to larger society. In fact, Ross said the age 16 drop-out provision may be so harmful to society that it “perpetuates stupidity” among this group of youths as they later grow into adulthood.

To compound the problem, Ross said some students begin to think about dropping out at ages 13 or 14. “What you end up with are kids with a Seventh or Eighth Grade education,” he told committee members.

He also acknowledged that senators, in the earlier discussion, seemed to believe these students often were such “pains,” in his words, that they shouldn’t be in the school system any longer. That exchange led some lawmakers to question why these students often end up becoming so troublesome to teachers, peers, and the educational system.

In fact, one lawmaker, who is a teacher, said educators and students actually may be better off in some ways if such students drop out, especially if they disrupt teaching and learning.

Lawmakers concur, however, that if more programs or services were available to these students—and if school could, in the words of Ross and others, “find a way to deal with these kids,” especially at an earlier age—the students might be better served.

### **Programs to reach failing students**

That point was one Ross repeated, saying if schools had been or were better able to deal with these students, they would have “come up” with a plan or plans to do so. Several suggestions were made, including alternative programs, alternate methods for teaching and learning, and greater reliance on dealing with the “whole child,” including combined social services efforts, greater parental involvement and support, and the enforcement of truancy laws.

Some other major “consequence,” such as the current denial of a drivers license, could help, according to committee testimony.

That line of discussion also caused some legislators to say that programs such as the Mountaineer Challenge program, described as a volunteer ‘boot camp’-type program for troubled youth, could be helpful. In the past, some of these students would have wound up in the U.S. Army, but the Army’s “non-acceptance” of students without a high school diploma or G.E.D. degree closes off another option for these students. Additionally, lawmakers say that other “juvenile system” programs, while concentrating on dealing with penalties for abuse of laws such as substance abuse, only serve to punish a crime, while not concentrating on earlier intervention strategies that might work.

If any such legislation is considered, several lawmakers said it should be implemented over a several-year period, and not hastily adopted for local enactment. In fact, Senate Education Chairman Robert L. Plymale (D-Wayne) said the problem is one that includes intangible factors such as student motivation on more concrete terms with subjects such as funding, leading him to say that any approach to the issue had to include “long range plans and a very thought-out process.” Moreover, Plymale said the state has an “obligation to try to educate (students who would drop-out).”

Ross, however, said that issue may be complicated by other factors such as lack or loss of social skills. He also said he is surprised about the number of female drop-outs in that females typically fare better in school than males. Moreover, he says the drop-outs often tell him, “I didn’t fit in; I didn’t think anybody cared.” Admittedly, he said such students have an “axe to grind,” but that educators should take those comments to heart in that these students often don’t “fit the mold of the school system.”

In response, legislators seem to wonder how they could “rearrange” the school system, with all the demands from the state and federal government, to meet the seemingly individualistic needs of these students, especially given the federal emphasis on school performance, and the state accreditation emphasis on low absenteeism.

### **Holistic problem**

In following up on this angle of discussion, W. Va. Education Association President Tom Lange, a former attendance director, said the main focus should be on the “environment” from whence drop-outs find themselves. In his work with Jefferson County Schools, Lange said both parents and students may be seeking “help” in terms of coping with what can be stressful family situations—broken homes, single parent homes, family dysfunction—and a student’s need to receive an education. He said sometimes, both parents and students become discouraged in the process. He also stressed the need for additional funding and greater, earlier interventions by the state and local juvenile systems.

Lenore Zedosky, who represented the state Department of Education at the meeting, spoke of the gravity of the situation, saying, the state is “accountable for these students” in terms of funding, programmatic and social concerns.

This type legislation has been discussed in the past.  
—O’Cull is W. Va. School Boards Association executive director, a post he has held for the past 18 years.

# *Comments presented to Education Subcommittee B*

## **Greater Calendar Flexibility Needed**

By Dr. Robert Rupp, President of the Upshur County Board of Education

I come here today as a representative of the fifty-five county school boards in our state. I currently teach history and political science at West Virginia Wesleyan College and currently serve as President of the Upshur County Board of Education.

Let me begin by thanking the committee for the opportunity to testify at this hearing.

And let me also commend this Legislature for passing Instructional Support and Enhancement Days—a mechanism that will allow time for our teachers to work with students.

I commend the Legislature not only for this example of policy making that enhances the quality of student learning in our state, but also for allowing the 55 school districts to decide how to implement this policy. The state mandated five of these enhancement days in conjunction with faculty senate days, but allowed the school districts to choose which days within the parameter that they be held every other month.

Notice the dynamic—the state sets the policy, but the local districts have options over the process. This offers a model for you to consider as you study how to provide “increased flexibility for county boards of education” to establish a satisfactory school calendar.

Let me begin my remarks by noting that the Legislature has many duties related to education and the 280,000 students in our state. This responsibility was given to you in Article XII, Section 1 of our state Constitution. This constitutes an important trust—all the more important because it is both sacred and asymmetrical. It is a sacred trust because it gives you responsibility for the future of our state—our youth, and it is asymmetrical trust because you are insuring a needed service to a constituency 98% whom cannot vote for you or contribute to your campaigns.

The good news is that I come today with a proposal that has no cost for taxpayers in this state and offers less work for you in the Legislature. On behalf of other county boards of education in this state, I offer a reform that requires no allocation of additional funds, while it creates more freedom at the local county level.

Specifically I ask that you consider giving the fifty-five school districts in our state some flexibility to set the opening date of the county school year.

### **Proposal and Rationale**

Such action would represent a small step for the Legislature, but makes sense—both common and political, both practical and philosophical.

**1. This flexibility is offered in surrounding states.** At present our neighbors of Kentucky, Maryland and Ohio do not offer any mandated instructional term dates. These states have decided that they need not mandate statewide a day and date in August all schools will start.

**2. This flexibility would be limited in its range of time frame.** Flexibility would be given within a certain time frame so that the school districts would not have the power to set dates within parameters.

**3. This flexibility would be subject to oversight.** Flexibility would not mean unmonitored action. The fact that the State Education

Department must approve all school calendars provides an oversight mechanism of this grant of flexibility.

**4. This flexibility would be a symbolic recognition of school board authority over process.** In the past decades control over finances, operation, and curriculum has gone from the local school boards to Charleston in return for needed fiscal support. Now this one change offers an opportunity to reverse that flow without sacrificing your Constitutional mandate to insure quality student learning. How refreshing it would be to see the next Legislature return within certain parameters some power to local units of government

### **Policy versus Process**

Allowing local school boards to set opening dates within the parameters will allow you to concentrate on education policy making, rather than process implementation. It will take you away from micro-managing education, and allow you to focus on macro-level education.

Certain process questions are best left with the governmental unit closest to the citizens—the elected county school boards as long as it does not undermine educational policy for quality instruction.

One of those recent policy-making decisions involved setting the number of instructional days at 180. It makes both common sense and educational sense that the state government should insure a certain minimum amount of days in the classroom—an education precedent that dates back to Horace Mann. But having set the policy standard, what sense does it make to have the Legislature engage annually in setting the one and only one certain date that all schools in the state must start?

The dynamic is important. Let the state set policy: the local districts set process. The Legislature provides policy to benefit children, while providing some flexibility to local school districts in implementing the policy.

### **Issue of Local Conditions**

One size-fits-all does not work in the Mountain State, which stretches from the Ohio River plain to the Appalachian elevations—from Parkersburg to Princeton, from Charles Town to Charleston.

I find it ironic that in a state whose motto proudly proclaims freedom (“Mountaineers are always free”), the government embraces a mandatory start date that does not exist in many neighboring states.

We may be a small state, but we are not a uniform state. I need only to mention geography and weather and you can understand that not all counties are equal in the Mountain State. Just check the differences in snow levels and snow days this past school year. For 2002-2003 Preston County had 19 snow days, while Kanawha County had the low of 4 snow days. I venture to say that if our capital had remained in Wheeling, appreciation of snow days would be increased.

But the diversity within our state goes beyond climate and elevation—it applies to differences in local culture. In some counties festivals are part and highlight of the local landscape—be it the Strawberry Festival in Upshur or the Forest Festival in Randolph.

*Please see FLEXIBILITY on page 7*

# 'Designer Schools'

## Students and School Don't Always Connect

By Howard M. O'Cull, Ed.D.

Being a single parent of an 18-year-old who dropped out of school in the second semester of this, his senior year, I had both a professional and personal interest in the discussion of legislation that would raise the school drop-out rate from age 16 to age 18.

In due candor, Kanawha County Schools, its teachers and administrators, did not fail in their attempt to provide educational services, sheer educational services to my son. Moreover, Kanawha County Schools—its teachers, administrators and employees—showed concern (“cared”)—about my son and his growing lack of interest in school, a factor which began, as I recall in the Fourth or Fifth Grade. Finally, Kanawha County Schools should not, in my opinion, be held responsible for this decision, a decision that was painful for my son, but one he took as a means to “cut his losses.” In other words, graduation—this year, the year it was supposed to occur—was untenable. Thus, he reasoned, why endure more seat and class time—and the embarrassment of ‘being’ in school in the last days of his senior year, but then not being able to actually graduate?

### The day he quit

That morning my son decided to call school quits began as a typical Monday morning, except, of course, that this was the Monday of finals week for seniors. I used all leverage possible—loss of car keys; no socializing; having to get a job, etc.—and every ounce of logic at my disposal—‘Life is mostly showing up,’ I said. Or, if you show up, your teachers may pass you as a means of deference to you. Or, you could really ‘pull it out.’ We both knew the latter were fantasy propositions. Failing in almost every subject, although bright, forthright and determined in many aspects of his life, schooling—middle schooling and the high school situation, even late elementary schools—and Tyler did not connect.

While my son fit in socially—the bevy of counselors and teachers were quick to declare that he enjoyed the social aspects of school—and while he never disrupted classes, or was violent or a danger to anyone, he and school simply failed to connect. In many ways, he quit school in the Eighth Grade, simply going along with the motions through Grades 9-12.

### Putting time in

In other words, from Grades Eight-Twelve, my son ‘put his time in,’ with a healthy dose of class-skipping and the like, but didn’t put much academic productivity or homework in the “in” basket, so to speak. For some reason, however, he never dreamed of quitting at age 16. But quitting is still quitting. If he could have quit at age 16 would this have been a right decision? No more right or correct than his decision to quit school at age 18.

Yet, his quitting school illustrates a lesson: School, as structured today, does not “fit” all students. Yet, should we “restructure” school to meet the needs of those students who “don’t fit,” with these students, at least looking at the graduation rate for those who manage to navigate through 13 years of classes, instruction, tests

and the like, being in a distinct minority?

### State policy

I think it’s worth a try, but that approach shouldn’t be the policy of the state. Thus, forcing a failing student to remain in school until age 18 simply forces the child to be “in school.” Notice I didn’t say to be “engaged in school.” And, that’s the big difference. Just as some educators and lobbyists will argue about how we arrived at 180 days of instruction and why that’s sacrosanct, we also say students must be at least age 16 to drop out of school—or 17 or 18 as in some neighboring states.

Public education fails a child, and causes that child to fail, when the child and school no longer connect, and no other means, except traditional methods of education and learning are available to that child—available, perhaps, to instill or prompt a glimmer of hope with that student.

Fortunately, Kanawha County Schools has an alternate learning program for high school students, conducted in collaboration with the University of Charleston. Essentially, highly at-risk students pace themselves and learn in such a way as to satisfy individualistic learning patterns and needs. Tyler and I visited that program in November. It wasn’t a fit in some respects because of the lateness by which he’d have entered the program as well as the absence of peers—most of his buddies were the high academic achievers at Capital High School with what some teachers would refer to as a ‘slacker’ or two—and the family disruption to routine and practice.

(If you think I have been passive all these years, you’re mistaken. Tyler’s academic journey has been of intense concern, with me viewing it as a logical challenge that I somehow could ‘fix’ as I provided direction, support and guidance for what was a continually sinking enterprise. Moreover, his schooling was affected by the trauma of a loss of his mother at an early age. Despite counseling interventions and efforts to the contrary, perhaps he’s been unable to come to terms with this situation. Perhaps this situation is the “interior” issue of concern. His counselors think not.)

### Redesigning

Thus, we are back to square one. Let’s not redesign (or attempt to redesign) the entire school system around a few kids, but let’s spot them “when” they show signs of being at-risk, and let’s channel them—no matter how bright, as Tyler is (his ACT score is quite commendable; had he simply had the grades, the ACT score would not have been an issue for his getting a PROMISE Scholarship)—into programs that will keep their interests and meet their needs. Let’s also be sure that such programs aren’t the sum and substance of their schooling. Structure for these students is important as is consequences and high expectations. Indeed, individuality is fine, but society also rightly demands at least some degree of conformity.

As I said, Kanawha County Schools didn’t contribute to Tyler’s failure, except that the system’s conventional approaches didn’t grab the attention of him as a student, with ‘system’ officials telling

me that 'he'd probably grow out of it' or like pronouncements. (Of course, I hung my hopes on this analysis.) While we can't and shouldn't redesign the school system around a few children, let's see what resources we can use to reach the students who aren't being reached. Will it be expensive? Yes. Where will we get the funds? Before we start the 'money-talk,' let's get a handle on how many students are involved. In regard to the latter, let's have the state Department of Education complete a study as to how many students we have who are like Tyler. Once we have some numbers, let's have a policy debate about how, if it is possible, to reach these students. And, most importantly, let's not confine this debate to educators. Let's draw in social services representatives, the juvenile system, the W. Va. Secondary Schools Activities Commission and other related parties. Finally, let's not try, as desperately as we may need to, to tackle this issue in a session or two. It will take longer, as the issue is more fully discussed.

I'm proud to say that Tyler, of his own volition, enrolled in a GED program sponsored by Regional Education Service Agency III. Whether he'll make it through this program, given the record of past academic inclination, is an unknown. Yet, why couldn't the state devise an alternate certificate, based on the GED-concept, for students such as him? Or, should the state? Doesn't everybody, at one time or another, graduate from a University of Hard Knocks of their own making?

Only time will tell us the institution from which Tyler will get his diploma.

—O'Cull is WVSBA Executive Director. Opinions expressed about legislation to increase the drop-out age to age 18 are strictly his.

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## FLEXIBILITY

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Correspondingly in some counties, deer season is not just a yearly opportunity, but an annual established community ritual as much a part of local culture as the arrival of ramps.

The state Legislature has recognized these different conditions and the merit of flexibility by allowing local boards some latitude in vacations-but such latitude is confined to tinkering with Thanksgiving and Spring Break vacations. The current system straightjackets 55 school districts when the Legislature each year sets an arbitrary opening and the closing dates. With such fixed parameters the system offers a little room to accommodate different conditions.

I believe that some flexibility on the starting point would allow local school boards to adopt a school calendar that is sensitive to conditions and concern. The requirement of 180 days remains; it just lets local districts have more control over when those 180 days start.

### Conclusion

Sixty years ago Winston Churchill requested financial help from Franklin Delano Roosevelt to fight World War II—"Give us the tools," he said, "so we can finish the job." The result was the historic Lend-Lease bill that supplied aid to the Allies.

On behalf of my fellow school board members in the fifty-five counties of this state, I ask for consideration of nothing so dramatic, so historic or so expensive. I simply ask for flexibility which would allow local school boards to decide when their schools open.

To paraphrase Churchill, give us some control over the date of school opening, "so we can better our job." Allow us the option of setting a school starting date and, thereby, allow us to adapt our school calendar to local conditions.

—This presentation was given by Rupp to the W.Va. Legislature's Education Subcommittee B: Public Education, on June 8.

## INSTRUCTIONAL TIME

*continued from page 1*

Rupp said that issue was a relevant concern, and stated that an effort to look into such might be needed.

Framing the issue in a slightly different manner, Sen. Robert Plymale (D-Wayne) said his greatest concern regarding the calendar was ensuring that school systems can end their first semesters before Winter break. In many cases, systems fall short of doing such by around three days, he said.

It is unfair to ask teachers to re-teach material after coming back from winter break, doing such wastes valuable time, stated Plymale.

All parties agreed that ending the first semester before winter break would be "educationally sound."

State Department of Education official Joe Panetta said his office received complaints from parents when instruction is scheduled on certain days such as Good Friday, Presidents Day, spring and Thanksgiving breaks.

Often parents plan and expect to spend time with their children on such days, he said.

—Keeling is WVSBA executive assistant.

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