



WESTEST Undergoes Trial Run

By Jason B. Keeling

The state Department of Education has been field testing West Virginia's newest public school accountability piece, the W.Va. Educational Standards Test (WESTEST), according to State Superintendent David Stewart in comments before the Legislative Oversight Commission on Education Accountability on May 5.

W. Va. was eighth in the nation to have their No Child Left Behind implementation plan fully approved by the U.S. Department of Education. On April 7, Education Secretary Rod Paige made a surprise announcement of the approval at the Kanawha County Public Library, said Stewart.

The WESTEST's criterion based format differs from the formerly used SAT-9, which uses a norm-referenced format that compares students with each other. Instead the WESTEST attempts to determine if students have mastered a body of knowledge. In West Virginia, that body of knowledge will be the SDE's newly established content standards. Using the content standards to measure student performance will reveal more accurate information given that the WESTEST will focus on what is actually being taught in the state's schools, said Stewart.

The purpose of field testing the WESTEST is to determine which items should remain or be removed, said Jan Barth, director of the state Office of Student Assessment.

The field test would help reduce the uncertainty of both students and instructors by giving them an opportunity to review the test prior to its 2004 implementation, she stated.

On June 1 the SDE plans to launch a Web site that will allow teachers to further review the new test's contents, according to Stewart. A preliminary overview of the "I Know" resource can be found online (<http://osa.k12.wv.us/testitem.htm>). The Center for

Professional Development has been given the task of training teachers and principals to use "I Know".

Further discussing NCLB, Stewart stated that his main concern was the federal government's commitment to funding the necessary professional development required.

Del. John Doyle (D-Jefferson) described the new federal education law as a "surreptitious attempt" to promote school vouchers.

If approved on a large scale, vouchers would lead to major layoffs, said Del. Jerry Mezzatesta (D-Hampshire), who stated that the U.S. Congress recently defeated a bill by only 80 votes that would have allowed vouchers.

Mezzatesta expressed disapproval of per diem payments collected by state Board of Education members that charged their time for non-meeting activities.

Doyle praised the efforts of SBE members, but said charging for non-meeting activities was not a good practice. The best method of increasing compensation for SBE members would be through a pay raise, not per diem payments, he said.

Also during the meeting, Stewart indicated the following:

- The SBE has been forming a "memorandum of understanding," clarifying the low performing school intervention roles of the Secretary of Education and the Arts, State Superintendent of Schools, Office of Education Performance Audits, Regional Education Service Agencies, and the Center for Professional Development.
- The SDE's Office of Transportation would be revising certain regulations.
- Since 1999, smoking on high school campuses in West Virginia has decreased by 28 percent.

—Keeling is WVSBA executive assistant.

OVERVIEW

STATS

2003 Regular Session:	Adjourned <i>Sine Die</i>
Days Until 2004 Regular Session:	245
Interim Meetings Remaining	June - January 2004

INSIDE

- PROMISE Begins Second Program Year.....p. 2
- Delegate Responds to *Legislature* Article.....p. 3
- Interim Education Subcommittees.....p. 4

QUOTE: "I just wish you would see what we get. It's two feet of paper..." —*State Board of Education President Howard M. Persinger Jr. in a recent news article concerning SBE members receipt of per diem expenses for meeting preparation.*

Correction/Clarifications

The Perils of Publishing

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

A state senator recently contacted me, pointing out that the February 21, 2003 issue of *The Legislature*, in an article about legislation that eventually was enfolded within **Senate Bill 522**, is erroneous in reporting that an amendment by Sen. Steve Harrison (R-Kanawha) was defeated when, in fact, the amendment was adopted. The amendment removed a proposed provision of statute that would have allowed the state Board of Education to determine the state Superintendent of Schools' salary. Sen. Harrison moved to strike that provision saying that it left the language being too broad in scope.

Please see **PERILS** on page 3

PROMISE Begins Second Program Year

By Jason B. Keeling

Last week (May 5) Legislative Oversight Commission on Education Accountability members were given an update concerning the PROMISE Scholarship Program, which begins its second year of merit based giving when the 2004 fiscal year commences July 1.

PROMISE Executive Director Robert Morgenstern told legislators the program was “manageable” and would likely continue to operate within the level of funding appropriated for its maintenance. PROMISE was designated \$10 million for this year and \$17 million for 2004. Morgenstern said he expected 60 to 80 percent of the original recipients to renew the scholarship, which could help the program stay within its budget.

Recipients must maintain a minimum 2.75 grade point average their freshman year of college and a 3.0 cumulative GPA after their freshman year. Scholarships were utilized by 3,483 of last year’s West Virginia high school graduates and 4,113 from the class of 2003 have qualified for the upcoming year.

This year, for the first time since 1998, a lesser percentage of the state’s college bound students left West Virginia to pursue higher education, said Morgenstern.

Addressing controversy over grade inflation, he said that the minimum ACT score of 21 serves as the “gatekeeper” in determining if students qualify for the scholarship.

Of the 6,468 students that applied for PROMISE for 2004, 626 didn’t meet the ACT requirement, while 528 didn’t meet the minimum 3.0 grade point average requirement. Some high school seniors are not taking the most challenging courses, and this affects their ability to meet requirements, he said. “The PROMISE should not, and is

not a reward for graduating from high school,” but is a merit based program designed to “change the culture of education” in West Virginia, he continued.

Sen. Larry Edgell (D-Wetzel) said counselors in his county indicated parents were taking an interest in the content of their students’ coursework at earlier points in those students’ high school careers.

In some cases before “the senior year was a joke,” said Senate Education Chairman Robert Plymale (D-Wayne).

House Education Chairman Jerry Mezzatesta (D-Hampshire) voiced concern that the PROMISE may be taking away funding from needs based programs, asking Morgenstern if needs based or merit based scholarships should be funded more.

“That is a decision we (the Legislature) have to make,” replied Plymale.

—Keeling is WVSBA executive assistant.



On the Web at:
WVSBA.ORG

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 WVSBA, unless specifically stated.

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WVDBTAC is headquartered at the Center for Excellence in Disabilities at West Virginia University and is funded by the U.S. Department of Education.

‘Understand the bus drivers’ concerns’

Delegate Responds to *Legislature* Article

By Mary M. Poling

A representative of the bus drivers in Barbour County recently contacted me about Dr. Howard O’Cull’s editorial titled “Public/private Transportation: Is WVSSPA in Mezzatesta’s Sights?” that appeared in the February 28, 2003 edition of WVSBA’s publication, *The Legislature*. After reading the article, I understand the bus drivers’ concerns.

The editorial pertained to House Education Committee discussion of **House Bill 3086** that was introduced by Del. Ron Walters (R-Kanawha). The bill would have allowed county boards of education to study and propose cooperative agreements with local public or regional transit authorities to transport students to and from school.

I did not and will not support any measure that allows bidding the safety of our children out to organizations that do not deal exclusively with transporting children. The editorial implies that WVSBA supported the bill as a money-saving concept.

W. Va. has a proven effective safety training/certification program for public school bus drivers and bus maintenance employees. I along with the majority of the committee killed **HB3086**. Instead, the committee introduced a study resolution, **House Concurrent Resolution 57**. Although the formal resolution never made it through both the House of Delegates and state Senate, I am certain such a study would have proven conclusively that contracting public school bus service is more expensive and less safe than the current

school transportation system in West Virginia.

According to Dr. O’Cull, I and another Delegate “recited the costs for using service personnel to take extracurricular trips ... saying the average trip costs about \$1,000, with students having to sell items to cover the fees to pay bus operators.” I did not provide or support the \$1,000 figure nor did I comment about paying bus drivers for extra curricular trips. The total cost of such trips, including cost of equipment and maintenance, fuel, training, and property and liability insurance were also being discussed.

These costs, especially the liability costs, lead to my comments about driving students to a math field day contest. I did say that I and other teachers and parents drove students from Barbour County to Fairmont in our personal cars because our school board, at the time, approved our participation in the event but would not fund the travel expenses. I raised the issues of safety, cost, and liability to parents, employees, and school boards when school buses set idle and other transportation is used for board approved activities. Our current school board does pay for these math field day trips.

As a legislator, I want to make it clear to WVSBA and to my constituents that I support the state-funded transportation system for our public schools and feel that our school bus drivers deserve every penny they are paid for safety transporting our children to and from school.

—Poling (D-Barbour) represents Barbour and Upshur Counties in House of Delegates District 40.

PERILS

continued from page 1

When the amendment was proposed, there was some confusion as to whether or not it had been adopted. When the bill was referred to the Senate Finance Committee, the state Department of Education was instructed to provide an estimate of the costs to implement the legislation, including that provision. In writing the article, I checked with the Senate Education Committee staff, and used their “pronouncement” as to the amendment’s fate. SEC Committee meeting *Minutes*, however, detail that the amendment was adopted. The critical error on my part was to not have informed the reader of my attribution. My apologies to Sen. Harrison, SEC members and staff as well as *The Legislature* readers.

Bus Driver Article

A second article, also written by me, drew several responses. The article was entitled, “Public/private Transportation: Is WVSSPA in Mezzatesta’s Sights?” Del. Mary Poling (D-Barbour) has written a response, which is included above.

A few other persons, in e-mails and telephone calls, questioned the tone of the article, and one astute caller stated that it should have been considered an “op-ed” piece, analysis or editorial rather than being treated as straight news.

Chairman Mezzatesta

House Education Chairman Del. Jerry L. Mezzatesta (D-Hampshire) also said the article should have been “more balanced” in pointing out that the Committee (not he as chairman) expressed

some reservations concerning transportation costs. (Other HEC members were quoted, but the headline could have been more balanced.)

Lyle Sattes

Finally, one contact complained about my use of the word “passive” to describe former House Education Chairman Lyle Sattes, who served from 1979-1991. This individual said that language was “unfortunate” in that Del. Sattes (D-Kanawha) had a very open style of work, and that he sought to include as many persons as possible in the process. The individual, who wished not to be named, said Del. Sattes, as HEC Chairman, actually staved off the passage of some legislation that would have been detrimental to public education, including a decisive vote in the mid-1980s that thwarted professional school employees from being selected, based solely on seniority. He also was a strong opponent of reducing county board members’ terms, of reducing the number of central office administrators, and was the first legislator to embrace the school board reforms under which county boards operate today.

In the haste to meet our Midnight deadline of getting the Friday edition of our publication to print, we occasionally misstate a few facts or make other type errors. Accordingly, I take my responsibility as editor of this publication very seriously and especially regret factual errors. Commentaries and analysis are different in that they are opinion, and should engender discussion and comment. When readers detect errors or wish to respond to articles, please contact me. Again, I regret any errors in these issues.

—Howard M. O’Cull, Ed.D., Editor; *The Legislature/WVSBA Executive Director*

Subcommittees of the Joint Standing Committee on Education

The following West Virginia Legislature interim subcommittee's were announced at the Joint Standing Committee on Education's May 5 meeting. It was also announced that a subcommittee studying state aid to schools will be appointed, members of that subcommittee and the Legislative Oversight Commission on Education Accountability will be listed next month.

Subcommittee A: Higher Education

Chair, Sen. Plymale (D-Wayne)
Sen. Oliverio (D-Monongalia)
Sen. Unger (D-Morgan)
Sen. White (D-Webster)
Sen. Boley (R-Pleasants)
Sen. Guills (R-Greenbrier)
Sen. Sprouse (R-Kanawha)
Ex-Officio, Sen. Edgell (D-Wetzel)
Chair, Del. Beach (D-Monongalia)
Del. Fragale (D-Harrison)
Del. Louisos (D-Fayette)
Del. Mezzatesta (D-Hampshire)
Del. Poling (D-Barbour)
Del. Shaver (D-Preston)
Del. Shelton (D-Nicholas)
Del. Stemple (D-Calhoun)
Del. Sobonya (R-Cabell)
Del. Sumner (R-Raleigh)

Subcommittee B: Public Education

Chair, Sen. Edgell (D-Wetzel)
Sen. Bailey (D-Wyoming)
Sen. Bowman (D-Hancock)
Sen. Caldwell (D-Mercer)
Sen. Dempsey (D-Lincoln)
Sen. Harrison (R-Kanawha)
Ex-Officio, Sen. Plymale (D-Wayne)
Chair, Del. Williams (D-Preston)
Del. Crosier (D-Monroe)
Del. Hartman (D-Randolph)
Del. Long (D-Mercer)
Del. Mezzatesta (D-Hampshire)
Del. Paxton (D-Putnam)
Del. Perry (D-Fayette)
Del. Duke (R-Berkeley)
Del. Hamilton (R-Upshur)
Del. Romine (R-Doddridge)

Subcommittee C: Technology Development and Implementation

Chair, Sen. Edgell (D-Wetzel)
Sen. Caldwell (D-Mercer)
Sen. Hunter (D-Monongalia)
Sen. Oliverio (D-Monongalia)
Sen. Unger (D-Morgan)
Sen. Harrison (R-Kanawha)
Sen. Sprouse (R-Kanawha)
Ex-Officio, Sen. Plymale (D-Wayne)
Chair, Del. Swartzmiller (D-Hancock)
Del. Long (D-Mercer)
Del. Mezzatesta (D-Hampshire)
Del. Perry (D-Fayette)
Del. Renner (D-Marion)
Del. Shaver (D-Preston)
Del. Tabb (D-Jefferson)
Del. Canterbury (R-Greenbrier)
Del. Howard (R-Cabell)
Del. Wakim (R-Ohio)

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