



Demonstration project schools on track

WVDE officials update legislators on closing achievement gap

At a May 16 meeting in Charleston, the state Department of Education updated the Legislature's Commission of Education Accountability on the results of 2004 legislation about Special Demonstration Professional Development Schools.

Jorea Marple, Ed.D., who heads the West Virginia Department of Education's Division of School Improvement Services, said the program, which establishes a special five-year demonstration project designed to "improve the academic achievement of all children" (West Virginia Code §18-2E-3g), is on track.

She said the Division of School Improvement thinks the program, as outlined in statute, will benefit all schools.

"What works (based on the demonstration project schools) can be replicated throughout the state. We all have a role in closing the student achievement gap."

Marple said the current WVDE initiative is based on an Appalachia Educational Laboratory model used in Tennessee. The successful Tennessee model concentrates on improving school culture, increasing parental involvement, expanding school time and using time more wisely. It also emphasizes assessment and evaluation.

"What works (based on the demonstration project schools) can be replicated throughout the state. We all have a role in closing the student achievement gap." —

Jorea Marple, WVDE Division of School Improvement Services

Four pillars emphasize 'rigorous' curriculum

The "Four Pillars of School System Improvement" also are part of the WVDE demonstration project schools. These "pillars" relate to high standards for curriculum, instruction, school effectiveness, and student/family support, including teachers utilizing "research-based instruction design, management, delivery and assessment...."

Pillar components also emphasize teaching students a "rigorous curriculum" based on West Virginia Board of Education and WVDE Content Standards and Objectives.

Marple said the Demonstration Project Schools have received several levels of WVDE funding including dollars from federal "Title" programs, Medicaid reimbursement, the Vocational/Adult Education Division, and the Safe & Drug Free Schools Division, among other programs. Additionally, Appalachia Educational Laboratory provided \$50,000 for the project schools' \$162,000 "baseline budget."

The Legislature provided \$700,000 for the FY06 budget and some

See **PROJECT SCHOOLS** on page 8

Overview

STATS

2004 Regular Session:	<i>Adjourned Sine Die</i>
Days Until 2005 Regular Session:	224
Interim Meetings Remaining:	June - January 2006

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QUOTE

"We're giving West Virginians confidence that their government works for them. By golly, we're working together again." — Gov. Joe Manchin III on his first 100 days in office (April 26, 2005)

Phillips appointed to state Board of Education

Gov. Joe Manchin on May 26 appointed Jenny N. Phillips of Randolph County to the West Virginia State Board of Education, filling a vacancy created with the May 7 death of longtime State Board member Paul J. Morris of Dunbar. A Republican representing the Second Congressional District, Phillips will complete the unexpired term that ends Nov. 4, 2007.

Phillips, 65, of Elkins, retired in April from the U.S. Department of Agriculture after 27 years of service. She spent the last four as West Virginia state director for USDA Rural Development. In that position, she funded several projects, including playgrounds, distance learning and health clinics in schools.

Phillips currently serves as development director of The Phillips Group, a communications and public relations firm and she is a graduate of Davis & Elkins College.

Her first WVBE meeting was May 31, during which board members continued the search process for state superintendent of schools. Current superintendent Dr. David Stewart retires June 30.

Supreme Court refuses Mingo school delay

Kanawha Circuit hearing expected in early July

The state Supreme Court of Appeals has refused to consider the West Virginia Board of Education's appeal of a Kanawha County Circuit Judge's ruling that delayed construction of a consolidated high school in Mingo County.

The justices voted 3-2 on May 25 against hearing the appeal.

Earlier in the month, Kanawha Circuit Judge Paul Zakaib refused to lift a stay that prevented the state school board from entering into real estate deals for the school site with Nicewonder Contracting Inc. and Pocahontas Land Corp.

According to various reports, Nicewonder has agreed to sell 52.5 acres, provide site preparation, rough grade an access road, bus loop and parking lot and install utilities for \$1. Pocahontas Land also agreed for \$1 to sell 12.5 acres adjacent to the school site for use as auxiliary facilities.

The property at Red Jacket is atop a 60-acre mine site resulting from construction of the adjacent King Coal Highway, a 94-mile highway that is intended to extend from Williamson to Bluefield to improve the transportation system in southern West Virginia, according to the Mingo County Redevelopment Authority.

Nicewonder officials said the company can turn over the school site to the state in October 2006, but they need to know this month or they would move equipment to another site, making the school site unavailable until October 2007, according to court documents.

The state board in February intervened for the second time in

Mingo County, citing the county's failure to move forward on the consolidated high school. The state board, basing its decision on a report from the Office of Education Performance Audits, also cited curriculum, facilities, finance, leadership and other issues in justifying the intervention.

The intervention stripped the board of most all local authority — a move that Jim Lees, attorney for three Mingo County school board members, said was an "overreach" of the WVBE's power.

Lees said it was, in essence, an attempt to thwart the will of voters who, in the 2002 and 2004 elections, elected a majority of county board members opposed to the previously adopted consolidation plan.

Zakaib issued the stay in March after three mem-

bers of the board sued to overturn the takeover. County board president William Duty and members Mitchell Chapman and Michael Carter said they were denied their right to fulfill duties as public officials — the first time such an argument has been used in a school takeover case.

In a *Charleston Gazette* article, Lees said, "We're still on track to get to the heart and soul of this case and that is the state school board's ability to send duly elected officials notice that they can't perform the duty of their office."

'Bloody hammer' slowed by ruling

In its April newsletter, the small schools advocacy group Challenge West Virginia headlined an article, "Bloody hammer slowed by Kanawha ruling." Gov. Joe Manchin used that term in his first meeting with the School Building Authority of West Virginia in reference to the SBA "forcing school consolidations."

The SBA said it will give the county \$18 million to build the school, which may cost between \$60 and \$70 million, including construction, site preparation and roads.

Zakaib is expected to schedule a hearing on the case for July 7 and 8. (For a related article, refer to page 9).

An article in a recent edition of the Ohio Valley Environmental Council's quarterly newsletter questioned whether Nicewonder has the actual ability to pass the deed to the county board. The article said the company is leasing the land from the heirs of a family that holds actual title to the property.

In February, Lees told the WVBE that the title issue is one reason the majority of Mingo Board members oppose the issue.

In an Associated Press article about the Supreme Court decision, Mason County school board member Dee Kaparoules said, "I'm so mad, but most of all I'm tired of the lies and the manipulation. The people who are filing this case ought to be held personally liable if we can't build that school. I'm just so aggravated. When we go in the red, we should make them pay."

Kaparoules was referring to the fact the county board might end in deficit if it doesn't consolidate facilities, a factor also cited by the Office of Education Performance Audits. MCBOE member Dr. James Endicott also supports the facilities plan.

— Sources: Associated Press and Charleston Gazette.

"I'm so mad, but most of all I'm tired of the lies and the manipulation. The people who are filing this case ought to be held personally liable if we can't build that school." — Mingo County school board member Dee Kaparoules

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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Hampshire County woes continue

Longtime board member quits over petition for her removal

The Hampshire County Board of Education's woes continue with the resignation of long-time board member and former board president Cindy Smith who quit after a citizens' group filed a petition seeking to remove her and two others from office.

Smith, who was first elected to the board in 1994, handed a letter of resignation to acting superintendent Paula O'Brien following Hampshire High School's graduation ceremony.

Judge: Petition's accusations too vague

Her resignation came the same day Clay County Circuit Judge Jack Alsop told Citizens for Quality Education in Hampshire County its accusations seeking to oust Smith, board President Brenda Pyles, member Helen Heatwole and superintendent David Friend were too vague.

Alsop, heading a three-judge panel, said the group's lawyer should refile its petition within 20 days to make allegations of misconduct, incompetence and neglect of duty more specific. The group's petition refers to illegal meetings, among other things. The petition alleges the actions led the state Board of Education in February to declare a state of emergency in the system, based on a report from the Office of Education Performance Audits.

(Editor's note: State law allows the school system six months to correct the deficiencies noted in the OEPA report. Most of the deficiencies were related to finances, lack of board oversight and monitoring and personnel matters. West Virginia Department of Education officials issued a report detailing steps the board must take to avoid system intervention, which most observers say is unlikely if deficiencies are corrected. Additionally, the state also ordered the county to repay \$35,000 in misspent grant funds, which the board has since done.)

Superintendent to plead case against dismissal

According to various reports, the HCBOE plans to dismiss superintendent David Friend, but will offer him a chance to plead his case before a final vote in the coming weeks.

The board also fired Jerry Mezzatesta, former House Education chairman and county schools administrator. Mezzatesta is accused of making a false statement in an affidavit he gave to the Ethics Commission in April 2004 during its investigation of ethics complaints against him.

He pleaded not guilty to a Hampshire County grand jury indictment of lying under oath.

In Kanawha County Magistrate Court in December, Mezzatesta pleaded no contest to altering and destroying legislative computer records amid the ethics probe.

The dispute "has taken ridiculous amounts of time from my work, family and life," Smith said in her resignation letter. "I feel that my resignation will afford me more time to actually benefit the students through volunteering and philanthropic donations via my business and family."

HCBOE President Brenda Pyles said she and Helen Heatwole, who also were named in the petition, have no intentions of resigning from the board.

"I hate to see her do it," Pyles said. "But that is her decision."

County board has 45 days to fill spot

The Hampshire County board has 45 days to name a replace-

ment or the state superintendent has the authority to do so. Once appointed, the new board member will serve until June 2006, when Smith's current term expires. To remain on the board, the appointee will have to run for office in the May primary.

The Hampshire situation garnered considerable news media attention over the past year when a *Charleston Gazette* reporter first started probing issues related to the school system and Mezzatesta.

As a result of the Hampshire controversy, WVDE officials said they would more tightly monitor and oversee the department's grant process. That prompted *Charleston Daily Mail* columnist Don Surber to write, "Now we learn that county school boards regularly take money intended for education and throw it at volunteer fire departments and the like – the better to get re-elected – and all state education officials require is that the paperwork be filed properly.

"Now I know why West Virginia ranks No. 1 (tied with Vermont) in percentage of income devoted to education, but our schools remain far from first in academic achievement.

"Politics too often undermines policy."

According to the *Hampshire Review* Web site, Friend is suing the watchdog group, Citizens for Quality Education in Hampshire County, and possibly the 52 people who brought the petition against the three HCBOE members and Friend. Friend was a former central office administrator in Preston County.

— Sources: Associated Press, *Charleston Gazette* and *Hampshire Review*.

WVSBA Meetings

WVSBA Fall Conference '05

September 16/17, 2005

Radisson Hotel, Morgantown

Presidents Retreat '05

October 7/8, 2005

Stonewall Resort, Roanoke

The November Workshop: School Aid Formula & School Law

November 5, 2005

Stonewall Resort, Roanoke

WVSBA Winter Conference '06

February 17/18, 2006

Marriott Hotel, Charleston

McCLUNG PLEADS GUILTY. Former state schools Assistant Superintendent G. A. McClung pleaded guilty on May 23 to federal charges that he accepted cash, Kentucky Derby tickets and a vacation cruise to the Bahamas in exchange for steering multimillion-dollar contracts to Charleston businessman Phillip “Pork Chop” Booth.

McClung was scheduled to go on trial, but apparently reached a plea deal with federal prosecutors, admitting that he accepted kickbacks from Booth.

McClung pleaded guilty to one charge each of extortion and filing a false tax return. He faces a maximum of 23 years in federal prison and a \$250,000 fine. McClung, who resigned under pressure in 2002, will be sentenced Aug. 29.

According to newspaper articles, prosecutors were prepared to call a host of witnesses, possibly including state superintendent Dave Stewart, former members of the Wise Administration and others to testify against McClung.

As part of the plea deal, prosecutors dropped 22 additional federal counts against McClung, a former school principal and Ritchie County Schools superintendent.

Booth pleaded guilty to charges that he gave cash and gifts to McClung for lucrative state contracts. Those court proceedings were held in February.

LEGISLATORS QUESTION GOVERNOR’S VETO POWER. House Finance Committee Chairman Harold Michael, D-Hardy, recently questioned Gov. Joe Manchin’s authority to line-item 18 spending “directives” worth about \$8 million in the FY06 state budget.

Under the state constitution, the governor has line-item veto power strictly for the budget bill. Manchin didn’t reduce or eliminate any budgeted amounts. In those 18 cases, he removed provisions detailing how the appropriations were to be allocated — a common practice in the Budget Digest legislators enact annually.

Michael and other legislators said Manchin’s actions may mean the money is in limbo or, as Michael said, “essentially frozen (in that) the money can only be used for what it’s designated.”

Manchin Administration officials said the governor’s actions were based on state Supreme Court cases from 1970 and 1975. Carte Goodwin, the governor’s attorney, said that litigation spells out the governor’s line-item veto power under the state’s Modern Budget

Amendment, which was adopted in 1968.

Goodwin said the governor’s position is that the heads of the various agencies, bureaus or departments are best able to determine the most effective way to allocate their budgets.

Michael said he had not decided whether to pursue action to have the funding directives restored.

BUDGET DIGEST AND ETHICS. In a related matter, legislative leaders urged the state Supreme Court to withdraw a ruling that effectively prohibits lawmakers from approving a Budget Digest before July 1, the date the new fiscal year begins.

Lawmakers are referring to a Dec. 1 ruling on a petition filed by Mary Podelco, a Montgomery resident who said she lost her house to an out-of-state finance company in the 1990s. The gist of that petition is that the Legislature, by “under funding” the state Ethics Commission, has lacked the ability to crack down on lobbyists because lawmakers feed pet projects through the Budget Digest.

Past digests have detailed spending for certain line items throughout the annual budget. Last year, \$27 million was allocated through the digest.

According to House and Senate Finance Committee staff members, legislators have presented hundreds of proposed digest items which they cannot approve due to the Dec. 1 order.

The WVEC has been dismissed from the suit.

Lawyer Dan Hedges is representing Podelco.



TEAMWORK INTEGRITY COMMITMENT

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Wisdom

“Only a strong tree
can stand alone.”

– Arnold Glasow

Grant County school board members advance in technology teaming

By Philip Bonner

Often as board members, we are asked to learn something new or change the way we have been conducting business from time to time by our superintendents. This became the challenge for the Grant County Board of Education. We were asked to consider the use of handheld devices as a tool for maintaining data and to eventually cut down on paper usage for our county. The handhelds would be supplied to us and we would be assigned a trainer, a Palm Buddy, for future questions or troubleshooting if needed. At board meetings, from time to time, electronic information would be provided to us.

This was the second attempt by the superintendent to incorporate this type of technology with our board. The first attempt failed from lack of interest. However, we had previously welcomed two new board members on the board and it was time to try again. With full board agreement, we began the learning process with an open mind.

There are many benefits to having this type of technology in the hands of board members. One of the greatest advantages is the accessibility to data. With attendance data, monthly financial statements, and additional information at our fingertips, we can review this information at any time - even during a board meeting if a question arises. Prior to this technology, we would have to spend time at home later going back through board packets to retrieve papers and that was if we were able to locate it in the insurmountable pile of paper you can archive while being a board member.

And if all else fails, you can request the superintendent to supply you with the data again although it is time-consuming and wastes paper. Now "the files that I want are always at my fingertips. I use it a lot to put in notes," offers Jerry Ours, board member, in support of this technology.

This leads to the second and third obvious advantages - time and money. We don't have to request the data from the central office. Now that we don't have to make those requests, we save the staff time and paper. With copiers being a big expense for boards, the less we need to use the copier, the more we save in our eyes. "The biggest thing is the information is right there - the budget, the attendance. It's also saving the county so much money on paper and supplies," said Greg

Pennington, board vice president.

Finally, there is just a good feeling that we, as a board, are part of the team. Often boards are not viewed as part of the team, but an outside entity that is there to strictly crack the whip on the central office or administration. By using some of the same technologies, we are seen as part of the team and anytime you can begin to work together, there seems to be more of a unity and formation to really make positive change.

Handheld devices were not the only technology we have used as a board in Grant County. We were also exposed to the use of distance learning labs very early in the process - several years ago as of now. Due to the generous efforts of Eastern West Virginia Community and Technical College, our central office was provided with a portable distance-learning lab that connected the Grant County central office to other school sites in the county also provided through Eastern for coursework purposes.

Grant County is geographically divided, like other counties in the state, by a mountain range, making weather conditions hazardous for some citizens to travel. The labs provided an avenue for connecting and linking sites to not only broadcast, but also provide participation in board meetings.

While this procedure takes some getting used to, there are significant advantages to using this type of technology for board meetings. But I would caution boards that while there are times when it is appropriate to use this type of technology, there are also times when this type of technology is not procedurally beneficial. The key is to determine the appropriate usage and this comes from trial and error as well as just some old-fashioned common sense.

Welcoming technology is a must for board members. We must see the need to become part of the system and begin to adjust for the changes that may be expected of us as board members. Remember that training is always available and we should not be afraid to ask for help, but to open our minds to what is available for us to improve how we accept responsibility.

We feel that this is just the tip of the iceberg of what is available for us in the future to become a better team in working together to improve our system.

— Bonner is president of the Grant County Board of Education.

"Welcoming technology is a must for board members. We must see the need to become part of the system and begin to adjust for the changes that may be expected of us."

Board members can learn from Manchin's success as governor

By Robert Rupp, Ph.D.

As an educator I believe we can learn from anything, especially success. As a school board member I am open to any lessons that may improve my job performance.

School board members can learn plenty of lessons from the first 100 days of the Manchin administration.

Let me first acknowledge that being governor — especially this governor at this time — is different from being a board member. Few of us came into office on the wave of an historic landslide and even fewer of us had experience in public schools. We don't have the power of the state's chief executive. But there are five lessons I believe are applicable to the performance of our boards in each of our 55 counties.

1. Set a limited agenda - *Better a few things we can do, than a list of many we can't.*

In the special and general sessions, Gov. Manchin focused on few big ticket items. A large agenda is a diluted agenda. Pressed for time and restricted by regulations, school boards need to be focused. KISS (keep it simple, stupid) is a good principle. KIFF (keep it focused on few) is even better.

2. Set an ambitious agenda - *Life is short, but your goals don't have to be, so go for the big.*

Gov. Manchin set his cap on big issues that would have large impact. As elected board members, we should do likewise. Being a board member is not a full time job, although it may seem like it during RIF hearings, monetary crises and personnel incidents. We should use our limited resources on projects and policies that can make a positive, demonstrative difference for our students.

3. Be persistent - *Half the time you win not because you are smarter, but because you try harder.*

Days before the end of the special session, the governor was told that at least one, if not two, major bills could not pass. Manchin increased visits and negotiations with the legislators. His persistence provides a model for school board members who face uphill battles. We've too often seen the law of inertia demonstrated in bureaucracy and

supported by human nature. It's the "don't" as in "don't do it," the "can't" as in "can't do that," and the "haven't" as in "haven't ever done it that way."

4. Be bi-partisan - *Unity is strength, division is disaster.*

Much of Manchin's success rested on his ability to continue the big tent that carried him during the election through the first 100 days of his administration. What worked for him is especially needed by us. Failing to reach out to other board members, in particular, and to the community at large is a failure in a business, but a disaster for a school board.

Five is lonely number to begin with, but when it is reduced to three, it is a recipe for trouble. We don't have to be as congenial as the barbershop board of education in "The Music Man," but we need to find common cause when we speak to the community. If we who follow, monitor and make school policy cannot get along, how do we expect the public to take us seriously?

5. Catch the wind - *Be ready to seize the moment.*

In "Julius Caesar," Shakespeare had an actor speak of "tide in the affairs of men, that when taken at its crest can carry them to victory." Part of Manchin's success in 2001 is that he was not elected in 1996. Elected earlier he would have had a divided party, an insecure mandate and a lack of widespread desire for change in this state. Elected in 2004 he was better poised to take advantage of the tide for dramatic systemic change sweeping this state.

School board members need to do the same by promoting positive proactive change in our county schools. The public appears not only ready for such action, but waiting for officials in all levels of government to enact it.

In this time of change, let us find that focused bold agenda and work for it in a non-partisan and persistent manner. Our students deserve nothing less.

— Rupp is a member of the Upshur County Board of Education and a political science professor at West Virginia Wesleyan College. He also is a columnist for the Charleston Gazette.

Law allows leave for public officials

Several county board members have inquired about §6-5-12, a section of law that allows “leave of absence for public officials for performing public duties.” The statute reads as follows:

“Any person elected to a part-time public office or appointed to a part-time elected public office shall be entitled to a leave of absence from his or her private employment except when such employment is with an employer employing five or fewer persons on a full-time basis on the days or portions of any day during which he or she is engaged in performing the duties of his or her public office. The leave of absence shall not result in any penalty being imposed upon the persons entitled to the leave of absence: *Provided*, That such leave of absence may be without pay by the

private employer.”

According to West Virginia School Boards Association counsel, the leave may apply to county board training because it is required by statute. However, legal counsel points out that the leave has certain restrictions based on the size of the firm employing the county board member and that it *may* be without pay.

For more detailed information, please contact WVSBA Executive Director Howard M. O’Cull, Ed.D., or counsel Howard E. Seufer Jr., Esq., Bowles Rice McDavid Graff & Love. Seufer’s telephone number is (304) 347-1776. O’Cull’s e-mail address is hocull@wvsba.org.

In Memoriam

Paul J. Morris, Member/Former President
West Virginia Board of Education

November 25, 1933 – May 7, 2005

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

Arts grants available for schools

Funding for arts education projects is available from the West Virginia Division of Culture and History with approval from the West Virginia Commission on the Arts.

Projects can include curriculum-based hands-on artist residency projects, short or long term; special projects that go beyond arts exposure and can include professional development in the arts for teachers; artist visits for arts exposures such as a performances or workshops and mini grants for one time events.

Arts Education grants fund up to 50 percent of artist fees and expenses and in some cases 50 percent, up to \$150 for supplies needed to carry out the project. For more information see the Division of Culture and History’s web site at <http://www.wvculture.org/arts/artsindex.aspx> or contact Martha Newman, Arts in Education/Accessibility Coordinator at (304) 558-0240 (voice), (304) 558-3562 (TDD) or martha.newman@wvculture.org.

LAST WORD

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Linda Martin, the executive director of Challenge West Virginia, has fought to keep small rural schools open across her state since the mid-1990s. She and her 24 county chapters have organized rural citizens against SBA policies.

Though Ms. Martin is hopeful, she plans to keep a watchful eye on Gov. Manchin and other state officials who say they want change. “We don’t trust any of them until the action is taken,” she said. (“Rural Activists Note The Highs and Lows of School Advocacy,” April 13, 2005.)

New Role

The governor chaired his first SBA meeting April 4 at the SBA’s headquarters in an old, Spanish-style mansion along the Kanawha River. Mr. Manchin sat at the end of a long table in a room jammed with onlookers.

With the SBA set to approve plans for a new school that would merge four existing campuses in Mingo County, Mr. Manchin showed his frustration with the board’s strategies. “For some reason, we have to tear it down and start over every time,” he said of rural schools in the state.

SBA board member Connie Perry noted the many new schools the panel has approved.

When the SBA began its work 15 years ago, “there were schools you wouldn’t put a prisoner in,” she said.

Still, she and other board members sided with Gov. Manchin on delaying a vote on the Mingo County project until June. But state education board members who also serve on the 11-member SBA board wanted to move forward anyway.

“I’m concerned about the signal it might send [to delay the project],” said Sandra Chapman, one of the state school board members. “We’ve heard extensively about the children and the needs in that county.”

But Gov. Manchin, who persuaded the SBA board that it should put the vote off, scored his first real victory against school consolidation when Mr. Williams withdrew his proposal to move forward with the Mingo County vote.

“I think it’s important that nobody read too much into what just happened,” insisted SBA board member James McHugh.

Gov. Manchin, though, might be just getting started.
— *As first appeared in Education Week, April 13, 2005. Reprinted with permission from Editorial Projects in Education.*

PROJECT SCHOOLS

continued from page 1

county boards also have funded the project, she said. The \$162,000 has been used primarily for “support and training” of School Improvement liaisons.

The Claude E. Worthington Benedum Foundation, based in Pittsburgh, provided \$100,000 for community councils whose role is local support for the schools, especially through engaging parents and community leaders.

Project funding, support come from numerous sources

Troy Body, Commissioner of the Division of Culture and History, who spearheaded the legislation, said particulars of the Benedum funding aren’t final but the grant-funded aspects of the program should be in place soon.

In addition to funding, the program receives administrative support from WVDE officials who work from a timeline Marple presented to the committee. Administrative support includes “Closing the Achievement Gap Liaisons” who work directly with schools to provide technical assistance and other expertise and support. These former or practicing educators have been successful in improving student achievement, Marple said.

While Senate Education Committee Chairman Bob Plymale, D-Wayne, said he was concerned about the WVDE model, Marple said the program will be successful. However, the emphasis on student achievement or closing the achievement gap can’t occur in isolation of transformed school cultures.

“There must be a high performing (school) culture,” she said.

School culture also con-

cerned Sen. John Unger, D-Berkeley, who said parents and guardians need to be more involved in schools to create an environment for school cultural change. School improvement efforts should be pinpointed locally through “stakeholder councils,” he said.

Bottom line is student achievement

Marple reiterated that the Minority Students Strategic Council, which will be responsible for most of the Benedum grant details, is focusing on the local aspect. “The bottom line is student achievement. That’s what we’re focused on,” she said.

Under terms of the 2004 legislation, county boards in districts affected by the program are required to cooperate with WVDE initiatives but must “avoid any reallocation of resources for the schools.”

The law also requires specialized training, including the state superintendent’s ability to “craft job descriptions with requirements regarding training and experience and the right to specify job duties which are related to job performance....”

While county boards are required to post positions at the schools, the legislation stipulates that the “assertion that the job descriptions and postings are narrowly defined may not be used as

the basis for (grievances)....”

Additionally, the legislation requires considerable collaboration, including involving Regional Education Service Agencies (RESAs) and higher education.

The state superintendent is required to make “status reports” regarding the program, including reports to the WVBE and the Legislature.

According to last year’s statute, included in House Bill 4669, the WVDE was required to identify three public schools with “significant enrollments of disadvantaged, minority and underachieving students in each county in which the number of African-American students is five percent or more of the total second month enrollment.”

Other matters: models for projecting increased enrollment

In other discussion, Joe Panetta, who heads the WVDE Office of School Finance, told legislators the department would use a “cohort survival model” to help project increased enrollment for counties that will receive added dollars based on the increase.

According to a policy headed to the WVBE in June, Panetta defines the “cohort survival model” as “a (model) where it is known, from historical records, what percentage of students in a cohort, or grade level, survive or are promoted to the next grade level. This information can be used to objectively project future enrollments. For the purpose of the (increased enrollment) policy, five years of net enrollment historical data of all students enrolled in the public schools of this State in pre-kindergarten through grade 12 will be aggregated for each school district and an average survival rate determined for each grade level to project the total net enrollment of each district for the upcoming school year.”

Panetta said birth data from four years earlier will be used to project pre-kindergarten enrollment.

According to Panetta, the cohort survival model is less complex and is used by the Association of School Business Officials.

Based on the projections, counties will receive 60 percent of the “additional” funds in September with the remainder distributed by Dec. 31. If the county boards involved receive more funds than they should have — based on the projections — they must return the extra money to the WVDE by the end of the fiscal year.

Sen. Unger asked that a “simulation” be prepared for future legislative meetings so the cohort model could be reviewed by lawmakers to see if the WVDE is “hitting the mark.”

Panetta hesitated in agreeing to prepare a simulation. He said the School Finance Office didn’t have the time or staff to do the simulation and that simulations sometimes are a “poor use of (agency) funds.”

The Commission of Education Accountability also discussed a staff development proposal, which it will revisit; a school aid formula committee headed by researchers from Marshall and West Virginia universities and several higher education matters.

Outgoing state superintendent David Stewart was recognized for his leadership and “five years of hard work for public education.”

LOCEA meets monthly.

Marple is a former Kanawha County Schools Superintendent and author of *An Insider’s Guide to Making School Systems Work*. Stewart has been state superintendent since March 2000.

Governor cool to school consolidation

By Alan Richard

Gov. Joe Manchin III of West Virginia officially took control last week of the state panel that oversees school construction in his state, signaling that he intends to reverse policies that have forced more than 200 schools to close since 1990.

The Democrat, elected last November, chaired his first meeting of the state's School Building Authority here on April 4, and used the occasion to speak his mind on how school consolidations have hurt small, rural communities in West Virginia. He also persuaded the SBA to delay a rural school construction project that would combine several campuses in rural Mingo County.

The columns of the West Virginia state Capitol loom behind Gov. Joe Manchin III, who hopes to force the state to slow down the rate at which it has consolidated small rural schools over the past several years.

"I will make sure we are not using the bloody hammer of the pocketbook of the SBA" to consolidate more rural schools, the governor said in an April 1 interview at the state Capitol. Instead, Gov. Manchin said, he favors "preserving of the rural schools wherever and whenever possible."

Changing the longtime direction of West Virginia policy will not be easy. Gov. Manchin announced legislation several weeks ago to end long school bus rides for many rural students—only to see the plan amended by the Democratic-controlled legislature.

By last week, lawmakers had amended the bus-ride bill to call for a one-year study of the problem before any restriction was put into place.

Gov. Manchin's bus-ride plan would have restricted one-way trips to 30 minutes for students in elementary school, 45 minutes for middle school, and an hour for high school. The legislation would have allowed school districts to request waivers from the state board of education and the SBA.

Meanwhile, two court battles also continue that could allow or prohibit more school consolidations in West Virginia.

In contrast to the governor's stance, some SBA board members argued last week that their work has done far more to help students in the Mountain State than hurt them, in part because many campuses have been modernized.

Debate Rises

Gov. Manchin and his advisers are choosing their words carefully as they aim to engineer a major shift in long-term state policy.

"He's not anti-consolidation," said Lara Ramsburg, the governor's press secretary. "He's pro-small community schools."

As part of a broader effort to strengthen his oversight of state agencies with bonding authority, Gov. Manchin called the legislature into special session in January, a week after his inauguration, to approve a bill giving him more control over the School Building Authority and several other state commissions with bonding authority.

Lawmakers passed the plan, and Gov. Manchin, or his designee, now chairs the SBA, which was created by the legislature in

1989.

The SBA governs state funding for school construction and generally has made its approval of projects dependent on consolidation. A key reason for the SBA's strategy is that public school enrollment has declined sharply in this state over the past 45 years—from 460,000 students in 1960 to fewer than 280,000 today.

SBA board members contend that students and educators are benefiting from more than \$200 million that has been spent on school construction since 1990. Closing tiny schools simply makes good financial sense in many cases, said Clacy Williams, the SBA's executive director. "I think our board has done a tremendous job over the years trying to evaluate projects," he said.

State Superintendent of Education David Stewart, who will retire this year, also defended the SBA. "Seventy-five percent of the schools in the state now are new or renovated," he said. "Most of the consolidation has occurred already. The debate now is what the future should look like."

Gov. Manchin and advocates for rural schools argue, however, that closing schools, except when absolutely necessary, has failed to save money or provide more academic offerings, and has hindered any chances for rural economies to improve.

The governor said he has seen the impact of school consolidation himself in his hometown of Farmington, W. Va. Consolidation "just about shut down five rural communities" in the area, he said, adding that he had received "a very good education" there.

Mr. Manchin also suggested that he would seek more school construction funding for growing counties in West Virginia's eastern panhandle, which are within commuting distance of the Baltimore and Washington outer suburbs.

Clashing Views

The battle over school consolidations in West Virginia has raged on for years.

The state supreme court is set to rule this year in a lawsuit brought by rural Lincoln County residents who sued the state over a plan to merge local public schools.

In Mingo County, newly elected school board members have sued the state board of education over its recent takeover of the 4,800-student district. The new Mingo board members allege the state board took control of the district to keep alive a construction plan that the former Mingo County school board had backed.

Hearings in that case are scheduled to begin next month.

And Gov. Manchin is not the first West Virginia chief executive to try to slow school consolidations.

In January of last year, Gov. Bob Wise, also a Democrat, argued for a change in direction on school consolidation in his State of the State Address. But his bill to place moderate restrictions on school bus rides—which would have helped insulate communities from forced consolidation—failed to find legislators' favor. ("W. Va. Eyes Softer Stand On School Mergers," Feb. 4, 2004.)

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Soundbites

“We’re not borrowing \$5.5 billion. We already owe \$5.5 billion. This is the most intelligent way to pay it and what’s the best way to pay it for the taxpayers, what’s the best deal so that it costs us the least amount of interest...”

— *House Speaker Bob Kiss, D-Raleigh, discussing the proposed pension bond constitutional amendment to be voted on June 25. The West Virginia School Boards Association and a host of other organizations have endorsed the amendment.*

“People may agree or disagree over some of the things that have been done. But everywhere I go, no one disagrees that we’re getting all sides to come together.” — *Gov. Joe Manchin reflecting on his first few months in office.*

“I’ve done discretionary grants for counties for 25 years, and I have never had anything like this happen before...had Hampshire County asked me in that change order, ‘Can we provide equipment to fire departments?’ I probably would have approved it, because that is consistent with our mission” — *West Virginia Department of Education official Stan Hopkins discussing recent grant issues in Hampshire County.*

Meanwhile in Alabama . . .

Pregnant student defies graduation ban

A pregnant student banned from graduation at her Roman Catholic high school announced her own name and walked across the stage anyway at the close of the program.

Alysha Cosby’s decision prompted cheers and applause from many of her fellow seniors at St. Jude Educational Institute in Montgomery, Ala. But her mother and aunt were escorted out of the church by police after Cosby headed back to her seat.

“I worked hard throughout high school and I wanted to walk with my class,” she said. Cosby was told in March that she could no longer attend school because of safety concerns, and her name was not listed in the graduation program. The father of Cosby’s child, also a senior at the school, was allowed to participate in graduation.

The Legislature

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