



## *Bills examine school aid formula, outdated language*

# Most counties would gain employees with increased net enrollment limits

Agenda set for Mingo County meeting on page 2

By Howard M. O’Cull, Ed.D.

The House Education Committee on Tuesday passed **House Bill 2578**, which will increase the school aid formula net enrollment limits for professional and school service personnel during the next several years.

The bill also creates higher limits for county boards with fewer students than the state average, which is similar to the current two-tier approach for service personnel. It is designed to fund additional personnel for rural, sparsely populated county boards, said Joe Panetta, director of the West Virginia Department of Education’s Office of School Finance.

**HB2578** is a companion bill to Committee Substitute for **Senate Bill 247**, which was passed during the 2002 legislative session (§18-9A-5b). That measure requires the state to spend an additional \$2.5 million per year for the next 12 years to increase net enrollment limits, while the most recent legislation sets those limits for the next three years.

## Most boards would be able to hire more teachers and service personnel

Panetta said the bill will add about 25 teachers and 42 service personnel per year, beginning next fiscal year. Almost all school boards would see an increase, except for the 2005-2006 school year because 12 counties are already funded at the adjusted enrollment limit for professional educators.

Not every board will be able to hire additional professionals, he said. A few boards will not increase staff because they already receive money for additional professional educators under a state aid formula provision that requires every county board to receive money for at least five non-professional instructional personnel. Every board, however, will be able to increase the number of service personnel funded under the new formula, he said.

Please refer to pages 12-13 for a chart of the potential personnel increase for each county. The chart provides an estimate, based on enrollment and personnel data for the current year, that each county

See **ENROLLMENT LIMITS** on page 3

## Overview

### STATS

Day of Session:	24
Days Remaining:	36
Bills Introduced (not including pre-filed bills):	1,314
Education Bills (WVSBA count):	292

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### QUOTE

“This is all about building partnerships, leveraging talent.”  
– Nancy Strum, Gov. Joe Manchin III’s director of distance-learning programs, regarding a Regional Education Service Agency I (Southern West Virginia) distance-learning project which serves several rural school systems.

## WC info in the mail

Superintendents and association members should receive a package of Winter Conference information this week, according to WVSBA Administrative Assistant Shirley Davidson. The package contains legislators’ Capitol addresses and phone numbers for use in visiting legislators, as well as the March 11-12 Winter Conference program at the Embassy Suites Hotel in Charleston.

The West Virginia Association of School Administrators/WVSBA Reception With Legislators is March 10 at 6 p.m.

Buses depart for the Capitol at 9:00 a.m. on Friday (March 11) and return at 12:30 p.m. The conference begins at 1 p.m. Friday and concludes about 12:30 p.m. Saturday.

County board members and superintendents should RSVP if they plan to attend. Contact Davidson at sdavidson@wvsba.org or 304-346-0571.

The conference program includes the “Five Habits of High-Impact School Boards”; newly adopted revisions to the state’s Ethics Act; the federal No Child Left Behind Act’s “high-quality” teacher provisions; school security; community schools; and selection of school architects and related matters.

Members receive 8.75 hours’ training credits for attending the meeting. About 240 have registered for the 18<sup>th</sup> Winter Conference.

# State board sets agenda for Mingo County meeting

See **Administrative Perspective** on page 8

Mingo County Board of Education President William Duty said the board has received the agenda for its March 7 meeting, the first since the state board's intervention in late February.

The agenda includes the call to order, approval of January and February meeting minutes, a presentation by students who scored well on the state writing assessment and approval of two field trips.

The agenda conforms to the response from West Virginia Department of Education attorney Rebecca Tinder, who, answering a question from state board of education member Lowell Johnson (Greenbrier), said the Mingo board could approve student disciplinary matters and field trips. Tinder said the board had other duties, but didn't elaborate.

Several agenda items are presented for board review, including the personnel schedule; payment of \$622,675 in invoices; \$833,312 in budget transfers; budget supplements totaling \$1.6 million; changes in the school calendar; setting of levy rates (as required by law); and informational items including a "communication" from the School Building Authority of West Virginia (SBA). Delegations are listed at the end of the agenda.

## Duty requests specifics from state board and support from Sen. Chafin

Duty said he has asked WVDE officials what the Mingo County board can do in terms of discussions and debatable items, while it is under authority of the state department. He said he received a letter

from State Superintendent of Schools David Stewart, Ed.D., that outlined the "cannots," but the letter did not specify any "doables."

Duty also confirmed that some Mingo citizens are raising money to sue the board over the takeover, although he didn't know the amount they have raised or when they might file suit. He said he would soon meet with Charleston attorney Jim Lees, who represented the county board prior to the takeover. Lees answered Mingo County questions from WVBE members at the Feb. 15 state board meeting.

In an e-mail shared with WVSBA, Duty asked veteran lawmaker Sen. Truman Chafin (D-Mingo) to be more definitive in his support of or opposition to the Mingo County board's position in the state takeover.

"As you may well know, the whole process, while remaining constitutionally correct, is, in my opinion, filled with flawed data and personal issues," Duty wrote.

"This situation needs, again, in my opinion, either a "day in court" or legislative review. I don't think we can sit around and do nothing when the future of nearly 5,000 of our students, several hundred teachers and service personnel and thousands of citizens are or have been cast into such disparaging positions.

"I, along with so many, many people, am looking forward to your help to make our educational system one of which we can all be

See **MINGO AGENDA** on page 6

## CORRECTIONS: Perils of Publishing

The West Virginia School Boards Association staff apologizes for the quality of the Feb. 28 issue of *The Legislature* (bill edition). A flawed version of the newsletter was prepared and inadvertently forwarded for photocopying. We had already mailed it when we discovered the copy was flawed. The Web site version, however, is correct. Again, our apologies.

Secondly, in the astute reader corner, a county superintendent alerted us to an error in a story about a possible Mingo County takeover, pointing out that the copy said two other counties had faced West Virginia Board of Education intervention. The two counties listed were Lincoln and Mingo Counties, when in fact, the two counties at that time were Lincoln and McDowell Counties.

Lastly, in the "don't mess with the copyeditor's work" department, a sentence in the Howard M. O'Cull, Ed.D., piece titled, "Arguments against Mingo takeover flawed," was itself flawed. The sentence should read as follows:

"Yet, if the [West Virginia Board of Education] makes decisions within the constitutional veil surrounding its policymaking, and it follows other statutory conventions, as well as process or procedure (such as adherence to the Open Meeting Law), *what constitutional rights have citizens lost through the board's actions?*" The sentence, as written in the copy, reads exactly the opposite. O'Cull's point is that the WVBE actions, as described above, don't translate into citizens' loss of constitutional rights.

**The Legislature** provides county board 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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# ENROLLMENT LIMITS

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could realize with **HB2578**'s increase in funding.

The state superintendent first proposed the legislation in 2001, due largely to settle issues in the Tomblin v. Gainer school finance court case. According to the December 2001 issue of the West Virginia School Boards Association's *WVSBA Monthly*, the judge in that case had asked for a \$39 million increase in educational funding but former Gov. Bob Wise said he would not include that amount of "inputs" in his educational budget proposal. The "net enrollment caps" provision was a way to add incremental amounts of new educational funding, according to the WVSBA newsletter.

The House Education Committee quickly approved the bill the second week of the 2002 session. The statutory language about net enrollment increases eventually was included in **SB247**, an omnibus education measure passed that year, according to the March 8, 2002 issue of *The Legislature*.

## Bill language suggests review of school aid formula

The measure contains a "legislative finding" that the school aid formula should be "[examined] in context with the changing educational environment and address the staffing and other needs of the public schools as may be indicated through that examination."

Many education observers believe this language suggests that legislators intend to study the formula, which was first adopted in 1971. The prospect of a 2005 school funding review was mentioned last week in a joint House-Senate Education Committee meeting at the Cultural Center. The West Virginia School Boards Association and several other groups have called for a formula review the last few years. Senate Education Chairman Bob Plymale (D-Wayne) has suggested that Marshall University and West Virginia University researchers help with the study.

## Bill recognizes changing educational needs

According to the legislative finding, the school aid formula was enacted in 1971 as a "seven-step formula largely driven by student enrollment."

The proposed House bill acknowledges that the formula has been "amended many times over the intervening years to effect program improvements, respond to changing enrollment patterns and accommodate budgetary priorities. [Yet] it remains a formula driven primarily by student enrollment.

"As such, the state basic foundation program (School Aid Formula) has been credited with providing base-level funding from the state, which is very equitable on a per-student basis among county school systems.

"However, the intervening years have also seen substantial changes in the educational environment, the most profound of which include the decline in student enrollment from about (404,000 students) when the [formula] was created to about (278,000) students in the (2005 school year), the growth of technology-delivered in-

struction, the advent of performance-based accountability and the accompanying responsibility to target resources to make needed improvements."

Dels. Larry A. Williams (D-Preston), Gerald Crosier (D-Monroe) and Linda Sumner (R-Raleigh) sponsored the bill.

## Bill would remove obsolete sections of Code predating Civil Rights Act

In other action, the committee adopted **HB2466**, which would remove sections of state Code that are outdated due to the federal Civil Rights Act of 1964.

These sections authorized school districts to employ one "Negro" assistant superintendent if they employed assistants and had 50 or more "Negro" teachers. The bill eliminates references to the

"Negro Board of Education" working with the West Virginia Board of Education to provide programming at Bluefield State College.

It also would remove another section that authorized county boards to cooperate with the WVU Extension Service to organize and direct boys and girls agricultural clubs. That provision is found elsewhere in the Code.

Other terms also are updated.

In a recent newspaper article, the bill's lead sponsor, Del. Sharon Spencer (D-Kanawha), said she thought the obsolete Code sections were removed in 1993 through similar legislation. That legislation also originated in the HEC then chaired by Del. Percy Ashcraft (D-Harrison).

Sponsors include Spencer, Cliff Moore (D-McDowell), and Charlene Marshall (D-Monongalia).

## Bill corrects teacher hiring loophole

The last measure considered by the committee would correct a loophole in a 2004 statute that addressed teacher shortages in West Virginia. **HB2350** clarifies current law by addressing certification standards in other states, including Maryland, which was used as an example.

In those states, educators are first granted a certificate of eligibility to teach and then a teaching certificate once they are employed.

Under terms of **HB2350**, an out-of-state educator could teach in West Virginia without having to first be employed in another state. The teacher would still be subject to a background check.

## Senate Education Committee approves higher ed bills: rules; community colleges

The Senate Education Committee on Thursday approved two higher education bills.

**SB347** authorizes the Higher Education Policy Commission to adopt proposed rules related to performance indicators; the Underwood-Smith Teacher Scholarship; the Engineering, Science and Technology Scholarship Program; and the Medical Education Fee and Medical Student Loan Program.

**SB401** authorizes the transfer of certain orders, resolutions,

*The most profound changes in education include declining enrollment, improvements in technology and performance-based accountability.*

*See ENROLLMENT LIMITS on page 6*

*RESA distance-learning project could be state model*

# Success of program counts on ‘building partnerships and leveraging talent’

A pilot distance-learning project sponsored by Regional Education Service Agency I could be a model for the state, according to Stan Maynard, Ed.D., director of the June Harless Center for Rural Education Research and Development, located at Marshall University, and Carol Morgan, RESA I executive director.

The two-year pilot program was discussed at the March 2 Senate Education Committee meeting. Morgan said the program, which is funded by the Claude E. Worthington Benedum Foundation of Pittsburgh and Verizon, reaches several rural areas of the state, including counties in Southern West Virginia as well as Pendleton County.

The distance-learning programs include upper-level mathematics, science, foreign language or Advanced Placement classes in subjects such as chemistry. Morgan and Maynard said the programs are a great value to rural schools with too few students for an individual class or for which there aren't teachers in these subjects due to downsizing, limited curricular offerings or inadequate county resources to sponsor specialized curricula.

RESA I staff member Susan Miller, who coordinates the programming, said it illustrates how agencies, businesses, higher education and foundations can collaborate to develop a “sustainable partnership” for distance learning. She said the goal of the pilot project is to provide a “systemic model for distance-learning technologies” that will meet the needs of the RESA I “learning community” that includes students, staff, parents and business partners.

Miller said a third program goal is to grow a regional cadre of “highly qualified providers” who can deliver academic content and instruction, as well as staff development and technical support to locations where certified parents aren't available and rural area locations that inhibit staff development.

Technology training for teachers, technicians and systems operators began in December, and then an 18-member cadre was selected from the original participants, based on experience, area of certification, and desire to participate in future programs. Cadre members are now familiarizing themselves with use of the RESA I equipment.

Future initiatives include a three-county staff development workshop for special education teachers. According to handout provided at the meeting, guidance counselors will identify distance-learning courses needed for the fall 2005. The cadre also will participate in a conference with the High Tech Consortium in Fairmont, arranged by Rep. Nick Rahall.

In spring, the RESA I program will include preparation and support for teachers pursuing National Board Professional Teaching

Standards certification. This program will be provided via video-conferencing and course work. That particular program is being coordinated with West Liberty State College.

In answer to a question by Sen. Tracy Dempsey (D-Lincoln), Miller said county boards interested in distance learning should initially contact higher-education officials in their areas.

Maynard sees the RESA I approach as “an economic development opportunity for your communities that need staff development.” He said the video-conferencing equipment and other technology can be used for training and professional development by other groups, including firefighters, healthcare workers and business persons.

Miller said the key to the program's success is development of personnel and resources to make the program self-sustaining, which allows the RESA I effort to be eligible for federally reduced rates for technology and Internet access.

Nancy Sturm, the governor's distance-learning technology coordinator, said the program is “all about building partnerships and leveraging talent.”

*The programs are a great value to rural schools with too few students for an individual class or for which there aren't teachers due to downsizing, limited curriculum or inadequate county resources.*

## *In Memoriam*

*Ralph Kenneth “Ken” Price  
Superintendent*

*Pendleton County Schools*

*October 9, 1946 – February 22, 2005*

*“That man lives twice who lives the first life well.”*

*- Anonymous*

*Services 'touch the lives' of constituents*

# Education and the Arts explains role to education committee; CPD among offices

Secretary of Education and the Arts Kay Goodwin presented to a Joint House/Senate Education Committee Tuesday.

Goodwin said the goal of the office, created during the Caperton Administration, is to “provide services that impact the lives of West Virginians. [SEA] programs directly touch the lives of your constituents.”

## Center for Professional Development trains 4,000 each year

Gail Looney, director of the Center for Professional Development, said all agencies providing public elementary and secondary school staff development should work together to pool resources, personnel and programming. The CPD works closely with the West Virginia Department of Education to provide staff development and training for teachers and principals, including collaborative initiatives such as the department’s High Schools That Work (HSTW) program, professional development schools project (House Bill 4669), and Advanced Placement courses for high school students. The CPD assists some low-income students with costs to participate in AP programs.

She said summer educator training sessions would be devoted to the WVDE’s recently announced mathematics emphasis initiative, which is based on the West Virginia Board of Education’s staff development goals for the next school year. About 1,800 teachers will attend these programs.

Each year, about 4,000 teachers and principals participate in CPD programs and about 25,000 professionals have received professional development since the program began.

She said another CPD role is training school principals, noting that there are 135 new school principals this year, compared to 98 last year.

The governor’s budget would eliminate CPD, transferring money previously held by the agency to a “professional development” line item in the WVDE budget, along with a separate line item for principals in the department budget.

When he made his presentation to a joint House-Senate session last week, Gov. Joe Manchin III alluded to “moving the [CPD] money,” although not directly referring to the WVDE line-items. Additionally, Looney said a \$2.3 million grant for AP courses that the agency will receive remains with the Secretary’s Office.

## EBA director doesn’t know why Manchin wants control of Authority

Rita Ray, executive director of the state Educational Broadcasting Authority, said the agency’s mission is to “satisfy the human need to learn.” According to Ray, West Virginia Public Broadcasting programs reach 415,000 listeners each week.

She listed other initiatives sponsored by EBA, such as providing parents, teachers or caregivers Public Broadcasting System programs for preschool children; a homework hotline; various mathematics and science workshops; and the receipt of a U.S. Department of Agriculture grant for providing wireless technology ser-

vices in 29 schools in 15 counties.

The agency also is responsible for some programming designed for college credit, as well as for GED preparation.

In answer to a question from Del. Patrick Lane (R-Kanawha), Ray said she didn’t know why the governor wants to control the EBA. “I only know what I’ve read in the papers. I don’t think I can comment very intelligently about this.”

Ray said the authority streamlined its staff from 167 a few years ago to 101 today. “I don’t think we can be operating any more efficiently and productively.”

She said the EBA gets about 24 percent of its funds from private contributors.

In a follow-up question from Lane, Ray said she was “trying to have a conversation with the [Manchin] administration” about any plans that would affect the EBA.

## EBA will explore programming for seniors, disabled, based on legislators’ questions

Answering a question from Del. Sharon Spencer (D-Kanawha), Ray said she would consider “planning sessions with key providers to offer programming to very specialized audiences.” Spencer asked to what extent the EBA works with the state’s disabled population.

Ray also said she would explore the potential for this type of initiative when asked by Del. Tom Louisos (D-Fayette) if EBA programming could reach senior citizens, alerting them to programs or services available from Medicare or other sources.

When Manchin made his presentation to a joint session of the Legislature last week, administration staff received several questions and comments – some pointed – about the governor heading the EBA. (Refer to issue 6 of *The Legislature*.)

## Library Commission director: distance learning increases opportunities

J. D. Waggoner, director of the state Library Commission, briefly discussed programs overseen by the Commission. He supports a WVDE plan to employ someone who would work directly with school media centers.

He also touched on distance learning, saying its expansion will increase learning opportunities for state citizens, and mentioned a program sponsored by some public libraries where students teach senior citizens how to use electronic technology.

## Rehabilitation services result in increased income, jobs, according to Rehab official

Janice Holland, interim director of the Division of Rehabilitation Services, surprised some legislators when she said her agency serves about 600 secondary school students, many of whom receive special education services, according to WVDE personnel.

Holland told lawmakers that people who complete rehabilitation services can become productive members of society. She said that 2,063 persons entering rehab services had an aggregate income

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# MINGO AGENDA

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proud and thankful that we have so many concerned with their well being.”

Duty said Chafin tried to reach him by telephone, but Chafin has been busy with legislative meetings. In his e-mail, Duty also asked Chafin to consider supporting the “No-Cost Busing Bill,” the central legislative recommendation of the small schools group Challenge West Virginia of which Duty is a member.

## Hampshire County diligently working with state board investigation—Pyles

Brenda Pyles, Hampshire County Board of Education President, said the board and central office administrators are working “very diligently” with WVDE officials in their review of grants the county has received the past few years to see if the money was spent properly. Pyles said WVDE officials also are reviewing personnel matters and other issues.

She said Norwood Bentley, the county board’s attorney, has been working closely with WVDE officials, including Tinder, on the HCBOE issues. She also has contacted state board president Barbara Fish to discuss board and central office efforts to address irregularities revealed in a late January audit.

The WVBE didn’t say why it canceled a proposed meeting with the Hampshire board that was planned shortly after the WVBE voted to examine finances and other issues in Hampshire County.

Charleston-based West Virginia Wants to Know, the self-described watchdog group, wanted to attend the meeting, which its co-founders, Wanda Carney and Tifney Terry, said would have to be open to the public.

In a related HCBOE matter, Superintendent David Friend remains on medical leave, which began late last fall, according to Pyles.

## WVSBA will train boards on oversight, monitoring, meeting management details

Once the WVDE’s Hampshire investigation is complete, WVSBA Executive Director Howard M. O’Cull, Ed.D., will work with the county board to provide specific training for meeting management, oversight and monitoring, he said. This program, which O’Cull hopes to develop in cooperation with the WVDE and the state Office of Education Performance Audits (OEPA), will be available for use throughout the state.

Any such programs would have to be approved by the WVSBA/WVBE Training Standards Review Committee, O’Cull said.

Jerry Mezzatesta, the long-time Hampshire educator who served nine terms in the House of Delegates, has been working at the central office since last fall after surgery for prostate cancer, according to Pyles.

When Mezzatesta began working for the HCBOE in 1999, he told the state Ethics Commission he wouldn’t solicit grants from state agencies, including the WVDE. According to a number of news articles last year, WVDE officials provided several grants to Mezzatesta, a community specialist for the school board.

Mezzatesta pled guilty late last year to altering or destroying House of Delegates computer files for which he was fined \$500 and

given 90 days probation.

During a February meeting, the state board passed a motion by Johnson directing the state superintendent to “investigate” the grants.

The WVBE will discuss the Hampshire findings at its April meeting in Putnam County, according to state department of education officials.

The April meeting agenda doesn’t list a report about Mingo County Schools. During past takeovers, the board often would receive monthly progress reports for those counties.

## Lincoln County official wants to know how consolidation affects bottom line

As reported in the Feb. 25 issue of *The Legislature*, Lincoln County Board of Education President Carol Smith and other county residents met with Manchin Administration officials last week to discuss the effects of “forced school consolidation” on the county.

Since that meeting, *The Legislature* has learned that Smith is calling for a “fiscal analysis” of the impact of school consolidation on Lincoln County finances.

Smith, a WVSBA association member, has asked to write about the matter in this publication. WVBE and WVDE officials also will be given an opportunity to comment.

The WVBE intervened in Lincoln County in 2000.

WVSBA records show that in 1995 most county boards in deficit attributed the situation, in varying degrees, to SBA school construction, based on minutes from a meeting of 16 “deficit counties” at Braxton Middle School near Flatwoods.

School officials said few county deficits today can be attributed to school building projects, although it could be a factor in one or two cases.

Mike Clowser of the Contractor’s Association of West Virginia said that current high steel and concrete costs, change orders, board modifications to building specifications and other factors can cause costs to exceed projections. He said the key to avoiding cost overruns is careful planning, especially avoiding building modifications.

He said that in many public construction projects, officials “add at the end, change plans a lot or don’t know what they want up front [when designing or contracting to build a facility].”

## ENROLLMENT LIMITS

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policies, rules, agreements and obligations from Bluefield State College and Shepherd University to the new governing boards at New River Community and Technical College and the Community and Technical College of Shepherd.

There are other provisions, including a section relating to division of assets and liabilities between the sponsoring institutions and the corresponding community and technical colleges.

### Bill status

**HB2578** has been referred to the House Finance Committee; **HB2466** and **HB2350** were adopted by the House on Thursday. The two Senate bills have been referred to the full Senate.

*Editor’s Note: Panetta provided technical information about HB2578.*

**“We’re hanging in there.” – Mingo County Board of Education President William Duty.**

## EDUCATION AND THE ARTS

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of \$8 million when entering the program, but earned \$34.1 million after completing the program and securing higher paying jobs for which they qualified.

Ginny Painter, deputy commissioner of the Division of Culture and History, said the Cultural Center refurbishing will better equip the facility for student visits and public accommodation.

### Appalachian Education Initiative to study 'state of the arts' in West Virginia

Melanie Skeen Gregory and Jennie Miller of Morgantown's Appalachian Education Initiative (AEI) presented to the HEC on Thursday. They provided a history of the organization, which works to promote the arts education in West Virginia public schools and communities.

Gregory outlined programs AEI sponsors, including artist-in-residence programs. Other programs she mentioned were:

- Appalshop, a nationally recognized multimedia center in Whitesburg, Ky., which will provide students in Braxton and McDowell Counties an opportunity to explore storytelling through video productions.
- Arts Smarts. This five-day program at Fairmont State College gives students in Mason, Jackson, Roane, Clay, Putnam, and Kanawha counties instruction in dance, visual art, music, drama and storytelling.

- Pop Shop. This program brings "cutting-edge" music workshops to high-school students from Boone, Lincoln, Wetzel, Wirt and Calhoun counties. In developing the program, AEI partners worked with a pop/contemporary band from Morgantown.
- Elizabeth Francis Teacher Training Institute, which assists teachers in arts education.

AEI will conduct a "State of the Arts Survey" in West Virginia to determine art content and programs offered in all grade levels in the public schools. Survey questions will ask the number of certified art teachers teaching arts education courses in the state.

Gregory said this type of information has never been compiled in West Virginia. The group also plans an audit of arts and arts-

related resources within communities, based on a Kennedy Center survey model.

When asked by a committee member if the group works with county boards, Gregory said primary contacts are made through the WVDE's arts education coordinator, who directs AEI staff to local contacts. Del. Robert D. Beach (D-Monongalia) plans to introduce legislation that designates AEI as an arts education agency for West Virginia.

Similar legislation was adopted by the House last year but it died in the Senate.

The institute's initial funds were provided by a \$1 million donation by a businessman in honor of his mother, a teacher in New Martinsville. Other revenue comes from a Claude Worthington Benedum Foundation grant, corporate sponsors and individual contributions.

***2,063 persons entering rehabilitation services had a combined income of \$8 million when entering the program, but earned \$34.1 million after completing the program and securing jobs.***

## Looking Back

Unfunded mandates and fiscal notes dominated the Feb. 3, 1995, issue of *The Legislature*, with former West Virginia School Boards Association (WVSBA) President Evelyn Post (Braxton) appearing before the Senate Education Committee (SEC) urging the Legislature to fully fund all "mandated programs."

According to *The Legislature*, she urged the SEC to make "full funding of mandated initiatives a primary consideration" during the 1995 regular session. In other legislative activity that week, WVSBA Executive Director Howard M. O'Cull appeared before the House Education Committee (HEC) to discuss school board-related issues, including site-based decision-making. He urged the delegates to "pay heed to the contributions local school boards and board members make in term of education reform."

In terms of full-day, all-day kindergarten, which each county was to implement by 1996, West Virginia Department of Education administrator Keith Smith told legislators that initial costs for implementing the program – projected at \$37 million – likely were too low, pointing to the fact that the costs for 24 counties to implement the program were \$27.3 million.

He said space was the culprit to fully implementing the program. "They (many county boards) simply don't have the room," he

said, blaming the problem on enrollment increases in growth counties and consolidation in more rural or sparsely-populated counties.

Smith also reiterated that there was no specific funding for the program. In the SEC meeting where Smith made his remarks, several senators commented on the costs of the program to boards in their districts. Sen. Harry Dugan (D-Berkeley) said the program was like forcing a consumer to buy a \$100,000 car when he only has \$25,000.

In the House, *The Legislature* reported that several HEC members questioned whether the Governor's Cabinet on Children and Families was necessary; whether its programs duplicated those of other agencies; and questioned the cabinet's overall productivity.

Del. Otis Leggett (R-Ritchie) said he had real reservations about the Cabinet. "The jury is still out, however, I would like to know if these [Cabinet] programs are doing any good."

Julie Pratt was the newly appointed cabinet secretary, succeeding former HEC chairman Lyle Sattes (D-Kanawha). Smith is now director of the West Virginia Office of the Appalachia Educational Laboratory, and Leggett, after several years' hiatus, has returned as a member of the HEC during the 2005 session.

Gov. Joe Manchin III has recommended abolishing the Cabinet. Dugan is deceased. – *The Legislature: Feb. 3, 1995.*

## School aid formula changes ‘a start’

By Martha Dean, Ed.D.

The Legislature is settling down and getting down to business this week. Both Education Committees met at least once and moved bills to the floor. House Education met on Tuesday morning and passed out three bills: **House Bill 2350**, **HB2466**, and **HB2578**.

**HB2350** amends §18A-3-1 (b)(3), which was amended last year with the intent to grant a teaching certificate in West Virginia to any teacher who has graduated from a teacher preparation program at an accredited institution and holds a valid teaching certificate in another state.

It seems that some states do not grant certificates until a teacher actually has a teaching job. Therefore, the bill allows the granting of a West Virginia Certificate to those from another state who meet all of the requirements of the state for full certification except employment.

The bill itself is pretty straightforward with what it provides. However, there was much discussion raised when Del. Sharon Spencer (D-Kanawha) asked how often background checks are conducted on teachers. The answer that was finally agreed upon was that the only time a background check is conducted is when they apply for a teaching certificate or an initial job.

She expressed a concern that a teacher could go to a different state during the summer and commit a crime against a child and then come back to West Virginia and teach and there would be no repercussions. This issue was not germane to the bill but it was interesting to listen to several Delegates explain that teachers are held accountable for crimes when they are known.

**HB2466** cleans up the language of §18-5-32 by removing the reference to “Negro” teachers, which is no longer appropriate, and by removing the paragraph that allows boards to cooperate with the Extension Service and employ an agricultural club agent, because this is addressed elsewhere in the Code. It also amends §18-14-1 by taking out reference to “Negro” board of education and stating the appropriate governing board for Bluefield State College. This bill passed with little discussion and Del. Spencer asked that the second reference to Judiciary be waived, which did occur as it was on the Consent Agenda on first reading on Thursday.

**HB2578** will probably be of more interest to school board members and superintendents. It will amend §18-9A-5a and 5b to specify numbers of additional personnel to be added in the state aid formula. Section §18-9A-5b, which was enacted in 2002, provides for a \$2.5 million appropriation for the 2005-2006 school year for increasing the ratios of professional and service personnel per 1,000 students in net enrollment. This bill sets forth a schedule of increases in these ratios that are calculated to cost approximately \$2.5 million each year for the first 6 of the 12 years.

We have discussed this proposed change in the formula previously and I think most would agree that it doesn’t provide enough additional personnel to meet our current needs, but it is a start. The fiscal note attached shows that a total of 24.52 additional teachers would be provided for the entire state this year and about that many each of the following years. The number of additional service personnel would be 41.936 statewide this year.

The numbers are different for the high density counties and low density counties, with the ratio per thousand for professional going to 74.10 for high density and 74.20 for low density. The ratio per thousand for service would go to 43.73 for high density and 44.69 for low density.

Every little bit helps a little bit. This bill has a second reference to Finance.

At Wednesday’s Senate Education Committee meeting, members heard from Dr. Stan Maynard and Carol Morgan regarding the distance-learning projects providing both professional development and curriculum enrichment in selected counties. Notably, Spanish is being provided to McDowell, Pendleton, and Mingo County students.

The RESA I project is aimed at growing their own teachers so it can be a sustainable project after the initial investment provides needed hardware and teacher training. One main goal of distance learning is to make sure we don’t educationally handicap kids because of their address.

Following this presentation, the committee passed out two bills. **Senate Bill 347** authorizes rules of the higher education policy commissions and **SB401** authorizes the transfer of powers to new boards at Shepherd Community College and New River Community College.

The State Department of Education had been scheduled to present information regarding the math initiative. Since it was almost time for the Finance Committee to meet, the State Department will be re-scheduled at a later date.

The West Virginia Association of School Administrators has been working to get bills introduced to address our Legislative Priorities. We are getting closer to having a bill introduced for our No. 1 priority. At this time, I predict that it will be introduced in both houses next week so we can notify everyone the bill number(s) and status.

Our No. 1 priority is full funding of increased enrollment in all counties and additional funding for those small counties (fewer than 1400 students) who demonstrate they lack sufficient funds to meet all mandated responsibilities of county boards. Interestingly, Sen. John Unger II (D-Berkeley) introduced SB440, which has the purpose of removing the delay in funding for increased public school enrollment by using projected net and adjusted enrollments for calculating state aid.

His bill goes farther than our proposal. It was just introduced March 3 and has two references: Education and Finance.

It is important for all school board members and administrators to remember that each one has at least one legislator and/or senator that you can talk to and attempt to influence to pass legislation that is favorable to improving West Virginia Schools. Never hesitate to talk to them when you see them on the streets or to pick up the phone and let them know what legislation is very important to you.

The upcoming WVSBA meeting and Legislative Reception is an excellent time to make contact with our representatives.

—Dean is Executive Director of the West Virginia Association of School Administrators.

## *Commission on the 21<sup>st</sup> Century examines benefits of consolidation*

# Reorganization combats wasted expenses

By Sen. Brooks McCabe

West Virginia has a tremendous opportunity to vastly improve its position in the global marketplace. At issue are various strategies that can be utilized to streamline the process of government, creating a more efficient system to cut costs to taxpayers, as well as to expand its reach of services.

In January 2004, former Gov. Bob Wise created the Commission on Governing in the 21<sup>st</sup> Century to study what West Virginia could do to improve its economic outlook including an analysis of the efficiencies of municipal and county governments in the provision of services to businesses and private citizens.

In its January 2005 final report, the Commission identified the relative small size of our market areas as one reason West Virginia is not able to realize its full potential economically. The report recommended, as a way to tackle this issue, a reorganization of West Virginia governance to command the attention of prospective businesses in making relocation decisions. The Commission also identified duplicated services at state, county and local levels as well as areas in which services were not being provided for at all. The Commission concluded that local government reorganization is necessary to combat unnecessary wasteful expenditures and extend services to those that are doing without.

The end result of the Commission's research, including input gathered through citizen meetings, was the development of three pieces of draft legislation. The first piece of legislation promotes the consolidation of Municipalities (**Senate Bill 158**). The second piece is called Metro Government and allows for the merger of the functions of municipal corporations and counties (**SB159**). The third piece of legislation allows for the consolidation of contiguous counties (**SB160**).

A study of a merger in Louisville, Ky., showed that wasteful duplication of local government services was eliminated in these areas: air pollution control; disaster and emergency services; human relations commission; law enforcement command structure; libraries; parks and recreation; planning and zoning; public health; purchasing; tax collection; and waterfront development.

The Commission also recognized the opportunity to use consolidation of areas as a means to increase West Virginia's Metropolitan Statistical Areas as defined by the U.S. Office of Management and Budget. At this time, there are no MSAs in West Virginia that qualify for the top 100 MSA list, a list used by Fortune 500 companies for relocation decisions.

If West Virginia could consolidate certain counties before the next census, the opportunity exists for the expanded MSAs to improve their national ranking. In the case of a considered consolidation of Kanawha, Putnam, and Cabell Counties, the merger would enable this area to obtain a status on the top 100 list somewhere

near the 75<sup>th</sup> in size nationally. Current status places the Huntington-Ashland MSA at 128<sup>th</sup> place and the Charleston MSA at 144<sup>th</sup>.

Monongalia, Marion, and Harrison Counties would also benefit tremendously in MSA status should they consider county consolidation. This purposeful reorganization would provide a greater potential for economic growth not only in that particular region, but in the entire state as well.

MSAs are also used for requesting federal grants, and local areas included in a MSA are sometimes eligible to apply directly for federal grants, as an entitlement community. The size of an MSA also determines how the government expends hundreds of billions of dollars in areas such as: government payroll; Medicare payments to hospitals; grants for community crime prevention programs; homeland security dollars; rent subsidies; and community development block grants.

Another argument for county consolidation exists in the case of a comparative study of Monongalia, Marion, and Harrison Counties

as compared to Kanawha County. The three counties when combined have a similar population and size to that of Kanawha County, yet the three north central counties are utilizing 25 percent more in expenditures for governmental operations than Kanawha County.

The Commission did not choose to consider the merger of school systems in their draft legislation. This is due, in part, to the complexity of the issues involved in West Virginia's education system. School consolidation is an inherently local issue and its delivery of services is distinctly different from the organization and management of municipal and county services.

Regional Education Service Agencies (RESA) may well assume an expanded leadership position once consolidation has been implemented. Senate Education Committee Chairman Bob Plymale (D-Wayne) believes metro government and county consolidation contribute to greater intergovernmental sharing of services. He says they could help RESAs in the following manner:

- 1) "Benefit from cooperative purchasing and spending power that could be achieved by larger metro governments;
- 2) Form strategic partnerships to increase effectiveness and reduce duplication of services available in the metro area; and
- 3) Foster cooperation and collaboration among groups serving education, government and nonprofit agencies."

It is important to recognize that this legislation does not dictate consolidations or mergers. It merely provides the tools whereby citizens can choose to implement change for the economic benefit of their municipality, their county, and West Virginia as a whole.

Ultimately, it will be the leaders and citizens of this state who decide how and when we will reorganize our government entities in the 21<sup>st</sup> Century.

—McCabe (D-Kanawha) chaired the Commission.

***"School consolidation is an inherently local issue and its delivery of services is distinctly different from the organization and management of municipal and county services."***

# In Brief

According to the *Charleston Gazette*, businessman Phillip “Pork Chop” Booth has pleaded guilty to federal charges after admitting he gave cash and gifts to a top West Virginia Department of Education official in exchange for lucrative state contracts, including contracts relating to furniture for schools in some West Virginia counties damaged by floods in 2001. Former assistant state superintendent G.A. McClung reportedly received \$50,000 worth of kickbacks from Booth, according to Gazette reporters Eric Eyre and Scott Finn.

Based on his *Charleston Gazette* stories about former House of Delegates and House Education Chairman Jerry L. Mezzatesta (D-Hampshire), reporter Eric Eyre won an award from the Education Writers Association, making him among the top education writers and reporters in America. He has been a *Gazette* reporter since 1998, and is a native of Broad Axe, Penn.

Associated Press reporter Allison Barker reported that West Virginia stands to lose about \$206 million in federal education funding over the next five fiscal years if Congress approves President George Bush’s proposed budget cuts. According to Barker, the state would lose \$79.2 million for K-12 education; \$50.4 million for special education; \$41.5 million for vocational education; and, \$35 million for school improvement. The figures are based on an analysis by the Center on Budget and Policy Priorities, according to Barker. Additionally, she said the state would lose \$25.3 million for services for abused and neglected children and Head Start.

Gov. Joe Manchin III expects to attend the April 5 meeting of the School Building Authority of West Virginia quarterly meeting — and preside, according to sources in the Governor’s Office. (That is, if something doesn’t alter his schedule.) Manchin recently chaired a Workers Compensation meeting, according to various press accounts.

# Bill Abstract

**Editor’s Note:** *The following is a listing of education and selected education-related bills, with action current through Thursday, March 3, 2005 for most bills. For information relating to any of the measures listed, contact West Virginia School Boards Association Executive Director Howard M. O’Cull, Ed.D., or visit the West Virginia Legislature’s Web site at [www.legis.state.wv.us](http://www.legis.state.wv.us).*

## Senate

**Senate Bill 94.** Provides county boards flexibility in the statutory order of required activities to occur on school calendar Instructional Support and Enhancement (ISE) days. Approved by Senate Education Committee Feb. 22. Passed Senate 2/28/05. Referred to House Education Committee, then House Finance Committee.

**SB153.** Revises state Ethics Act legislation enacted during 2005 Special Session in part due to revising language relating to a “gag order” against those filing Ethics Commission complaints that was included in the January legislation; other provisions. Passed Senate 2/17/05. Referred to House Judiciary Committee.

**SB248.** Voids the requirement that education technology expenditures be made in accordance with the West Virginia Education Technology Strategic Plan (ETSP). In that Strategic Plan members weren’t appointed by former Gov. Bob Wise, the legislation allows various entities, including the West Virginia Department of Education, to expend technology moneys, including dollars for the Basic Skills and SUCCESS programs. Approved by Senate Education Committee Feb. 22. Passed Senate 2/28/05. Referred to House Education Committee, then House Finance Committee.

**SB261.** Provides for special election proposing constitutional amendment designated as the “Pension Bond Amendment.” Passed Senate 2/24/05. Passed House 2/24/05. Referred to governor 3/2/05.

**SB212.** Provides higher education employees the annual experience increment that is paid to state employees. Approved by

Senate Education Committee 2.22.05. Referred to Senate Finance Committee 2/23/05.

**SB282.** Continues School Building Authority of West Virginia (state Sunset legislation). Passed Senate 3/1/05. Referred to House Government Organization Committee.

**SB347.** Authorizes approval of rules of the Higher Education Policy Commission and Council for Community and Technical College Education. Senate Education Committee adopted 3/3/05.

**SB401.** Relates to governing boards of the newly-established New River Community and Technical College and the Community and Technical College of Shepherd University. Senate Education Committee approved 3/3/05.

## House

**House Bill 2015.** Provides employers immunity from civil liability for job-related information disclosed regarding their former employees. Passed House 2/16/05. Referred to Senate Judiciary Committee.

**HB2286.** Relates to the sounding of “Taps” at veterans’ honors funerals. Passed House 2/18/05. Passed Senate 2/21/05 (constitutional rule requiring three-day reading for bills dispensed). Referred to governor 2/23/05.

**HB2328.** Provides precedential application to the Ethics Commission’s written Opinions regarding open governmental meetings. Passed House 2/21/05. Referred to Senate Government Organization Committee, then Senate Judiciary Committee.

**HB2350.** Corrects provision in law relating to certification standards in other states and their application to teachers who may apply for certification in West Virginia. House Education Committee approved 3/1/05. House approved 3/3/05.

**HB2466.** Removes some obsolete Code references from stature; other provisions. House Education Committee approved 3/1/05. House approved 3/3/03.

**HB2578.** Increases school aid formula net enrollment limits for professional and school service personnel. House Education Committee approved 3/1/05. Referred to House Finance Committee.

# WVSBA director's commentary widely distributed; school leaders interviewed

West Virginia School Boards Association Executive Director Howard M. O'Cull's Feb. 25 commentary about the Mingo County takeover (Feb. 25 edition of *The Legislature*) has been distributed widely, according to a variety of sources who contacted the WVSBA Office and O'Cull.

In his commentary, O'Cull discussed "flawed" arguments against the West Virginia Board of Education's intervention in Mingo County, especially cries that the action violates citizen constitutional rights or that it "overturns" a county board election.

O'Cull argued for a more collaborative approach to intervention, based on a longer period before the state intervenes and during which a significant amount of resources – staff, money, professional development and technical assistance – would be provided to the county in question.

In O'Cull's framework, the onus would be on the county to work to avoid intervention. He wrote that if intervention were to occur, the elected board would be considered "guilty" of malfeasance and legal proceedings to remove them would begin, with a

replacement board then named.

O'Cull contends the latter is possible because county board members are statutory officers, and a provision of law relates to removal of such officers for cause, including malfeasance and dereliction of duty.

In addition to the WVSBA Executive Director, Marsha Carr-Lambert, DM, and Steve Paine, Ed.D., were among those interviewed for a West Virginia Public Radio program about school consolidation.

Diane Sale, who conducted the interview, based many of her questions on the O'Cull piece as well as a Carr-Lambert commentary that appeared in the Feb. 18 issue of *The Legislature*.

The interviews are available on WVPR's Web site at: <http://www.wvpubcast.org/radio/newsroom/default.asp>.

*Paine is Deputy State Superintendent of Schools. Carr-Lambert is Grant County Schools Superintendent. She recently received her doctorate from the University of Phoenix, studying sustainability of school system takeovers.*

## Wisdom

*"Only as a grand gesture of defeat will men creep into the arms of the state and seek refuge in its power rather than their own courage."*

– Henry M. Wriston



**on the web:  
wvsba.org**

## Coming Soon

# WVSBA Leadership Meeting

*Lakeview Resort*

*Morgantown*

*May 20-21, 2005*

*For more information regarding this conference, please contact the WVSBA at 304.346.0571 or Conference Registrar Shirley Davidson at [sdavidson@wvsba.org](mailto:sdavidson@wvsba.org).*

**Estimated incremental increase of number of additional professional personnel allowed with increased net enrollment limits phased in over three (3) year period based on the 2005-2006 preliminary comps** *Source: WV Department of Education/Office of School Finance.*

County	2005-06 add'l PE	2006-07 add'l PE	2007-08 add'l PE	Total additional prof. educators
Barbour	0.51	0.03	-	0.54
Berkeley	1.49	1.50	1.50	4.49
Boone	0.90	0.90	0.89	2.69
Braxton	0.48	-	-	0.48
Brooke	0.36	0.36	0.36	1.08
Cabell	1.22	1.22	1.22	3.66
Calhoun	-	-	-	-
Clay	0.01	0.81	0.42	1.24
Doddridge	-	-	-	-
Fayette	-	-	-	-
Gilmer	-	-	-	-
Grant	-	-	-	-
Greenbrier	1.01	1.04	1.05	3.10
Hampshire	0.35	1.09	0.73	2.17
Hancock	0.44	0.43	0.43	1.30
Hardy	0.47	0.46	0.46	1.39
Harrison	1.13	1.14	1.13	3.40
Jackson	0.99	1.00	1.00	2.99
Jefferson	-	-	-	-
Kanawha	2.77	2.78	2.78	8.33
Lewis	0.36	-	-	0.36
Lincoln	-	-	0.72	0.72
Logan	-	-	-	-
Marion	0.82	0.82	0.82	2.46
Marshall	0.52	0.52	0.52	1.56
Mason	0.84	0.84	0.83	2.51
Mercer	-	-	-	-
Mineral	0.46	0.45	0.46	1.37
Mingo	0.94	0.93	0.94	2.81
Monongalia	-	-	-	-
Monroe	-	3.55	0.42	3.97
Morgan	-	-	-	-
McDowell	0.83	0.82	0.82	2.47
Nicholas	0.84	0.84	0.84	2.52
Ohio	0.54	0.53	0.53	1.60
Pendleton	-	-	-	-
Pleasants	0.27	0.10	-	0.37
Pocahontas	-	-	-	-
Preston	0.92	0.92	0.92	2.76
Putnam	0.89	0.02	-	0.91
Raleigh	-	-	-	-
Randolph	0.89	0.88	0.88	2.65
Ritchie	-	-	-	-
Roane	-	-	0.13	0.13
Summers	-	-	-	-
Taylor	0.24	0.23	0.24	0.71
Tucker	0.03	-	-	0.03
Tyler	0.32	0.31	0.31	0.94
Upshur	0.75	0.76	0.75	2.26
Wayne	0.76	0.75	0.76	2.27
Webster	0.32	0.32	0.32	0.96
Wetzel	-	-	0.44	0.44
Wirt	-	-	-	-
Wood	-	-	-	-
Wyoming	0.85	0.84	0.85	2.54
Total	24.52	27.19	24.47	76.18

**Estimated incremental increase of number of additional service personnel allowed with increased net enrollment limits phased in over three (3) year period based on the 2005-2006 preliminary comps** *Source: WV Department of Education/Office of School Finance.*

County	2005-06 add'l SP	2006-07 add'l SP	2007-08 add'l SP	Total additional service personnel
Barbour	0.050	0.946	0.536	1.532
Berkeley	1.946	1.796	1.796	5.538
Boone	0.851	0.897	0.941	2.689
Braxton	0.467	0.491	0.516	1.474
Brooke	0.470	0.433	0.434	1.337
Cabell	1.583	1.461	1.461	4.505
Calhoun	0.225	0.236	0.248	0.709
Clay	0.391	0.412	0.432	1.235
Doddridge	0.239	0.252	0.265	0.756
Fayette	1.311	1.381	1.449	4.141
Gilmer	0.192	0.202	0.212	0.606
Grant	0.376	0.396	0.416	1.188
Greenbrier	0.995	1.046	1.099	3.140
Hampshire	0.687	0.723	0.759	2.169
Hancock	0.561	0.517	0.517	1.595
Hardy	0.442	0.465	0.488	1.395
Harrison	1.476	1.363	1.363	4.202
Jackson	0.947	0.997	1.047	2.991
Jefferson	0.995	0.918	0.919	2.832
Kanawha	3.609	3.330	3.331	10.270
Lewis	0.527	0.555	0.582	1.664
Lincoln	0.710	0.747	0.785	2.242
Logan	0.787	0.726	0.726	2.239
Marion	1.064	0.981	0.982	3.027
Marshall	0.679	0.627	0.626	1.932
Mason	0.795	0.836	0.879	2.510
Mercer	1.216	1.123	1.122	3.461
Mineral	0.595	0.549	0.549	1.693
Mingo	0.891	0.937	0.985	2.813
Monongalia	1.296	1.196	1.196	3.688
Monroe	0.390	0.411	0.432	1.233
Morgan	0.487	0.513	0.539	1.539
McDowell	0.781	0.823	0.863	2.467
Nicholas	0.799	0.840	0.882	2.521
Ohio	0.695	0.642	0.641	1.978
Pendleton	0.228	0.239	0.251	0.718
Pleasants	0.252	0.265	0.278	0.795
Pocahontas	0.252	0.265	0.279	0.796
Preston	0.876	0.922	0.968	2.766
Putnam	1.160	1.070	1.071	3.301
Raleigh	1.513	1.397	1.397	4.307
Randolph	0.840	0.884	0.928	2.652
Ritchie	0.296	0.312	0.328	0.936
Roane	0.481	0.506	0.531	1.518
Summers	0.306	0.323	0.339	0.968
Taylor	0.310	0.286	0.286	0.882
Tucker	0.227	0.238	0.251	0.716
Tyler	0.296	0.312	0.328	0.936
Upshur	0.716	0.755	0.792	2.263
Wayne	0.981	0.906	0.905	2.792
Webster	0.302	0.318	0.335	0.955
Wetzel	0.601	0.633	0.664	1.898
Wirt	0.191	0.200	0.211	0.602
Wood	1.780	1.643	1.643	5.066
Wyoming	0.803	0.845	0.888	2.536
Total	41.936	42.087	42.691	126.714

## Sound Bites

**“Naturally, the most valuable gift you can give a child is a library card.”** – *J.D. Waggoner, state Library Commissioner.*

**“I think the Division of Rehabilitation is one of West Virginia’s best kept secrets.”** – *Del. Sharon Spencer (D-Kanawha).*

**“I saw your truck, and I think it’s cool.”** – *Del. Otis Leggett (R-Ritchie) commenting on the painted design of House Education Vice Chairman Larry A. Williams’ truck. Williams told HEC members that art comes in many forms, but several genres may not be recognized for purposes of arts credits in the public schools.*

**“Planning; planning; planning.”** – *West Virginia Contractors Association Executive Director and Charleston City Councilman Mike Clowser discussing the key to keeping facility construction costs down.*

**“We don’t want to handicap our children because of their address.”** – *A Regional Education Service Agency I official discussing RESA’s distance-learning project. She attributed the quote to Stan Maynard, a Marshall University professor who has provided guidance for the program.*

## Meanwhile in Texas...

The largest school district in Texas, which faced national scrutiny over allegations of cheating and inaccurate reporting of dropout and crime statistics, must change the way it operates, said Abe Saavedra, superintendent of the Houston Independent School District, in his annual summary address.

Saavedra, who became superintendent in December, said changes already in place include a new Office of Inspector General that will provide internal controls to prevent fraud.

The district was criticized after an investigation by the Texas Education Agency found nearly 3,000 files of students who left the school contained wrong or missing information. The students were reclassified as dropouts and the district was ordered to improve its data reporting. In 2003, the district came under fire for failing to report thousands of campus crimes to the state.

—*Source: New York Times*



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## The Legislature

West Virginia School Boards Association  
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