



Preschool key to state's economic success

Researchers say early childhood programs have high rate of return

Refer to **Legislators review School Aid Formula**, page 4.

“...*(T)his subject has caught the attention of the same people who debate regional transparks, business tax credits, four-lanes and other manly expressions of government.*” – Dawn Miller, *Charleston Gazette* editorial writer.

“...*(T)his permutation of the mantra ‘Education (spending) is the key to economic development,’ is the most poorly crafted yet.... It’s hard to take social engineers seriously when they make claims like that.*” – *Charleston Daily Mail* editorial Oct. 11, 2005.

West Virginia would receive a 12 percent return on economic development investments in Early Childhood Development (ECD) programs, according to a Marshall University study released Oct. 9 in Charleston as part of A Vision Shared policy forum.

According to Calvin Kent of Marshall’s Center for Business and Economic Research, “Traditional economic development incentives have become fairly homogenous from state to state. By contrast, one of the most innovative and productive economic development investments is early childhood development,” the re-

port states.

Several A Vision Shared officials said the purpose of the October forum was to elevate ECD as a key component in the state’s economic development strategies.

As explained by former Senate Education Chairman and gubernatorial candidate Lloyd G. Jackson II, money spent on programs like Head Start, pre-kindergarten, preschools, family child care homes and child care centers is probably more important, in the long run, than other economic development initiatives.

That is a central conclusion of the \$50,000 study funded by the Claude E. Worthington Benedum Foundation. Jackson is a new appointee to the Benedum board of directors.

Based on the Marshall study, West Virginia could expect a \$5.20 return for every dollar invested in ECD programs.

More graduates, higher incomes

The returns would be in the form of higher graduation rates, more students entering college, higher overall income during one’s work life, and generally better lifestyles. Additionally, the business community would get a more productive work force with fewer absences or on-the-job problems.

That is a central criticism of ECD programs, namely that they are
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Overview

STATS

2005 Regular Session: Adjourned Sine Die
Days Until 2006 Regular Session: 71
Interim Meetings Remaining: November 2005-January 2006

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“*The kids did better than we expected. And it’s not a low standard.*” – Office of Education Performance Audits Executive Director Kenna Seal, Ed.D., commenting on 98 additional schools considered exemplary by state education officials. The list stood at 29 schools last year.

Storm closes schools

Gov. Joe Manchin last week explained his administration’s response to the October 24 snowstorm that kept thousands of state residents in the dark, according to West Virginia MetroNews reports.

The snowstorm closed schools in at least 11 counties, according to various state and local officials.

The governor blamed the slow repair of power lines on less help than usual for Allegheny Power Co. He said other regional power companies usually assist Allegheny, but those crews are working in the Gulf Coast to restore electricity to residents affected by recent hurricanes. The storm hit north central West Virginia and ice broke tree limbs, which resulted in thousands of broken power lines.

The Governor’s Office received calls from residents who were growing impatient with the situation. “For those without electricity and heat, I know it has been a frustrating time,” Manchin said. “However, the inconveniences created by this week’s unexpected storm were not of the catastrophic nature for me to authorize a state of emergency.”

Manchin said seeking an emergency declaration request from the Federal Emergency Management Agency would not help.

Small schools commitment questioned

Fall conference panel has discussion on consolidation, aid formula

Some Challenge West Virginia (CWV) members who attended the group's 8th Annual Fall Conference suggested a "moratorium" on further school closure and consolidation until the Legislature completes what is expected to be a two-year study of the state School Aid Formula (SAF). They did not take official action on the notion.

Additionally, most CWV attendees openly questioned the Manchin Administration's commitment to small or community schools, with one CWV member wondering aloud whether she would have to protest Manchin in a re-election bid, as she did to 2004 gubernatorial candidate Lloyd G. Jackson II of Lincoln County.

Members of the group said they were concerned Manchin has not truly represented the community schools cause. Darrell Hagley, a CWV fellow from Mason County, said Manchin did not attend the rededication of the 258-student Hannan High School but attended groundbreaking for a new McDowell County consolidated school.

Consolidation moratorium 'unrealistic'

Del. Larry A. Williams, D-Preston, said any type "moratorium" may be unrealistic because some counties and communities agree on school consolidation and closures — a point also made by West Virginia School Boards Association Executive Director Howard M. O'Cull, Ed.D.

Williams, O'Cull, CWV Executive Director Linda Martin and Jay Cole, the governor's education policy adviser, served on a community forum panel that discussed an array of topics regarding small or community schools and the state's educational facilities

policies.

According to some members, CWV is not opposed to school consolidation and closure in cases where counties and communities agree, such as happened in Fayette County last year.

Most CWV members, in a wide-ranging discussion of Manchin's commitment to small schools, directed their remarks to Cole. The panel also discussed school facilities, including small schools, the School Aid Formula and similar topics.

(See O'Cull's remarks, page 12.)

Cole said the Manchin administration has made progress on the small schools front, especially in its retooling of the School Building Authority of West Virginia.

However, he said many of the efforts are not simple and require time, foresight and effective policy strategy — a point illustrated in a statement issued to *The Legislature*.

Small schools benefits 'lost'

In the CWV meeting, which about 50 persons attended, including several current and former county boards of education members, Martin stressed the importance of the group staying on mission, based on the "reality" of the situation in regard to the small schools movement. She said research repeatedly shows that small schools, especially in rural and sparsely populated areas, often contribute to higher student achievement.

She also said small schools, while perhaps more costly to operate, could benefit from emerging technologies such as distance learning and the like.

Martin said these points are being "lost" on state educational officials, although she said she recently discussed CWV concerns with Steven L. Paine, Ed.D., state superintendent of schools.

In that meeting, she said Paine seemed "unaware" of research relating to school size and student achievement. As a result of this and other meetings with state-level policymakers, Martin said the group must discover ways to ensure that officials heed Challenge research about school facilities, school size, school consolidation and student achievement.

She also lamented that a bill relating to school bus travel times was defeated in the Legislature, partly due to a prohibitive fiscal note. Cole then suggested the state establish an independent "fiscal note agency," although he acknowledged it would entail costs in terms of personnel and "turf wars."

Additionally, CWV, as illustrated in the Dec. 21, 2004, issue of *The Legislature*, is committed to building greater alliances at the state level and particularly with county school boards and board members.

A stronger 'stand' by WVSBA?

The CWV-school board connection was cited several times and in several contexts. CWV official Thomas Ramey openly questioned why the West Virginia School Boards Association, as a matter of philosophy and precedent, does not fight the state Board of Education's re-intervention into Mingo County Schools.

Similarly, he said he questions why the association, if representing county school boards, does not take a stronger "stand" in

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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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regard to the Lincoln County Schools intervention, especially because recent statistics show that the county's college-going rate and some test scores have declined since the state takeover.

In response to the Mingo County question, O'Cull said the WVSBA Executive Board discussed matters regarding the Mingo re-intervention but decided not to take a position, largely because the executive board itself was divided on the issue. Some see it as a "consolidation issue" while other WVSBA officers see the matter as one depriving a duly-elected county board, reconstituted in opposition to a consolidated school, of its statutory duties.

Martin and other CWV members questioned whether democracy is being honored in the Mingo County re-intervention. This is a point attorney Jim Lees is making and the posture that litigation in the case seems to be taking, based on an administrative law judge's

ruling and the lifting of the stay on Mingo County school construction by Kanawha County Circuit Court Judge Paul Zakaib.

In addressing that question, O'Cull illustrated the potency the judiciary has had in interpreting school facilities decisions since the SBA's establishment in 1989 and the primacy and role of two parallel constitutional bodies: the Legislature, which is charged with funding public education; and the state Board of Education, which often operates in regard to legislative policy dictates in its role of general supervision of the state's public schools.

A third factor is the increasing power of the state superintendent of schools, which crystallized considerably under both previous state superintendents, particularly former state superintendent David L. Stewart, Ed.D., and his effective working ties with legislators and "funders."

In regard to Lincoln County, O'Cull said the WVSBA Executive Board, at the time of the Lincoln intervention, was not asked to take

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aligned to increase future workers' business productivity sometimes at the expense of a nurturing and positive early home environment, especially with a stable, loving mother. Kent made that point concerning the maternal-child relationship and its positive benefits if the relationship is stable.

Kent, Jackson and others, however, said children who participate in quality ECD programs ultimately become better citizens, earning more money and paying more taxes.

Additionally, ECD supporters said these children will be less likely to go to jail, use drugs, fail a grade in school, or go on welfare.

Researchers at the Federal Reserve Bank in Minneapolis back up Kent's findings, saying they have documented the 12 percent rate of return on investments of ECD programs, or a cost-benefit ratio of \$7 for every \$1 invested.

Quality comes at a price

It would cost as much as \$120 million to fully implement ECD programs, especially quality programs, according to Margie Hale of the state's Kids Count Fund, a speaker at the forum.

Hale said quality programs are the keys if ECD is to be taken seriously and live up to its expectations.

"The vast majority of (ECD facilities) would not be at the (quality) level that is going to produce these economic results we talk about. Quality is at the heart of all of this," Hale said.

She said in quality ECD programs, young children need a ratio of one teacher for every 10 students and classes with 20 or fewer students. According to Hale, state facilities do "fairly well" in this regard, although programming may suffer in terms of meaningful interactions with children.

She said it is the "meaningful interactions" between children and teachers, such as back-and-forth discussions between children and EDC teachers and employees, especially in developing effective language and communication skills, that must improve.

Additionally, Hale said EDC professionals need more support and perhaps improved college training. Another issue is salaries, with average annual wages for those who work in ECD programs well below the national average – a point the Marshall study reiterates.

Hale also said employee turnover in ECD programs is high and that only about a third of such programs provide health insurance for their employees.

ECD advocates want businesses to provide early child development programs at their facilities, said Renate Pore, a public policy

consultant with the West Virginia Healthy Kids and Families Coalition.

Pore told the Associated Press, "We have so many poor children in West Virginia, if we don't make sure they get the stimulation and interaction with adults from

zero to three, we're missing the boat with these kids."

38 percent enrolled

Based on West Virginia Department of Education statistics, more than 7,000 children, or 38 percent of the state's four-year-olds, participate in West Virginia's voluntary program. In 2002, the Legislature passed a bill requiring all county boards to educate four-year-olds by 2012.

Based on 2004 implementation, county boards can "draw down" ECD funds, according to forum participants. The WVDE estimates the program cost taxpayers \$39 million last year and that, when fully implemented, it will cost \$60 million.

According to the Marshall study, child care aides make an average \$15,000 annually, with preschool teachers typically earning \$18,600.

Kent said almost 30,000 West Virginians with young children would have to quit their jobs were it not for ECD programs. He said those parents earn about \$1 billion per year.

"Quality is the key to achieving good outcomes for children and economic returns for us," Hale said. "The good news is we know what quality is and how to get it. The bad news we don't have it yet."

*"The good news is we know what quality is
and how to get it.
The bad news we don't have it yet."
– Margie Hale, Kids Count Fund*

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a position on the matter and has stuck to that course. Many members of the association, however, see that state intervention, as compared to that of Logan and McDowell Counties, as “largely flawed and a failure,” he said.

O’Cull said several factors may contribute to the problems in that county and cited research by Marsha Carr-Lambert, D.M., whose dissertation showed that few state interventions are successful – the Logan County intervention is an exception – and that their success depends on several factors, including the leadership style of the superintendent and a system-led sympathy to displace politics.

Cross-county schools/board consolidation

O’Cull also was questioned sharply about whether WVSBA is opposed to county school board consolidation and to cross-county schools. O’Cull reiterated WVSBA’s opposition to school board consolidation, but cited the group’s support for consolidation of central office administrative services. He noted legislation that would have accomplished such but it died in the House of Delegates after passing the state Senate.

He also said that in discussing the merits of cross-county schools, there are at least 12 sites in the state, as identified by SBA, where this makes sense, especially to curtail or eliminate extended bus transportation times.

O’Cull said the viability of cross-county schools depends on several factors, including the need to examine current statutes regarding the practice and matters such as whether one county has an excess levy and the other does not. “These are surmountable, but we can’t seem to get the right policymakers, especially legislators, to enter into this conversation seriously,” he said.

In discussing school closures and consolidation generally, O’Cull said, “I don’t think school boards and school board members sit up at night and say, ‘We’ll close this school next.’ Rather the issue is largely driven by the state school aid formula and its concentration, to a large extent, in addressing declines in student enrollment.”

Williams also emphasized that the issue is more the SAF and not school closures and consolidations.

Based on these comments, CWV members said they want to be part of the SAF study “at some point,” but, Martin said the group cannot concentrate on other policy-related issues until the “harm” of school consolidation and closure is “stopped.”

She pointed to school closures now occurring in the Northern Panhandle, based on declines in student achievement. She said the group is looking to become active in Brooke and Ohio Counties. CWV has a chapter in Brooke County.

O’Cull and Cole called for the creation of a “common well” where all interested parties contribute “research.”

After visiting the “well,” parties would or could place their own “spin” on research as a greater means to focus on data- or research-based decision-making. O’Cull and Cole said some policy decision-making, given the vagaries of politics, cannot or should not be based only on study and research. They agreed, however, that the well approach might mitigate pressure politics, although it could prove unwieldy or ineffective if legislators ignored the research or the well’s validity.

Martin, on behalf of CWV, presented Cole with an award for his support of small or community schools. Mason County Schools Superintendent Larry Parsons received a similar CWV citation last year, as did Lincoln County Board of Education member Carol Smith.

Mason County voters recently passed a bond issue keeping Hannan High School open.

WVSBA attends Challenge conference

Meeting was an opportunity to learn about advocacy group

*By Debbie Thompson
WVSBA President*

Part of the role of the West Virginia School Boards Association is to effectively network and communicate with education and education-related groups including those with differing goals and purposes.

That is the case with Challenge West Virginia (CWV).

When WVSBA Executive Director Howard M. O’Cull, Ed.D., and I attended CWV’s 8th Annual Fall Conference, we were not there to endorse the CWV mission, but to learn more about that organization. We want to know how it works and how the group seeks to affect local boards.

Through Dr. O’Cull’s presentation, he addressed the issue of school facilities, including school closures and consolidations, in terms of West Virginia’s school aid formula and school financing policies.

He also provided CWV members an analysis of constitutional and statutory matters that affect county board decisions to close or consolidate schools. He illustrated that the state seemingly has no school facilities policy other than the School Building Authority and SAF provisions based on student populations

that continue to decline in many rural and sparsely populated districts.

Additionally, Dr. O’Cull and the governor’s education policy adviser, Jay Cole, called for innovations and reforms in legislative research and policy formulation.

House Education Committee Vice Chairman Del. Larry Williams, D-Preston, reiterated much of what Dr. O’Cull and Cole said. They agreed that changes need to be made in the SAF, and noted that a legislative interim committee is studying school funding – a study he said may be part of a two-year effort. Legislative researchers are busy gathering preliminary information during 2005 interim sessions.

I think this was a good gathering in which we were represented, especially because many county board members are members of CWV and because that organization wants to influence local board members and school boards and to recruit persons to run for board seats.

If you have questions or comments about this meeting, please contact me.

Dr. O’Cull’s remarks for the CWV meeting are included on page 12.

State should challenge NCLB

West Virginia's demographics not favorable for future school funding

What is going to drive your economy is demographics...." – Tom Witt, Ph.D., director – Bureau of Business and Economic Research at West Virginia University

West Virginia should seriously consider the route Connecticut and other states and school districts have taken to legally challenge the federal No Child Left Behind Act, according to Sen. Robert H. Plymale, in remarks made at an Oct. 2 meeting of the Legislature's Oversight Commission on Education Accountability (LOCEA).

Plymale, D-Wayne, is Senate Education Committee chairman and he serves on a National Council of State Legislatures' NCLB panel. "We've tried to be really nice about this," he said. "It's time we got a little tough now. It's time to start looking at that."

State Superintendent of Schools Steven L. Paine, Ed.D., suggested that he, Plymale and West Virginia Board of Education President Lowell Johnson further discuss NCLB concerns with U.S. Department of Education Secretary Margaret Spellings.

Paine also said he was concerned with the NCLB program. "We have a good system," he said. "I think we can address it better than the federal government."

He said the federal response to West Virginia's NCLB requests "have been discouraging and the rules have changed as we go down this path." He said West Virginia needs more flexibility from federal mandates.

LOCEA took no action on Plymale's recommendation, and there has been no indication of a meeting between state officials and federal Education Department authorities.

Talks continue on SAF

In other interim committee activity, Education Subcommittee "C" continued its deliberations about the state School Aid Formula in its Oct. 2 meeting at the Capitol.

Tom Witt, Ph.D, director of the Bureau of Business and Economic Research at West Virginia University and Calvin Kent, Ph.D., director of Marshall University's Center for Business and Economic Research, continued in the presentation of statistics and summary study findings.

Most of the Oct. 2 meeting dealt with the two researchers discussing legislators' previous requests for demographic data, such as projected population statistics.

Witt said, based on available demographic information, the statistics don't provide a very good picture for West Virginia because the state population is aging, which means a continued decline in the number of school-age children. This is exacerbated by existing student decline, some of which is based on economic conditions, he said.

Because the school aid formula is student-driven, the formula will continue to contract, meaning fewer students and the allocation of less money toward the SAF, he said.

Plymale said additional study needs to be completed in regard to projected student populations and school board budgets, including "implications" for the next 5-10 years.

Witt said other states have considerable interest in how West Virginia handles policy issues relating to an increasingly aging popu-

lation. "People will be looking to West Virginia and how we manage that."

Looking at transportation issues

The Oct. 2 central committee topic related to school transportation, with legislators and the researchers briefly discussing efficiencies, fuel costs for buses, the need to add a possible "Fourth Tier" in terms of supplemental transportation funding for districts, privatization and SAF transportation reimbursements to counties.

While little new territory was covered in these discussions – certainly issues periodically discussed by legislators – the notions of efficiencies and privatization garnered the most comments. Witt pointed out that many states, including neighboring Pennsylvania, use more privately contracted transportation services.

Plymale added, "We should be looking at some things that make sense in that area." Additionally, he questioned transportation personnel costs. Witt said transportation personnel costs probably need to be explored.

Plymale said SAF transportation rules and regulations are both- ersome because "one size doesn't fit all in terms of things," including the state's varied geography and terrain.

Other transportation issues discussed included bus fleet insurance, existing use of private vehicles to transport students in situations where it is "not economical to run a bus," as stated by Joe Panetta, director of the state's Office of School Finance, and potential liability if the state were to use more private transportation – a point made by Del. Brady Paxton, D-Putnam.

The committee briefly discussed the possible effect of school closures and consolidations in regard to transportation costs.

Among other topics at the meeting:

- Although home schooling has increased the last few years, the number of students attending private schools in the state "is relatively small," according to the researchers. While they did not cite statistics about the increase in home schooling, projections from a previous WVSBA study show it to have increased steadily over the last decade or so.
- The state ranks 47th in teacher salaries, with West Virginia well below the national average and surrounding states, according to the researchers.
- Sen. John Unger, D-Berkeley, asked for a district-by-district breakdown of salaries which, he said, is more realistic for border counties, especially in the Eastern Panhandle. He also added that in West Virginia, "We equalize (salaries)," saying many border states do not, meaning the researchers should look for "pressure points," especially in what neighboring school districts in other states may be paying.
- Sen. Donna J. Boley, R-Pleasants, also questioned whether salary-related statistics include information regarding school personnel benefits. The researchers said most of the data does not.
- Continuing previous discussions regarding property assessments, legislators and the researchers said property appraisal and assessment has a "tremendous amount of impact on mon-

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New CEO reviews development plan

CPD to focus on data-driven decision making

By Jason B. Keeling

During the 2005 regular session, the West Virginia Legislature charged the state Center for Professional Development to take a leading role in developing educators and administrators (**Senate Bill 603**), and to better coordinate with higher education institutions and the state Department of Education in doing so. The CPD board was restructured, and the position of chief executive officer was created.

In August, Gov. Joe Manchin selected Patricia Kusimo, Ph.D., to fill that role and on Oct. 4 she made her first appearance before the Legislative Oversight Commission on Education Accountability.

CPD priorities

The center is “reculturing” itself to focus more on professional development outcomes, said Kusimo, who updated legislators on the CPD’s working priorities, which focus on better understanding the professional development needs of beginning and mentor teachers. Through surveys and a focus group, the center will cooperate with the West Virginia Department of Education to identify how closely mentors and new teachers are matched in terms of school location, grade level, and subject area, she said.

Programs would be evaluated through formative assessments, which measure progress across a designated time period, and

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- eys the state is required to kick-in” in terms of SAF funding, as stated by Plymale.
- The researchers, as they did in past meetings, stressed the importance of “quality” property assessments, especially the ratio of property assessment to the eventual selling price for property parcels. One result of any sluggish appraisal or assessments is diminished local share – both that “charged” against the county’s ultimate receipt of SAF dollars and the “resulting” amount of dollars then available locally, based on counties being able to “keep” 2 percent of local has assessors caving to “political expediency,” a point a representative for the state Association of Counties denies.
- Another discussion referred from a previous meeting centered on economic agreements entered into where property tax payments, including moneys for education, are deferred, sometimes for years, according to Plymale. He said additional study needs to be done in this area, pointing out that the state Senate in the past has adopted legislation that outlines practices for this type of tax deferment but that the bills have died in the House of Delegates. The issue is one of growing concern, he said. “It’s happening more regularly, and more people are being disturbed by it.”

LOCEA update

In other interim action, the Legislative Oversight Commission on Education Accountability, also meeting Oct. 2:

- Adopted the state’s study of its professional development ini-

tiatives. There was little discussion of this topic, except for mention of the impact and use of technology given computer repair schedules and time.

- Reviewed the state’s PROMISE Scholarship program’s retention and graduation rates. Lisa DeFrank-Cole, an official with the Office of the Secretary of Education and the Arts, said West

Virginia has the second-highest rates of retention and graduation next to North Dakota, based on states that collect that data. She said North Dakota’s scholarships are awarded to the top 5 percent of students who must have a 3.5 GPA as well as high ACT or SAT scores.

- While there was little discussion regarding the PROMISE Scholarship, Sen. Robert Harrison, R-Kanawha,

said he wondered if there would be value in efforts to require PROMISE recipients to reside in the state for a few years after graduation. Del. David Perry, D-Fayette, asked about the use of the scholarship for “five-year” degree programs. DeFrank-Cole said the PROMISE board has not approved any five-year programs for scholarship recipients because the scholarship is based on eight semesters of higher education.

- Additionally, Del. Richard Anderson, R-Wood, said he hopes the PROMISE board will commit its efforts and money to first-generation college-goers.
- Received State Superintendent Steven L. Paine’s report. Paine discussed successes in closing the achievement gap between white and minority students, an initiative relating to a Unified Education Technology Plan and the federal No Child Left Behind Act as it relates to special education waivers. Paine said it was not “pleasing” in terms of the federal response to a state plan to revise assessment requirements for special needs students.

“We’ve tried to be really nice about this. It’s time we got a little tough now.”
– Sen. Robert H. Plymale,
D-Wayne, Senate Education
Committee chairman

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summative assessments, which measure general program effectiveness.

Using technology to better deliver, enhance and evaluate professional development offerings topped the list of priorities, in addition to a joint effort to study mathematics achievement in the state, working with Marshall and West Virginia universities, Regional Education Service Agencies, and the WVDE's Office of Instructional Services. According to Kusimo, results of the latter effort should: 1) provide insight regarding the state's five-year math plan; 2) better inform policy at county and school levels; and 3) aid school counselors in helping students select math-related courses.

More data-driven decision making also would be a new CPD focus, she said.

"I appreciate your zealousness," said Del. David Perry, D-Fayette, who added that Kusimo had a major challenge ahead, to get the various education agencies and institutions to establish a unified approach to professional development.

In a related development, State Superintendent Steven L. Paine said he will appoint a committee of educational practitioners to examine the "entire structure" of training for educators, including principals and teachers.

Karen Larry, an executive assistant to Paine, said there are at least 30 sections of state law addressing professional development.

According to the Associated Press, Paine said he recently talked with Senate Education Chairman Robert Plymale, D-Wayne, about the recent CPD report, and Plymale agreed that changes are needed.

The changes reportedly will focus on preparing students for life in the 21st century, the WVDE's new goal for public education around which all improvement plans will be focused.

Some statehouse observers said they see Paine's actions as an attempt to corral professional development under the WVDE rather than through a more independent CPD, the genesis of which originated in 1990 as part of the Caperton Administration's education reform efforts.

"West Virginia educator professional development has always been fraught with too many players trying to play on too much turf, with too little direction, all the while running a continuing cluster of too many uncoordinated plays with too many balls in motion," said Howard M. O'Cull, Ed.D., executive director of the West Virginia School Boards Association. "Let's remember that it was under a former WVDE Administration that we had what was known as the 'Staff Development Coordinating Council.'

"The meetings were like attending sessions to watch paint dry on the walls, with everyone who attended clustered and prone to giving excited turf-spins while a coordinating calendar — the seeming only product — was eventually developed to the later enjoyment of all parties.

"Occasionally, a brave state board of education member would fall into the misfortune of asking about the Staff Development Coordinating Council's 'progress,'" O'Cull said.

He added that the National Staff Development Coordinating Council, which recently studied professional development efforts in the state, commented that most of the coordination lay in terms of scheduling and calendars and not overall staff development goals and direction.

"I'm obviously being somewhat facetious in my remarks," O'Cull said. "I commend Dr. Paine for his energy here. The real policy question is who or whom should be in charge of professional development in terms of singular responsibility or accountability. The WVDE certainly has the resources and constitutional wherewithal, but do they have the mandate from the governor and legislators?"

"What we may be seeing is a seeming departure from an independent CPD, and that's a shift in philosophy, although few persons were fully satisfied with the previous system. Thus, the policy

questions become: Is CPD the best agency to provide professional development coordination, given its 'independence?' Or, should CPD and the state department work collaboratively on coordinating professional development? Or, should professional development coordination and accountability lie with the WVDE and, if it does, what is CPD's role?

"It will be interesting to watch this play out. Let's just hope we can leave the paint-

drying sessions behind. Again, I'm being facetious."

Public Education Subcommittee

County school boards should allow principals to be more involved when hiring teacher and service personnel in their respective schools, according to Frank Collier, director of the West Virginia Elementary School Principals Association, who presented to the Legislature's public education subcommittee on Oct. 3.

"If your test scores aren't up, then the principal is on the carpet," he said. Principals should not be made accountable for school performance if they cannot be involved in forming their team, and less emphasis should be placed on seniority as a hiring criterion, Collier said.

He also was critical of county superintendents that second-guess principals, saying they sometimes send students back to school without consulting the principal, or allow an ineffective teacher to string out a plan of improvement before taking decisive action.

Del. Sharon Spencer, D-Kanawha, agreed that such teachers sometimes "play the system for years," referring to improvement plans.

Collier was asked if he thinks principals have sufficient school authority, to which he concurred, but he reiterated that principal decisions were sometimes superceded at the central office level.

State Superintendent Steven L. Paine said he will appoint a committee of educational practitioners to examine the "entire structure" of training for educators, including principals and teachers.

School model improves performance

Students taught to ‘respect and protect’

By Jason B. Keeling

In 2002, Stratton Elementary School was on the road to being identified as a seriously impaired school under the federal No Child Left Behind Act, given its student discipline and achievement troubles.

However, the staff was determined to change the school's course, and they developed "The Stratton Model" to establish a safe and academic environment. Since then, student performance has increased significantly, as measured by the West Virginia Educational Standards Test (WESTEST), and behavioral problems have waned.

Such performance has gained attention from the West Virginia Department of Education, and on Oct. 4, an alternative education subcommittee of the state Legislature discussed the school's improvement.

Stratton Elementary in Raleigh County is located in the midst of three housing projects, a homeless shelter and two prisons, according to Deborah Lewis, the school's counselor, who said such factors create a more challenging teaching environment. "Today's schools are different. They are constant and ever-changing," Lewis said, further stating that today, educators are less likely to spend their careers in the same school, and in turn students and teachers may have less of a personal connection.

Too often, a school-wide approach is not used to address behavior problems, she said, but Stratton officials worked to positively affect school culture by forming strategies to instill respect and caring among students and teachers.

"The Stratton model is not about punishment." It is more so about planning, consistency, and discipline, Lewis said.

The strategy

Officials used the state student code of conduct policy (online at <http://wvde.state.wv.us/policies/p4373.html>) as a guide for prevention and intervention, she said. A school task force began meeting weekly to identify and monitor student behavior patterns, using an internally developed behavior identification form (BIF), which classifies five levels of behavioral severity and five stages of school action. This helped to better monitor progress, create accountability, and inform parents, she said. And according to Lewis, when children are young, parents are less defensive when approached by school officials.

Disruptive students are now rarely suspended at the school. Instead of sending students home, they go to the "ABC Room," where a certified teacher instructs a group of six to seven similar students. Those students categorized above level three, for incidents such as fighting, threatening and weapons, met weekly with an area juvenile probation officer, and a circuit judge became involved on occasion, she said. The implications of getting a "BIF" started to be recognized, and behavior started to improve. The be-

havior form also helped expedite the processes involved in working with social service agencies.

She also described aspects of everyday school life that affected school culture. Signs were posted defining violence as "any mean word, look, sign or act that hurts a person's body, feelings, or things." Children were rewarded for good behavior with a roller-skating trip, or they could shop for an item at the "Bulldog Store," she said.

Addressing behavior issues is critical at the elementary level, and "as important as WESTEST," said Lewis, who likened such to "tak[ing] the bur out of the paw for high school." She said the additional \$60,000 invested was well worth the long-term benefits. Those

funds were dedicated primarily for the "ABC Room" teacher and to compensate extra work required of the school task force.

"Our school is a Cinderella team," she said.

Del. Sharon Spencer, D-Kanawha, agreed that prevention was vital within public schools, and she suggested the Legislature appropriate money for such within the school aid formula.

Overall, the number of students removed from West Virginia classrooms decreased to 13 percent of the student population in 2005, from 14 percent in 2004, according to a WVDE report to the subcommittee.

The data did not support a statistical relationship that would indicate more counselors necessarily decrease student removals, said Melanie Purkey, director of the Office of Student Services and Health Promotion.

Keeling is a public relations consultant and owner of Keeling Strategic Communications.

The number of students removed from West Virginia classrooms was 13 percent in 2005, down from 14 percent in 2004.

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Del. David Perry, D-Fayette, a middle school principal, said "It is possible to take the things that are in place to use to our advantage," adding that "sometimes we fail to inform ourselves as administrators," a suggestion that principals need to be able to approach situations according to their context, and recognize how to best establish a solution based on the parameters within applicable laws.

Jack Wiseman, a Jackson County school board member and former school principal, said it is important for principals to interview prospective staff members, and he said principals could strengthen any recommendations regarding existing personnel by detailed record keeping.

Keeling is a public relations consultant and owner of Keeling Strategic Communications.

Preston County teaches Katrina students

Superintendent recounts efforts of educators to help evacuees

By John Lofink

Preston County Schools responded to the needs of Hurricane Katrina evacuees. Over Labor Day weekend, we were informed several hundred evacuees from the Gulf Coast would arrive at Camp Dawson and there might be 70 or more school-age children as part of that group.

I contacted the Office of Emergency Services and offered our services to help with the educational needs of the children. We did not know how long the evacuees would be at the camp.

The focus during the first several days was to reconstruct records for the evacuees, along with medical screenings. Our central office staff met with camp officials and discussed plans for providing educational opportunities.

Through the efforts of our 21st Century Community Learning Centers grant coordinator, we put into place some of the programs we offered as after-school activities in several of our schools. This allowed us time to work with West Virginia Department of Education officials in planning for a more formal delivery of instructional services.

Additionally, the Preston County Schools After School Explorers 21st CCLC staff provided programming throughout the duration of the evacuees' stay at Camp Dawson. Programs provided by the 21st CCLC initially included a variety of enrichment activities, fitness and nutrition opportunities and field trips. Homework help was subsequently offered after evacuee students were enrolled at Terra Alta School.

A 21st CCLC coordinator, Gwen Duckworth, was hired to specifically oversee programming at Camp Dawson. The program was typically staffed by 21st CCLC staff, Starting Points volunteers, American Red Cross volunteers, and volunteer teachers from Kingwood Elementary. West Virginia University College of Creative Arts also collaborated with Preston County Schools After School Explorers to provide enrichment in the area of arts that was developmentally appropriate and relevant to the students from Louisiana.

The program targeted children from pre-kindergarten through 18 years old. Adult family members also were encouraged to participate in events, such as the field trip to Blackwater Falls, the Carnegie Center Fire and Ice Science on the Road presentation, and the roller-skating fitness night.

The WVDE provided us a team to assist us in conducting an information-gathering screening of the needs of the students at the camp. This assessment included gathering pertinent information such as name, birth date, last grade attended, previous school and what, if any, special services the students received at their old school. This also allowed us to gain a better number on how many actual students may be attending our schools. This number started at about 63 students but soon dwindled to about 25.

Preston County originally planned to house the kindergarten through eighth grade students at Rowlesburg School, since this school had plenty of classroom seats available. By the time we completed the screenings, it became apparent we were not looking at such large numbers, so we decided to house the students at the Terra Alta/East Preston K-8 School. Terra Alta was chosen because it was a larger school with more support staff.

We arranged an open house for the parents and their children the evening before the students began classes. Ronnie Greene, the new principal at Terra Alta/East Preston School arranged for a catered meal, students to meet and greet the new students and to offer tours of the building, and had teachers present to meet the students and their parents. The next morning the students arrived eager and excited to get started at their new school.

This schooling lasted a little more than two weeks. During that time the number of students decreased as efforts to relocate families moved forward. Even though the students stay at the school was short term, the new students as well as the students at the school benefited from sharing their cultures.

In addition to those students who attended school at Terra Alta/East Preston School, we also had two substitute teachers available at the camp each day to operate the computer lab the WVDE set up for our use. These teachers served the needs of several high-school students and other students whose parents did not wish to enroll their children into our schools. We thought it best to offer services to the high school students in this setting because Preston High School runs a block schedule. Each day in a block schedule is like two days in a regular schedule. Our goal was to catch the high school students up with their studies and also help them be ready to enter the school where they end up at when they relocate.

Several of the younger students who stayed at the camp instead of going to school did so because the families were scheduled to leave quickly or wanted to keep their children nearby. We also continued to offer after-school programs at the camp.

Preston County Schools and the state Department of Education collaborated exceptionally well in the development and implementation of the educational plan. Our school administrators, teachers, students and parents helped make this temporary arrangement a success for the evacuees.

John Lofink is superintendent of Preston County Schools, a position he has held since 2002. He is former Preston assistant superintendent. Lofink said the school board spent about \$5,000, some of which was in the form of a grant from the WVDE's homeless students federal funds, to educate the Hurricane Katrina students.

Wisdom

“It is the nature, and the advantage, of strong people that they can bring out the crucial questions and form a clear opinion of them. The weak always have to decide between alternatives that are not their own.” – Dietrich Bonhoeffer.

Preschool education yields many benefits

High-quality programs involve families in children's home learning

By Robert Childers

Preschool education is back in the news. "Early childhood development pays big dividends," announced the *Charleston Gazette* on Oct. 9, the day the Early Child Development and Economic Development Policy Forum convened at the Clay Center.

"Pre-K profile in school finance case grows," *Education Week* reported days earlier. "Time to act," urged *The State Journal* in a September 22 article, "From cradle to success."

Anticipating the demand for products supporting high-quality preschool education, a Charleston-based research and development company (Edvantia) already has updated a series of take-home early learning guides called "Family Connections."

Years of research confirm that children benefit from high-quality educational experiences in early childhood. Recent studies cited in a new report prepared by Marshall University's Center for Business and Economic Research for the Claude E. Worthington Benedum Foundation indicate social and economic benefits in addition to academic benefits.

Edvantia's knowledge about preschool education has deep roots. In the 1960s, the organization (then known as the Appalachia Educational Laboratory) conducted research that garnered national attention: The Home-Oriented Preschool Education program, or HOPE. The project brought into the homes of preschoolers a daily educational television program and weekly visits by trained paraprofessionals. Bob Keeshan (aka Captain Kangaroo) and Fred Rogers visited to gather information, and the producers of *Sesame Street* consulted AEL researchers before that program's 1969 debut.

Based on what was learned in the HOPE program and from other research on early childhood education, Edvantia developed two 30-issue sets of *Family Connections*, one for preschoolers and their families and another targeting kindergarten and first grade. Preschool teachers introduce a new issue of *Family Connections Pre-K* each week for children to take home.

First created in 1992, Family Connections has been used in all 50 states. The K-1 version was revised in 2003, and the preschool version was revised in 2005. In both cases, the development team consulted with early childhood education experts, reading specialists, teachers, parents and recent research such as the National Reading Panel report. The updated Family Connections is in full color and contains additional pre-science, pre-math and pre-reading activities. Each includes a front-page message for parents about topics such as learning through play and offering healthful snacks.

Parents want what's best for their children. Family Connections was developed so teachers could provide parents with learning activities to do at home with their children. It's an easy way for teachers to share important skills and concepts with families.

As illustrated by "A New Wave of Evidence," Anne T. Henderson's and Karen L. Mapp's 2002 review of the best available research (51 studies), "Programs and interventions that engage families in supporting their children's learning at home are linked to

higher student achievement." Henderson and Mapp cited sending materials home to parents as an effective outreach practice that is "related to strong and consistent gains in student performance in both reading and math."

A teacher handbook and sample copies of *Family Connections Pre-K* and *Family Connections K-1* are available at <http://www.edvantia.org/familyconnections> or by calling Edvantia at (800) 624-9120. For more information about Edvantia programs, products, and resources, including free newsletters for educators and policymakers, visit the company's Web site at <http://www.edvantia.org>.

Robert Childers is product development manager for Edvantia (formerly AEL).

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 attorneys, the leave may apply to county board training because it is required by statute. However, 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 WWSBA 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.

Kids doing better than anticipated. Using different criteria this year, **98 additional schools in West Virginia were named “exemplary,” compared with only 29 last year.** This year, writing assessment scores were eliminated and exemplary status was based on achievement test results, attendance and dropout rates. Kenna Seal, Ed.D., director of the Office of Education Performance Audits, which monitors school progress, credits the increase to “kids doing better than anticipated,” but acknowledged the changes in criteria, use of the WESTEST and some “Safe Harbor” provisions in the federal No Child Left Behind Act also contributed. The Safe Harbor provisions allow schools with low-performing minority, poor and other subgroups to improve test scores by at least 10 percent to make adequate yearly progress.

WV students doing worse than national average. Based on results of the **National Assessment of Educational Progress tests taken by fourth- and eighth-graders, state students’ scores in reading and math have gone down in most cases since 2003,** the last time the test was given. West Virginia eighth-graders scored an average of 269 on a scale of 500 in math, down two from 2003. The national average rose two points to 278. In reading this year, eighth-graders dropped five points from a score of 260 in 2003, to 255 in 2005. The national average dropped one point to 260. Fourth graders’ scores dropped from 219 to 215, while the national average rose from 216 to 217. In math, fourth graders’ scores remained stable, while national scores rose from 234 to 237. The gap between state African-American and white students narrowed in math, but widened in reading for eighth graders. Nationally, most testing gains were made in math, but not reading. Federal law requires the state to take the test every two years. State Superintendent of Schools Steven L. Paine said NAEP test results are just one measure of academic achievement, noting that all state students take the test, including students with disabilities (except in reading tests given to eighth-graders this year).

Sexual abuse leading cause for WV license revocations. The Associated Press, in a report released in October, said **sexual abuse of students is the No. 1 reason public school teachers have lost their licenses in West Virginia the past five years.** Sexual abuse was the reason about 41 of 118 — about 35 percent — of teaching certificates were pulled, according to the report. The figure could be 19 percent higher because some West Virginia Department of Education records, obtained through a Freedom of Information Act request, do not specify if “misconduct,” which resulted in teachers’ dismissal, was “sexual” in nature. The state Board of Risk and Insurance Management (BRIM) has paid \$6.9 million to settle 17 claims involving teacher misconduct. Another 22 teachers lost their licenses for inappropriate conduct with a student, which could include a sex-related offense. According to WVDE officials, they do not know how prevalent sexual misconduct is, often learning of teachers’ actions from students. A teachers’ association spokesperson said each situation must be examined individually. West Virginia Board of Education President Lowell Johnson (Greenbrier) said the WVBE has developed “all the policies it can to protect children.” The issue was discussed briefly during the 2005 regular legislative session when a freshman member of House Education asked why teachers were not required to have more frequent background checks.

Stay lifted, but appeal on the way in Mingo. Planning for a consolidated high school can proceed, following a judge’s October ruling. But with an appeal on the way, officials expect the case to be appealed to the state Supreme Court. In his October ruling, **Kanawha Circuit Judge Paul Zakaib lifted a stay that had stopped any planning or construction to take place on Mingo South High School,** which is scheduled to be built on a site that is currently a strip mine. The West Virginia Board of Education asked Zakaib to lift the stay due to mounting construction costs. Burch, Matewan and Williamson High Schools will be consolidated into the new Mingo South High School, with Gilbert High School later added. The School Building Authority of West Virginia awarded the county \$18 million to build the new school. Given the judge’s ruling, design plans can now be drawn, and the state can move forward with securing the school site. Earlier, Zakaib had stopped further work on the project pending a review agreed upon by the WVBE and three county board members who oppose the consolidation. Those members are represented by Charleston attorney Jim Lees, who said he did not object to lifting the stay. In his lawsuit, Lees says the central issue is whether the state board, in re-intervening in the county in February, overstepped its authority. A representative of the state Attorney General’s Office, who represented the WVBE, said “all the infrastructure supports the state (position), and the precedents would have to be overturned to rule Mr. Lees’ way.”

Lincoln board asks for more power. The **Lincoln County Board of Education,** under state takeover since 2000, **has asked the state Board of Education to restore some of its authority,** claiming that the state-appointed superintendent has abused his hiring powers and focused on the construction of a new consolidated high school to the detriment of exiting schools. Board members recently sent a letter to the state superintendent of schools asking for the return of some authority, saying the county, under state control, faces financial difficulties. Board members earlier called for the resignation of superintendent Bill Grizzell after the Higher Education Policy Commission released a study that found Lincoln County’s college-going rate was the lowest in the state at 38.9 percent. State Superintendent Steven L. Paine, Ed.D., also told the WVBE at its October meeting that he isn’t inclined to budge on the issue of increased authority for the local board until they demonstrate an inclination to cooperate with Grizzell and the WVBE. The state took over the system five years ago, citing numerous reasons for its actions, including hiring practices, low student achievement, inadequate facilities and the college-going rate. Additionally, litigation over Lincoln County school consolidation effectively ended when the state Supreme Court refused to hear a lawsuit challenging the consolidation of Lincoln County high schools. In the litigation, citizen groups argued that procedural issues were not followed in the state’s adopting the Lincoln closure plan. A circuit judge ruled against these groups, with the Supreme Court voting 5-0 not to hear a subsequent appeal of Kanawha Circuit Judge Charlie King’s ruling.

This and that, education news. The governor’s commission studying public-sector employment, which will issue its report in November, could not agree on one key question: Will state employees have to pay fees or dues to their chosen representative, especially if it

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O’Cull Addresses Challenge West Virginia

The following are the prepared remarks of West Virginia School Boards Association Executive Director Howard M. O’Cull at the Challenge West Virginia 8th Annual Conference on Oct. 21, 2005 in Charleston. Due to the nature of the meeting, O’Cull deviated somewhat from the prepared text. He reiterated most of the primary points included in the prepared remarks listed below in terms of oral presentation and response to audience questions. WVSA President Debbie Thompson (Pleasants) also attended the meeting as a CWV guest. Refer to her comments in the accompanying article.

On behalf of the West Virginia School Boards Association and our president, Debbie Thompson of Pleasants County, I want to thank you for the opportunity to attend the Challenge West Virginia 8th Annual Conference today.

I am pleased to address the members of your organization. Although the West Virginia School Boards Association and Challenge West Virginia may have noticeably differing notions, ideals and goals as to educational issues in West Virginia, I suspect that we have some goals in common.

I want to commend your Executive Director Linda Martin. She works tirelessly on behalf of your organization, as we know, and represents you well. As the director of an organization, I greatly admire the hard efforts and work of my peers as they seek to advance the agendas of their groups or organizations. Even if we don’t agree, it takes a certain commitment to spearhead an organization such as yours, especially in that you, sometimes like our orga-

nization, aren’t considered in the mainstream of educational correctness. In looking at the school boards association, I consider this approach sometimes — actually more often than not — to be a blessing. Indeed, what public education needs the most are its external critics and internal heretics. Alas, what public education often lacks are the effective voices of constructive criticism and internal heresy. More often or not, public education may be seen as a one of the better examples of “inside baseball.” In my opinion, that’s why groups such as yours are necessary. Indeed, when or as you are effective, those in public education will take note. This doesn’t mean that the educational establishment, including school boards, will change what they are doing necessarily. Yet it may mean there is a certain *pause* perhaps as alternate notions of policy and thought are considered.

My first point is that public education, while having certain levels and degrees of formalized accountability, is largely dependent upon the citizenry for accountability. Folks, it’s been that way since the precursors or forerunners of the school board were founded in the Massachusetts Bay Colony in the 1600s (‘Old Deluder Satan’ Law). Over the intervening years, as public education became more and more removed from the public, especially in terms of establishment of professionalism such as that of superintendents and administrators and a professionalized teacher corps, accountability and calls for accountability have been heightened. The problem we have, especially an emergent problem in West Virginia, concerns possible constraints or limits upon the electorate as deter-

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a union? The report does not take a position on the dues or whether an election would be required in agencies where most workers already belong to a union. The **Commission of Public Sector Employment and Employee Relations** was established by former Gov. Bob Wise... The **State Higher Education Policy Commission** wants the HEPC Chancellor to “understand the culture of the state, but there’s no thumb on the scale that we have to have someone from West Virginia,” according to Mary Clare Eros, HEPC Chairperson. The state’s last two chancellors came from other states. J. Michael Mullen, Ph.D., announced in August that he would retire after five years’ service. He was employed by Northern Arizona University. Veteran HEPC official Bruce Flack, Ph.D., serves as interim chancellor... **Massey Energy CEO Don Blankenship** was called ‘stupid’ by **state Supreme Court Justice Larry Starcher**, according to an Oct. 29 *Charleston Gazette* article. Blankenship may use a similar advertising campaign against Starcher, whose court term is up in 2008, as he did with Justice Warren McGraw who was defeated in the 2004 General Election by Brent Benjamin. Blankenship told *The Associated Press* that Starcher’s defeat would be for the better good of West Virginians, linking McGraw’s defeat to changes in liability law to the lower car insurance premiums some West Virginians are getting. Starcher has not said if he will seek re-election... **Legislative staff members can be subpoenaed** and asked about the budget digest process, according to a recent circuit court ruling. Legislators

had argued that the U.S. and state constitutions protect staff from having to testify about legislative decisions – as do legislators. Kanawha County Circuit Judge Jim Stucky ruled that the privilege not to testify is only applicable to lawmakers themselves. The **Budget Digest case** arose as part of a lawsuit filed on behalf of a Fayette County resident who lost her home to an out-of-state lending company. Her attorney, Dan Hedges, argues state laws against such lenders are weak because the West Virginia Ethics Commission does not have sufficient funds to keep lenders’ lobbyists from having undue influence due to moneys that go the Budget Digest... Some participants in a state teachers retirement plan worry that merging the program with the older Teachers Retirement System, slated for an election in March, may jeopardize their pensions. The **Teachers Defined Contribution plan** was initiated in 1991. Legislators voted in the 2005 Regular Session to close the plan to new enrollees in June. The March election will determine whether enrollees in the TDC will join with the **Teachers’ Retirement System**. At least half the TDC participants must take part in the election, and a majority must back the merger. The TRS is a guaranteed-benefit plan which has considerable unfunded liability. Gov. Joe Manchin’s plan to sell bonds to pay off the TRS liability – and that of other retirement plans – was defeated by voters in a May Special Election. *Sources include the Charleston Gazette, the Charleston Daily Mail, West Virginia MetroNews and The Associated Press.*

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mined by the courts. Let's not run off and blame the judiciary, however. Why? The judiciary, particularly the state Supreme Court of Appeals, is responsible for interpreting statutes and educational policy emanating from two constitutional bodies, namely the Legislature, which is charged with providing a thorough and efficient system of free schools in the state — public schools — and the state school board which is given charge to provide general supervision of the educational system, again largely through statutory *direction* from the Legislature. County school boards, where the highest degree of “working” accountability seems to lie, are creatures of the Legislature and not constitutional bodies. Any attempt to declare or, in any way consider, county boards as “constitutional” is in error, although since 1986 county boards are specifically cited in the constitution in terms of election of members from magisterial districts. Thus, my first point is that the judiciary, in interpreting educational policy, laws, statutes, rules and regulations, must base such within the constraints and confines of legislative and state board edicts—as well as judicial precedent—a developing or emergent principle which, in some way, may appear contrary to public will, wishes and sentiments.

For my second point, let me elaborate by reading a section from a history of West Virginia written shortly after the creation of the county unit system of school governance in 1933. This information will prove surprising.

Let me read.... Thus, we have two competing notions here: That of a statewide system of schools, such as that in Hawaii, and more local autonomy or control, with the county unit system, or 55 county school boards and central offices, being a literal “compromise.”

To develop this notion, we, unlike many states, are greatly state-inspired in terms of state-settled and sanctioned policymaking. Recall what I have said about the judiciary in my comments above. While we may lament this set of circumstances, the courts have validated — and continue to validate — this notion. In an actuarial sense, the courts — hear me out — are right in that the county school boards, and thus county policy and policymaking *per se*, must be made within the context of state constitutional dictates, particularly the state board of education, which is a constitutional body, with education being the state's highest priority, second only to payment of state debt or obligation. Thus, as Ambler and Summers tell us above, county boards are created by statute and are beholden to both the state Legislature and state board in terms of policy prowess, with their “outputs” — what they “do” — clearly reflecting this state of circumstance based on three separate studies of school board minutes from 1985-2000 as just one example.

To further develop our thoughts, West Virginia University law professor Robert Bastress, writing in the latest issue of our legislative newsletter — we've made copies of the article — notes that, in terms of school closure and school consolidations, the issues are decided *largely not* on the basis of innate community sentiments...even as demonstrable through a recent board election wherein a new board majority expressed opposition to an existing school consolidation plan but rather through procedural notions and dealings. Additionally, Huntington attorney Michael Farrell, writing in that same article, points out the primacy of the state board in terms of its policy largess over county school systems. Thus, in West Virginia we often witness a historically inherent tension between the “locals” and state officials and institutions of gover-

nance. The courts, through various rulings and the like, can and often do “ignore” local sentiment because, in a legal sense, it is not germane to the relevant, preeminent judicial issues being argued or considered — however technical, process-orientated or narrow they may be. Some would say this is case in the most recent of the Mingo County litigation cases, namely that involving administrative law Judge David W. Knight. I've got copies of that case if you are interested. Indeed, the judicial focus is on the primacy of state statutes and the edicts of the state school board. And, again, while one may lament this set of circumstances as unfortunate, it will require a seismic shift in terms of voters being able to elect members of the Legislature, a governor or governors, and members of the judiciary who will demonstrate, more than rhetoric, a willingness to reverse school facilities policy in this state — even while voicing considerable expenditures of sympathy with local sentiment in cases such as those involving school closures and consolidations. This is largely due to respect for judicial construction and precedent having become settled practice (if not settled law) since 1989 when the School Building Authority of West Virginia was established, with that agency and its endeavors becoming, for all practical purposes, the state's educational facilities policy and philosophy. Please retain that thought.

To make another point, county school boards and communities, in order to affect policy, must do so within the context of the constitutional role of the state board, especially as it has been defined, especially in light of legislation and through the Legislature's settling of the Recht school finance case just a few years ago. You ask, and properly so, can a group such as Challenge West Virginia influence policymaking at the state and county levels? The answer, I believe, is ‘yes,’ but your efforts must be parallel, directed first toward statewide policymaking bodies who set the tone and direction for state educational policy through the largess of constitutional blessings they enjoy and how decisionmaking at these levels informs, affects or “directs” local policymaking by bodies such as county boards. I have to be blunt. The process is one that is, to a great degree, seemingly stacked “against” citizen input and involvement, but don't call it quits. I'll talk more about strategies this afternoon, however, strategies all locally based organizations and governmental entities can use.

The subsequent point is one relating to policy vitality. Educational policy should not be made in a vacuum. It requires involvement of various stakeholders and parties. The trouble is that the formalized stakeholder groups in public education see stakeholder involvement as a form of entitlement politics often under-girded by heavy doses of pressure politics — from school employee associations in particular to county school boards and superintendents. Groups such as yours, and the school boards association, must occasionally find a way to barge into the discussions in order to have an impact on policy. I observe that a great deal of your organizational capital is expended in the judicial arena which, due to law, precedent and the constitutional nature of the state board of education, is harder to affect. Again, that is chief point I offer for your consideration. Perhaps a corollary arena exists to make an impact on overall policymaking, namely working for policy reform at the state level. I should not meddle with the judicial observation in terms of your organization because it takes sheer bravery to battle issues for which communities may be divided or which are settled judicially in terms of process rather than the honoring of local values, convic-

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tion and mores. Again, Ms. Martin will not allow your organization to become diffuse, but find a way to affect local policy-related decision-making in terms of also seeking to affect state-related decision-making. And, as necessary, enter into the judicial arena because, even if not successful, you have contributed to legal precedent, forcing both your organization and other litigants to hone and perfect arguments within the confines and safety of law. Final word here: Do not get hung up on the trees, losing sight of the forest. Rather, delve into issues regarding rural schools — a most honorable endeavor in this state — finance equity, development of school facilities policy and the like. Do a few white papers to espouse your views or structure your notions and ideals around similar approaches. Again, do not abandon your vision; do not compromise what you are ‘about,’ but you may consider approaching the overall policy venue in a bold way, armed with research, white papers and the like. Again, if I am meddling, please forgive.

Additionally, Jared Diamond, in his book “Collapse: How Societies Choose to Fail or Succeed,” coins the term, ‘creeping normalcy.’ Don’t you like the sound of that... ‘creeping normalcy?’ This characterizes much of educational policy and policymaking which often benefits or validates the status quo via incremental change which, more often than not, benefits education insiders. Again, I speak for myself, but I believe incremental thinking, as illustrated by “creeping normalcy,” needs to be busted up. Too often, we in West Virginia settle for the readied, expedient approach rather than full-fledged dialogue and policy debate. There is a reason: West Virginians often do not use the capital and largess of power that the citizenry actually has. It is partly because of our often isolated, mountainous terrain and the generational nod and ascent of our ancestors and their looking toward centralized authority for validation...I mean Charleston decision-making here.... We want Charleston to solve our problems. Thus, we have an entire spate of school personnel laws negotiated between school employee groups and the Legislature beginning in the 1970s and culminating in the mid-1990s. From the time Gerald Ford was president until the midling years of the Clinton Administration, our Legislature was intent on writing a series of statewide, standardized school personnel laws. (Most of these laws were necessary, given school board corruption and the like at the time but, over the years, may be seen as burdensome in some respects.) Given just this one context, it takes no expenditure of imagination to see how the School Building Authority of West Virginia has become West Virginia’s ostensive statewide school facilities policy per se, comfortably coupling with a state school aid formula that is largely primed, since 1988, on the engine of declining enrollments which, in turn, results in school closures and consolidations as norm and practice. I do commend Senate Education Committee Chairman Bob Plymale and House Education Committee Chairman Tom Campbell for providing, for the first time in years, a review of school funding in West Virginia...and that study is examining the formula in context of a shrinking student population and base as one emphasis.

Lastly, what county boards of education, through their operations and work, largely do is to convert information, primarily from the county superintendent, into decisions or, it is hoped, rational decision-making. Over the years, we have tried, as an organization, with the blessings of the Legislature, to broaden that base of infor-

mation, being mindful of two things: Too much information can lead to decisional paralysis or, worse, to micromanaging. This is where your organization, teachers and school employee organizations, the business community and others, however, can become involved in the policymaking. What we must do, however, is to create ways for groups such as yours to become meaningfully involved at the local level, particularly by having county boards concentrate on the larger issues facing the districts, rather than yielding to the ‘creeping normalcy’ we have discussed. Over the last several years, that approach has been my burning passion as WVSBA executive director: To nudge, through our association, school board involvement in the larger picture both locally and statewide. It’s not easy to move an organization along these lines, but thanks to some initiatives we have taken with the blessings of the Legislature we are beginning to do so. For instance, all school boards must complete an annual self-assessment or self-evaluation; all county boards must adopt goals relating to increasing student achievement; and, all county boards must receive training in these areas. I mention this because county school boards must be accountable — be and remain accountable — to the public as a sort of public trust. That is the essence of public service: Accountability. Groups like yours — teacher associations and others such as the League of Women Voters or citizens’ groups — can work to hold elected officials accountable. Although you’ll be labeled, more often than not, as an irritant, elected officials at all levels must be made and held accountable. Yet, to hold one accountable, we all must be made accountable both in terms of our tactics and strategies and policy motivation. Accountability is not for the faint of heart.

To close, I want you to consider these words of Dietrich Bonhoeffer: “It is the nature, and the advantage, of strong people that they can bring out the crucial questions and form a clear opinion about them. The weak always have to decide between alternatives that are not their own.” Folks, it is my plea that county boards, the School Boards Association, Challenge West Virginia and other groups who should — and must — have an impact on educational policymaking in West Virginia, will do so in the manner of the strong. The stakes are too high otherwise.

Thank you.

Stay informed.

On the Web at:
WVSBA.ORG

Study reveals student perspectives on achievement gap

By Hazel K. Palmer, Ed.D.

When business leaders, doctors and politicians want to understand how a group feels, experiences or reacts to an issue, they employ focus groups. When The Education Alliance wanted to know what actions middle schools can take to raise student achievement and close the achievement gap, it sought the answer from the perspective of middle school students themselves through the use of focus groups.

Eighth-graders in two urban middle schools and a rural middle school, each located in a different county, made up 18 guided focus groups. Conversations were compiled to provide recommendations for professional development, school-community dialogue and engagement and policy changes.

Among recommendations for teacher training were programs to help students develop positive relationships and negotiate peer conflicts without violence; learning tasks that engage students in small-group activities with opportunities for individual assistance; and fair and consistent application of discipline policies. Recommendations for greater community participation included providing academically successful role models; recognition of student achievements; guiding parents to monitor and enhance their children's progress; and helping students to improve study habits and resist anti-academic peer pressure.

Equal numbers of black and white students were selected to participate in focus groups of low-, middle-, or high-achievers, based on grade point averages. A student questionnaire provided additional descriptive and demographic information, revealing such noteworthy findings as: higher student government participation among white students, higher church/community activity participation among black students and only a twenty percent understanding by all students, almost all the time, of teachers' lessons, academic or reading material.

The themes that most often emerged from focus groups with economically disadvantaged white students were addressed in a segment of the study titled "The Voice of the White Low Socio-economic Status Students." It provided insight into the need to deepen the repertoire of instructional strategies available to teachers.

Incomplete explanations

Students expressed concern that assignments were not explained or were delivered in terms the students did not understand. Students requested that explanations be broken into understandable steps. They felt that greater use of activity-based curricula could help students become more engaged in the learning process, which would help lessen boredom and the prospect of misbehavior.

Elimination of favoritism

Many students felt that favoritism was shown to wealthier students, honor students and athletes. Students became frustrated

when they felt teachers were not taking them seriously or were passing by them and they sometimes responded by showing less interest in the subject or by misbehaving.

Distraction

Classroom distractions such as conflicts among students, between students and teachers, and unfocused discussions reduced time for learning and increased "drama" within the schools.

Student-teacher relationships

Some students felt a lack of respect from teachers and they complained about being belittled by them. Low-achieving students said they often felt ignored by teachers, which damaged their motivation to learn or to respond to teachers respectfully.

Manageable workloads

Students seem to feel overwhelmed by the amount of work, especially when they frequently didn't understand their assignments. They felt it would be helpful to pace the workloads to reduce the number of students who fall behind.

Five of the themes most often expressed by group members in a segment of the study titled "The Voice of African-American Students" provide an opportunity for community discussion and parent action and encouragement.

Apathy toward standardized tests

A number of black students said they viewed standardized achievement tests as a waste of time because teachers had not given ample time in preparing the students for the test. Similar feelings were expressed about the effects on student motivation and performance of confusing, incomplete or boring classroom instruction, long reading assignments and insufficient time for questions or clarifications.

Peer strife and fighting

Ongoing conflicts among black students were a concern at all achievement levels and locations. Interracial tension sometimes occurred when black students were called derogatory names and some felt that strife among black peers often resulted in fighting, which was considered part of their school culture by some.

Strained student-teacher relationships

Complaints in describing the negative effect of relationships with some teachers on student academic performance were teachers' use of profanity, yelling at students and purposefully berating them in front of peers.

Unique challenges

Black students' academic performance, participants felt, was regularly affected by school and social problems less frequently encountered by other racial groups: Teacher bias, family problems, racism, peer strife and poverty. Regardless of achievement level, black participants saw themselves as more heavily monitored, scrutinized and punished than white students with comparable behavior.

See GUEST PERSPECTIVE on page 16

Guest Perspective

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ior.

Poor work ethic

Encouragement, support and motivation to do well in school were perceived by some participants to be greater in parents and teachers of white students than those of black students. A number of black participants also felt that a larger number of white students cared more about their education, worked harder in school and cared more about earning higher grades.

One quotation from a participant sums up the comments by many others in every location. "Yeah, it's hard to do when you don't understand what you're doing. You got 11 classes to go to and 40 minutes in each class, that's not enough time to do anything, and half of it is discipline." (p.79)

County board members can provide leadership in addressing the issues identified by students by raising the level of mutual respect within the schools and between the community and the schools, by determining the degree to which local professional development provides an expanded repertoire of instructional strategies for teachers, and by engaging students, teachers, and parents in discussing ways to support learning for all students.

A copy of this research report was sent to each county board president and is available on The Education Alliance web site, <http://www.educationalalliance.org>.

Editor's note: When presented to the West Virginia Board of Education at its October meeting, WVBE members were wary to accept the results of a study some WVBE members – and West Virginia Department of Education officials – say are unscientific. At that WVBE meeting, state Department of Education officials pointed to what they say are successful initiatives to close the achievement gap between white and African-American students. In a recent Charleston Gazette article, Palmer contends her group's findings were a "temperature reading" meant to inform and guide policy. Strictly speaking, The Alliance's study and the WVDE student achievement findings are not necessarily parallel comparisons.

Dr. Hazel Palmer is president and CEO of The Education Alliance, a statewide nonprofit group dedicated to higher student achievement for every child in West Virginia.

Statistics

\$674

Average annual per-student cost of transportation in Berkeley County

\$1,069

Average annual per-student cost of transportation in Monroe, Pendleton, Summers, Tyler and Doddridge counties

The five counties with the highest transportation costs are Monroe, Pendleton, Summers, Tyler and Doddridge counties, all of which are considered by the West Virginia Department of Education to be low student density population counties.

Collectively, they transport 6,451 students. Berkeley County transports 11,950 students for a total of \$674 per student while the average costs for the above five counties is \$1,069.

According to Ben Shaw, a West Virginia Department of Education transportation official, high student density population counties spend an average \$673 per student in transportation costs, while LSDP counties spend on average \$815. He said there are additional formula dollars that assist LSDP counties.

Source: WVDE

Contests promote Holocaust education

West Virginia students will remember the tragedy of the Holocaust when they are invited to participate in this year's Holocaust Arts and Writing Contest. This year's theme is "Through A Child's Eyes."

The contest is open to all fifth- through eighth-grade students in West Virginia schools. Teachers with large numbers of students who want to enter are encouraged to provide a selection process and submit no more than three entries in each of the categories. Copyrighted images or written materials must be referenced and all entries become the property of the West Virginia Holocaust Education Center.

Essays must be at least 500 words and no more than 1,000 words, legibly written or, preferably, typed or computer-processed in 14-point font. Poetry will be judged separately from essays, with all forms of poems acceptable. Poems need to be long enough to clearly demonstrate the contestant's sensitivity to the subject.

Paintings, drawings, computer-generated graphics, crafts, displays, posters and models may be submitted as works of art for the contest.

Entries should be completed during the 2005-2006 academic school year and submitted with a completed entry form postmarked by March 17, 2006. Winners will be notified shortly after the March 26, 2006 judging date and presented on April 30, 2006 at Lewis County High School. To download the official rules and contest entry form, visit: <http://wvde.state.wv.us/tt/2005/holo.doc>.

Mail entries to: WV Holocaust Education Council 2005 Arts and Writing Competition, P.O. Box 1125, Morgantown, WV 26507.

Education study is flawed - badly

Unfortunately, the challenge of increasing achievement by lower socio-economic class students still has not been addressed effectively in West Virginia public schools. And yes, race may have something to do with it — though racism is not the factor it was at one time.

But educators, including those in our area, recognize the challenge and have made overcoming it a top priority. Every child in West Virginia public schools deserves a good education.

That said, “studies” such as the one released last week by The Education Alliance do no good. In some ways, by distracting attention from genuine problems, they are counterproductive.

The alliance announced that it had concluded that teachers favor white students over black youths and those from rich families over those from lower-income households.

The “evidence” of that?

A series of “focus groups” involving just 63 students at three middle schools. Alliance officials wouldn’t even name the schools,

saying that confidentiality had been promised.

An example of how the alliance managed to ignore objectivity completely is in one conclusion of the study. According to alliance President Hazel Palmer, the study indicates that all rural black students understand their teachers just half the time.

On the face of it, that’s ridiculous. But — again going by the limited information on methodology provided by the alliance -- that conclusion may well have been based on comments from only about 10 students.

Can West Virginians pretend that racism and classism are not problems in some classrooms?

Emphatically, no.

But the problem needs to be dealt with realistically, not on the basis of merely anecdotal information such as that presented by the alliance.

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“The November Meeting” Agenda

Stonewall Resort – Roanoke, W. Va.

Saturday, November 5, 2005

10 a.m. *“School Law Potpourri”*

Howard E. Seuffer Jr., Bowles Rice McDavid Graff & Love, West Virginia School Boards Association counsel

Noon Group Luncheon, Stillwaters Restaurant

1 p.m. *“The State School Aid Formula in Perspective: Mechanics and Philosophy”*

Joe Panetta, Office of School Finance,
West Virginia Department of Education

2:30 pm Refreshment Break

4 p.m. Adjournment

4 p.m. “All Committees” Meeting Segment

5 p.m. WVSBA Executive Board Meeting

7 p.m. WVSBA Executive Board Meeting (Adjournment)

For more information, please contact the WVSBA staff at (304) 346-0571.

The conference registrar is Shirley Davidson. Her e-mail address is sdavidson@wvsba.org.

Sound Bites

“When they come and say they want me out, do they think something’s going to change if I weren’t here?” – Lincoln County Schools Superintendent Bill Grizzell discussing recent criticism for the county’s college-going rate, which is lower than when the state school board intervened in the system five years ago.

“We are suggesting states could shift millions of dollars they spend now on economic development to an endowment for early childhood development.” – Margie Hale, director of West Virginia Kids Count, at a forum regarding preschool education.

“It is evident to me that there is a great need to go beyond what (the federal) No Child Left Behind Act requires if our students are expected to compete on a global level.... The National Assessment of Educational Progress scores point this out.” – State Superintendent Steven L. Paine discussing recently released West Virginia NAEP scores.

“When I was in school, drama was putting on a play. It wasn’t getting into fights or gossiping or carrying a knife because you might get jumped.” – West Virginia Education Alliance official Hazel Palmer discussing results of recent focus groups targeting students who deal with issues like racism and classism.

Meanwhile in Virginia, Florida...

A Virginia high school’s marching band has stopped playing Charlie Daniels’ “The Devil Went Down to Georgia” because of a claim that the song violates the separation of church and state. In a letter to a local newspaper, resident Robert McLean argued that the song’s depiction of a man’s violin duel with Satan may constitute an endorsement of Christianity. McLean now says he was merely trying to provoke a philosophical debate, and that he actually likes the song. “It was one of the first 45s I had as a kid,” says McLean. – *The Week*/Oct. 28, 2005...

Broward County (Fla.) school board Robin Bartleman, explaining in July why she finally accepted an elementary school’s new policy of ‘no running’ on the playground” “To say ‘no running’ on the playground seems crazy, but your feelings change when you’re in a closed-door meeting with lawyers...” *Graffiti*.



The Legislature

West Virginia School Boards Association
PO Box 1008
Charleston, WV 25324