



How to spend \$1 million on school health

House Education learns about WVDE proposal for specialized care

By Howard M. O’Cull, Ed.D.

West Virginia School Boards Association Executive Director

If the West Virginia Department of Education were to get \$1 million to distribute among the state’s 55 county school boards to provide additional school health services, how should that money be divided? Should it be split among the county boards based on net enrollment, or should it be distributed so that students with more severe health needs could be served?

That line of questioning dominated most of the House Education Committee’s discussion of **House Bill 4398** Tuesday.

Although House Education officials did not ask WVDE officials to provide an actual bill fiscal note, Deputy State Superintendent Jack McClanahan, Ed.D., and Melanie Purkey, executive director of Student Services and Health Promotion, illustrated how the \$1 million could be appropriated to counties, based on an acuity scale tied to specialized health care procedures. Only licensed school personnel – mostly registered nurses who are school nurses – would be able to perform some of the procedures.

For example, students requiring use of an “insulin pump” would be categorized at “Acuity Level 4,” whereas students who may

have to use an inhaler for asthma attacks would be rated at “Acuity Level 1.”

Using the acuity levels as the foundation for providing the specialized health care services, county boards then would apply throughout the year for WVDE funds, based on guidelines developed by the WVDE. The guidelines would address fluctuations that may occur as students with specialized health care needs move into or out of counties, or as students’ health care needs change.

That method is different than an across-the-board approach to providing specialized health care funds which, in some instances, counties might use to provide additional personnel to meet current law that requires one school nurse per 1,500 students in net enroll-

See **HOW TO SPEND \$1 MILLION** on page 2

Gov. thanks school board members

Gov. Joe Manchin today will honor school boards and board members for their dedication and service to public education. Manchin will present West Virginia School Boards Association President Debbie Thompson (Pleasants) and about 40 county board members the official proclamation during a 10:45 a.m. ceremony at the Governor’s Reception Room at the capitol.

“On behalf of our organization, I am excited the governor chose to honor the contributions we, as county boards and board members, make to public education,” Thompson said. “We do contribute much to our local schools in terms of policy guidance, receiving public input and working to advance the cause of our children. This is the first time a governor of our state has officially honored these contributions.”

Thompson said county board members from across the state will attend. She will accept the signed proclamation on behalf of county board members who are meeting Friday and Saturday for the organization’s 2006 Winter Conference at the Charleston Marriott hotel.

The conference program begins at 1 p.m. Friday, Feb. 17 and adjourns about 11:45 a.m. Saturday, Feb. 18.

The annual West Virginia School Boards Association/West Virginia Association of School Administrators “Reception with Legislators” will be held tonight from 6 p.m. to 8 p.m., followed by the WWSBA Executive Board meeting.

Visits with legislators are scheduled from 9 a.m. to 11:45 a.m. Friday. Transportation will be provided beginning at 8 a.m., with buses returning to the capitol at noon.

Overview

STATS

Day of Session:	37
Days Remaining:	23
Bills Introduced:	1,813
(Includes 644 House Carryover Bills)	
Education Bills (WVSBA Count does not include House Carryover Bills):	270

INSIDE

- Personnel association outlines legislative goals.....3
- Mingo principals frustrated by superintendent search.....5
- In Brief.....7
- Bill Abstract.....8
- Administrative Perspective.....10
- Guest Perspective.....11
- Last Word.....13

QUOTE

“A good teacher is like a candle. It consumes itself to light the way for others.” – West Virginia First Lady Gayle Manchin in honoring Bridget Call, West Virginia’s 2006 teacher of the year.

HOW TO SPEND \$1 MILLION

continued from page 1

ment (grades K-7). Each county is required to employ at least one school nurse or to contract with a public health department for equivalent services.

McClanahan stressed that the WVDE's example of how the money could be distributed is a policy question only legislators can address.

Some HEC members wanted a breakdown of projected dollars for their counties, based on the acuity level information provided by Purkey and McClanahan. Purkey said that the approach is premature and the WVDE needs more specific information about actual students involved with the identified health procedures.

Del. David Perry, D-Fayette, noted that the WVDE information did not list specific funding amounts for any county. Purkey said the money counties receive, as illustrated by the Education Department's ap-

proach, would not be "static," but based on the acuity needs and through procedures the department would develop.

When she was asked about using the money for additional school nurses, Purkey said that while the WVDE is "not happy" with the number of school nurses, the Legislature has not adopted legislation to increase those positions.

Several HEC members supported WVDE's acuity scale approach, including House Education Vice Chairman Larry A. Williams, D-Preston, who said the legislation is an "attempt to address

the most-needy kids in the most-needy counties."

Del. Mary Poling, D-Barbour, in reviewing acuity needs in her county based on WVDE data, said the \$1 million would allow students with more specialized health care needs to be addressed on a case-by-case basis, rather than just providing "general health care."

McClanahan and Purkey said if the Legislature provides the money, it would be

County boards would receive money based on student specialized health care needs that exceed the capacity of staff as currently mandated by the nurse-to-student ratio.

targeted based on need and it could "level out the inequities" between counties, based on acute or specialized needs rather than a flat enrollment-based funding, although McClanahan said, "You know we'll have more needs than money."

According to **HB 4398**, county boards would receive money based on student specialized health care needs that exceed the capacity of staff as currently mandated by the nurse-to-student ratio.

An additional bill provision would allow county boards to contract for services with "health care agencies" rather than only public health departments, as current law specifies.

A final bill section authorizes the state Board of Education to promulgate rules relating to standards and training for school nurses.

Under current law, that responsibility lies with the Commissioner of Public Health who develops these rules with input from the Council of School Nurses, which provides recommendations to the commissioner.

As explained by House Education Counsel David Mohr, WVBE rule development simplifies the process, although any state board rule is not subject to rulemaking review. The Legislative Oversight Commission on Education Accountability is briefed on WVBE rules and it may propose recommendations for their implementation but it has no authority to alter the rules, based on a late-1980s court case.

Williams also reiterated that an interim legislative committee is studying the state School Aid Formula and, as a result of the study, there may be prospective recommendations regarding an increase in the school nurse ratios.

Williams said the full study likely will be completed next year.

In other action, the committee:

- Approved **House Bill 4406**, which would permit school principals to evaluate experienced classroom teachers as deemed necessary or at the request of the teacher. The teachers must have five or more years' experience and have not received an unsatisfactory rating or who are not on a professional growth and development plan.

See **HOW TO SPEND \$1 MILLION** on page 4

The Legislature is published by the West Virginia School Boards Association. It provides county board of education members, state policymakers, school administrators and the education community information and opinions regarding West Virginia legislative issues. The views expressed in this publication do not necessarily reflect official opinion or policies of the WVSBA, unless specifically stated.

West Virginia School Boards Association
PO Box 1008
Charleston, WV 25324
Phone (304) 346-0571 • Fax (304) 346-0572 WVSBA.ORG

Debbie Thompson (Pleasants County), President
debthom@charter.net

Jean Westfall (Ritchie County), Chairman
WVSBA Committee on Communications*
Ljwm1108@ruralnet.org

Howard M. O'Cull, Ed. D., Executive Director, Editor
hocull@wvsba.org

Diane Slaughter, APR, CAE, Layout and Design
info@homesteadlane.com

Shirley M. Davidson, Administrative Assistant,
Production and Circulation
sdavidson@wvsba.org

* Committee on Communications: Judi Almond (Raleigh), Beth Cercone (Clay), Bob Duckworth (Taylor), Despina "Dee" Kaparoules (Mingo), David McCutcheon (Roane), Mike Mitchem (McDowell), JoHanna Rorrer (Mason), Nancy Walker (Monongalia), Don Tuttle (Wetzel), Hunter Williams (Hardy)

*Vincit omnia veritas
"Truth conquers all"*

Personnel association outlines its 2006 agenda for legislative session

By Bob Brown, Executive Secretary
West Virginia School Service Personnel Association

The following are proposed amendments to sections of the West Virginia Code. These proposals reflect adjustments to our school laws that have been recommended by the Executive Committee of the West Virginia School Service Personnel Association.

- **§18-5-13:** This proposal is to provide that vehicles designed to transport more than 10 passengers (students) meet appropriate safety standards and that drivers of such vehicles are properly certified.
Rationale: Currently, some boards are transporting students in vehicles being driven by uncertified drivers who have not undergone background checks. Additionally, some of these vehicles do not meet the same safety standards as school buses.
- **§18-5-18a:** This proposal would provide a salary supplement for teacher aides and paraprofessionals in certain circumstances.
Rationale: Teachers currently receive a salary supplement if their K-6 class size exceeds a certain limit. This proposal would provide equity for teacher aides and paraprofessionals in similar situations.
- **§18A-2-5:** This proposal would repeal the limits on service personnel pay grade “H” positions.

Rationale: This “cap” on pay grade “H” positions was inserted into law in 1987 to stop county boards from hiring professional personnel in service personnel positions. It has had unintended consequences for service personnel seeking promotions.

- **§18A-4-8:** This would create new service personnel classifications for “Administrative Assistant,” “Legal Secretary,” and “Bus Operator II.”

Rationale The addition of “Administrative Assistant” and “Legal Secretary” reflects the changing nature of work in board offices. “Bus Operator” is one of the few service personnel classifications with only one pay grade; consequently, many counties are having trouble recruiting bus operators. The creation of “Bus Operator II” will help alleviate this situation.

- **§18A-4-8g:** This proposal would clarify service personnel substitute seniority.

Rationale: Currently, service personnel substitutes acquire “regular employee status” after 20 consecutive days of employment. Although this was not the intent of this legislation, hearing examiners have ruled that this “regular employee status” includes regular employee seniority. Consequently, in certain situations, these substitutes can get priority over regular employees for job bidding purposes.

RESA money to be removed from SAF

Committee rejects public school uniforms bill

By Jason B. Keeling

On Tuesday the Senate Education Committee approved a **Senate Bill 127**, which would eliminate Regional Education Service Agencies funding through the School Aid Formula. Instead, the agencies would be funded directly by appropriations from the Legislature.

As amended by the committee, the bill also would require the state superintendent of schools to conduct a comprehensive study of Regional Education Service Agencies, including their programs, governance structure and administration.

Sen. Donna Boley, R-Pleasants, expressed concern over recent reports of financial improprieties within RESA I. She said greater oversight by the state Board of Education and state superintendent may be necessary.

Senate Education Chairman Robert Plymale, D-Wayne, echoed her opinion, especially when considering RESA finances.

Agency audits are currently done independently.

Late last week Plymale told the Charleston Daily Mail that legislators might consider rewriting a RESA bill that was introduced earlier in the session – an apparent reference to Senate Bill 127 — to require all RESA audits to be done through the state school board.

“There are a lot of unanswered questions, but we plan on

getting the answers and finding a way to prevent something similar from happening,” Plymale said in the Daily Mail article.

Gov. Joe Manchin’s education policy advisor, Jay Cole, said the governor would support Senate Education’s amendment requiring greater state oversight of RESAs.

RESA officials were not present at the meeting.

The committee rejected **Senate Bill 187**, which would require public school students to wear uniforms. Sen. Billy Wayne Bailey, D-Wyoming, said the bill would help ensure a better learning environment and student safety.

RESAs, first established in 1972, are governed by the WVBE, based on a 2002 statute aimed at restructuring the agencies which, according to legislators, allowed for better reporting mechanisms and more organized governing structure.

Plymale, in comments made to the Daily Mail, said RESAs can move the state forward to meet mandates such as those required by the federal No Child Left Behind Act.

Critics of the 2002 restructuring effort, including county board members and some superintendents, at the time said the revised governing structure, which made the previous RESA boards of directors more advisory in nature, would lead to less regional oversight.

– Keeling is a public relations consultant and owner of Keeling Strategic Communications in South Charleston.

Hampshire interim superintendent named to post on permanent basis

Kolsun has support of county board members

State Superintendent of Schools Steven L. Paine, Ed.D., on Monday announced Cynthia Kolsun as the new superintendent of Hampshire County schools, according to the Hampshire Review, which first reported the appointment.

According to *Review* editor Don Kesner, who said he spoke with Paine during a telephone interview, Kolsun was interested in staying on the job in Hampshire County, and Paine said she appears to be a good fit for the local school system.

Kolsun was named interim Hampshire County Schools superintendent on Jan. 11 when the state School Board intervened in the Hampshire system. She was to leave the post on Feb. 20, once school officials found a replacement.

Because employee groups and community members indicated they were pleased with her performance, Paine said he selected her for the role.

"I feel that I've got 100 percent [support] of this office and the administrators," Kolsun said. "That's really critical. The only thing anybody really needed here was someone to help make some decisions."

Both the *Review* and the Charleston Gazette reported that Kolsun's contract as superintendent will continue through June 2009.

Kolsun said she knew within the first week on the job that there were definitely problems that needed to be worked out. By the second week, she said the staff was already finding ways to work out many of the problems, according to the *Review*.

Kolsun said her goal is to first get the local school system fully approved. She said it is important educators understand that we live in a global economy. "It's an economy in which people are able to get to know people they will never meet face-to-face."

Kolsun said she hopes that some will want to stay and work

locally as the economy grows. But even locally, she said students must be ready to meet a changing economy.

Kolsun calls the younger generation "digital natives," children who grew up with computers. Others are digital immigrants who need to learn the language and skills of a high-technology era.

She said coming to Hampshire County has been a good experience that makes her want to stay for a while. The education system is one of the biggest factors in attracting people to the community, she said.

She said a school superintendent should be community-minded and she looks forward to becoming involved locally.

Hampshire County's woes began with the fallout from former House of Delegates Education Chairman Jerry L. Mezzatesta, when district officials reportedly misspent grants solicited by him. Mezzatesta was a community specialist for the district, but was fired last April while state officials investigated.

David Friend, former Hampshire superintendent, resigned a week before the takeover. He had not been to work for more than a year, citing health problems.

The state audit also said that Hampshire administrators made illegal hires and didn't always choose the most qualified employees.

Kolsun said she is addressing each of the audit concerns. She and her staff are working on making sure that the most qualified people are hired for positions. They are checking finances, funding sources and job descriptions closely — all items called out in the audit.

Kolsun was Tucker County Schools superintendent and assistant superintendent in Randolph County before going to Hampshire County. Hampshire school board members told the Charleston Gazette they support the decision.

Sources: Hampshire Review, The Charleston Gazette and WVSBA reporting

HOW TO SPEND \$1 MILLION

continued from page 2

Several HEC members said this approach would allow school principals to have more time to concentrate on "walk-throughs" and other means of assessing teacher performance rather than conducting standard evaluations or by setting aside a specific day to conduct an evaluation — points made by Poling and Del. Brady Paxton, D-Putnam. "You (a classroom teacher) are evaluated on a daily basis on classroom work," Paxton said.

Del. Perry also said the proposed legislation conforms to aspects of the federal No Child Left Behind Act in regard to highly qualified teachers as being professional educators who, due to experience and credentials, don't need frequent evaluations.

"An inordinate amount of time is being wasted (on evaluating teachers with five or more years' experience) who don't need to be," Perry said.

Del. Patrick Lane, R-Kanawha, voted against the measure.

Earlier in the meeting, he had asked a question regarding whether

the bill would mean fewer evaluations. Mohr, in response, said that would depend on the judgment of the principal.

HB 4406 has no second reference, but will not be placed on the House Consent Calendar because the committee's vote was not unanimous.

- Approved **House Bill 4341**, which requires county boards to schedule two Instructional Support and Enhancement Days (ISE) before Dec. 31, and then three such days after Jan. 1 of the "instructional term."

According to several committee members, including Williams, this proposed approach offers county boards more flexibility because the scheduling of three ISE days after Jan. 1, but before the end of the instructional term, would omit statutory requirements for ISE days to be held in February, April and June.

The proposal has an additional reference to the House Finance Committee, although Mohr said that reference may be dispensed.

- Approved legislation that requires the state Board of Educa-

See HOW TO SPEND \$1 MILLION on page 6

Mingo principals frustrated by state's search for new county superintendent

By Anna L. Mallory
Charleston Gazette Staff Writer

School principals in Mingo County say they are unhappy with the state's search for a new superintendent there.

In a letter to state schools Superintendent Steve Paine, 10 of the county's 15 principals requested a meeting to discuss the matter. The letter from the Mingo County Principal's Association said no one from the state has communicated with them and that a job posting requesting superintendent or assistant superintendent experience is unfair to current employees.

"The job posting process, as legal as it might be, has not been fair and equitable to local qualified, certified administrators," they wrote in the letter. "It was unfair to all who have the certification, know the immediate needs of our schools, and have first-hand knowledge of the need for strong, unbiased leadership."

Paine, who said he had not had a chance to review the letter handed to him on Friday, defended the request. He said it was more of an expression-of-interest call than a job posting and that he's already had in-state applicants.

But, he said experience in a top leadership role is important to running Mingo's schools.

"The demands of these takeover counties require some prior experience," he said. "You also have to be very careful to make sure that they're independent thinkers, that they're not connected in any way to parties or individuals that have had very special interest."

Mingo is one of four school systems the state controls. Hampshire, Lincoln and McDowell counties also have been taken over by the state.

Mingo has been embroiled in a battle to construct a consolidated high school since the School Building Authority awarded more than \$17 million to do so in 2003. Three of its Board of Education members have filed suit against the state department.

Paine said that's why he wants to be careful with choosing someone.

Still, he made a point to include them in the selection process, although the hiring decision ultimately is his. They've done the same in each of the takeover counties, he said.

Paine and state Board of Education President Lowell E. Johnson met with Mingo County Board of Education members late last week. They asked to hold the meetings with two members at a time, so as to not require a public meeting.

Members of the public were admitted, but the meetings were not announced. Only two Mingo board members — James W. Endicott and Dee Kapourales — met with the state officials. Mitchell Chapman, William Duty and Michael Carter boycotted.

"I didn't think it would be productive," Chapman said. "We haven't been involved in anything so far. So I just personally didn't think it was worth my time."

Kapourales, whose term expires in June, said she told Paine the county needs someone strong who will treat residents with respect.

Paine said he would listen to what principals have to say. He'll do the same with members of the American Federation of Teachers, which also sent him concerns, he said. Yet, he has no plans to open the selection process further.

"I'm not going to make this a controversial issue," he said.

Mingo Superintendent Brenda Skibo is set to retire in June. Paine said he's not in a hurry to find a replacement.

— Reprinted with permission of *The Charleston Gazette*

Will it be politics as usual in Mingo?

Paine, WVBE open meeting about superintendent selection

By Wanda Carney
West Virginia Wants to Know

On Feb. 9, West Virginia Wants to Know (WVWTK) started receiving telephone calls from our members in Mingo County.

Callers were upset that representatives of the West Virginia Board of Education were coming to the county to select a superintendent without the process being open to the public or in conformity reportedly with the state's Open Governmental Proceedings Act.

Rumors were swirling that this meeting was closed and they were selecting political people from inside Mingo.

WVWTK immediately contacted State Superintendent of Schools Steven L. Paine, Ed.D., who informed me that he and WVBE representatives were meeting with the elected board members one or two at a time to be sure not to violate the open meetings law.

My organization has a great concern when elected or appointed

local or state officials try to go around and circumvent the law.

Dr. Paine then informed me that I was more than welcome to attend the meeting, which I did.

Dr. Paine and WVBE President Lowell Johnson

arrived. After several calls from what we believe to be Mingo County Superintendent Brenda Skibo's office, we were allowed upstairs.

See **MINGO POLITICS** on page 6

In the process of this engagement of opinions and ideas, Dr. Paine said he would not play politics with the selection.

Why Johnny (still) can't read

Even as books take a back seat to technology, reading is more important than ever in an increasingly complicated, information-rich world.

Basic literacy no longer suffices. In higher education and the workplace, young people must handle an array of complex texts — narratives, repair manuals, scholarly journals, maps, graphics, and more — across technologies. They need to evaluate, synthesize, and communicate effectively.

Unfortunately, more than 8 million U.S. students in grades 4-12 struggle to read, write and comprehend adequately. Only three out of 10 eighth graders read at or above grade level, according to the 2004 National Assessment of Educational Progress.

Readers who fall significantly behind risk school and workplace failure. In 2003, only three-fourths of high school students graduated in four years, the National Center for Education Statistics reports. The previous year, just over half of African-American and Hispanic students graduated at all.

Excerpted from an edutopia.com article by Carol Guensburg. For the complete article, visit: http://www.edutopia.org/magazine/ed1article.php?id=art_1446&issue=feb_06

MINGO POLITICS

continued from page 5

Dr. Paine and Johnson were gracious in our arrival and informed the secretary that the door was to be left open and the meeting was opened to anyone. The meeting started and three board members did not show, however, they left letters addressing their concerns and comments.

Mingo County Board of Education member Despina “Dee” Kapourales was the first board member to meet with the Dr. Paine. She informed the state what she was looking for in a county schools superintendent.

In the process of this engagement of opinions and ideas, it was then that Dr. Paine made the statement that he would not select someone inside Mingo County and that he would not play politics with the selection.

This statement is very refreshing to our organization.

We appreciate Dr. Paine opening the meeting and hope this will continue. We will be monitoring all other such visits.

The elected board of education voices must be heard. They are the voice of the people.

We hope Dr. Paine and the WVBE do what is right in Mingo County and do not play politics as usual. Again, Dr. Paine is to be commended for his openness, sincerity and his desire to best serve the children of our state.

– Carney is director of West Virginia Wants to Know, a Charleston-based watchdog group.

Editor's Note: Mingo Board Member Dr. J.D. Endicott participated in the discussion.

HOW TO SPEND \$1 MILLION

continued from page 4

tion to adopt guidelines for implementation of “Individual Diabetes Care Plans” by Jan. 1, 2007.

In developing these plans, the WVBE must consult with the state Bureau of Health and the Department of Health and Human Resources, as well as county board employees responsible for coordinating their school systems’ efforts to comply with Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. §794), including “recent resolutions by the Office of Civil Rights ... regarding investigation of complaints alleging discrimination against students with diabetes.”

The WVBE guidelines will address procedures for school nurses to develop diabetes care plans, involving parents and others in that process, including the student’s health care provider, classroom teacher and the student “if appropriate.”

The guidelines also are to include details relating to appropriate staff responsibilities, emergency care plans, “identification of allowable actions to be taken...and other information necessary for teachers and other school personnel...to offer appropriate assistance and support to the student.”

County boards would be required to adopt the plans within six months of their approval by the WVBE.

Additionally, county boards would be required to “...make available necessary information and staff development to teachers and school personnel in order to appropriately assist students with diabetes in accordance with their individual diabetes care plans.”

The bill, **House Bill 2548**, has no additional committee reference.

– O’Cull has served as executive director of WVSBA since 1985. He is chairman of the association’s Committee on Legislation.

Wisdom

**“Today a reader;
tomorrow a leader”**

**– W. Fusselman,
from <http://www.quotelady.com/subjects/reading.html>**

Gaming has deadline for 'passable' bill

The *Charleston Gazette* reports that House of Delegates leaders have given supporters of legislation to authorize casino-type table games at the state's four racetracks until 4 p.m. today to come up with a "passable" version of the bill.

In a Monday closed-door meeting of the House Democrat leadership, several key concerns were raised, including the bill's failure to dedicate table game profits for specific uses, and the lack of a recall provision that would allow voters to rescind casino gambling if problems arise due to its implementation.

Racetrack owners had met with House leaders Monday afternoon in an effort to salvage the legislation (**House Bill 4314**).

According to news media reports, House Speaker Bob Kiss, D-Raleigh, reportedly told the lobbyists there is a 13-vote difference between the industry's assertion that 54 of 100 delegates support the bill, and head counts conducted by House whips.

That would mean, by the leadership's count, the bill is 10 votes short of passage.

Sources say one issue is whether to dedicate revenues from the table games, which could total as much as \$50 million to \$60 million a year if voters in all four racetrack counties – Kanawha, Ohio, Hancock and Jefferson — approve table games.

Reportedly House leaders would use the money to pay down the large unfunded liabilities in the teachers' and public employees' pension funds, while other proposals call for using the money to reduce the sales tax on food or to roll back increase in the Public Employees Insurance Agency premiums.

The governor has said he does not plan to intervene to get the bill moving.

A similar bill passed the Senate by a 19-15 vote in 2005, dying in the House Judiciary Committee in the waning days of that session.

Metro bill moves through Senate

A bill that would allow cities and counties to consolidate into metro governments unanimously passed the Senate Finance Committee Monday without debate.

The bill was amended so that elections for metro governments would have to pass by 55 percent margins in the largest city in the county and the remainder of the county.

Additionally, cities could not impose municipal taxes beyond city lines when a metro government is formed.

Senate sponsor Brooks McCabe, D-Kanawha, said he is confident the revised version of the bill will pass the Senate and hopes that the House, which did not take up a similar Senate-passed bill last year, goes along.

Sen. Ed Bowman, D-Hancock, a strong bill supporter, said the revised bill makes it clear that metro governments will be formed only when there is broad support from various voter sectors.

State pension investments beat odds

Aided by better-than-expected investment returns, West Virginia closed the funding gaps in its retirement programs by a combined \$355 million during the last budget year, according to the Consolidated Public Retirement Board.

Retirement Board members told the Associated Press all six of the pension plans they manage had improved, with an investment return of 10.5 percent. Only a 7.5-percent return was anticipated, according to board member Harry Mandel.

The state Teacher's Retirement System is one of the big winners, with an increase of \$200 million, meaning it is funded at 24.6 percent, up from 22.2 percent the previous year.

That is the most under-funded of West Virginia's plans.

Voters last year rejected a proposal to sell up to \$5.5 billion in bonds to aid the pension funds, with the proceeds to be invested and the returns applied mostly toward the Teacher's Retirement System. The measure failed in June's special election, 46 percent to 54 percent.

State wants to oust Graham

The state is asking a court to permanently oust Wyoming County senior director Bob Graham from his job, and to prevent him from exerting any control over family members and other staff still employed at the Wyoming Council on Aging.

Last week, the state Attorney General's office filed a motion in Kanawha County Circuit Court alleging Graham had repeatedly violated a court order put in place in May 2004, several months after it was revealed that Graham's compensation from his non-profit agencies exceeded \$300,000.

Graham already has been indicted by a federal grand jury on 21 counts that he embezzled almost \$500,000 from the senior agency and filed false tax returns for close to \$300,000 in retirement funds. If convicted on those charges, he faces up to 112 years in prison and more than \$5 million in fines.

According to news media accounts, although Graham has been under investigation for close to two years and a court last year froze his assets, he has largely retained control over the financial and day-to-day operations of the agency.

Stay informed.

On the Web at:
WVSBA.ORG

Bill Abstract

House Bills

House Bill 2141 - Prohibits persons from soliciting contributions on public highways. Passed House 2/9/06. (Hamilton, lead sponsor). To Senate Judiciary 2/10/06.

House Bill 2328 - Giving precedential application to written advisory opinions issued by the state Ethics Commission's Committee on Open Governmental Meetings (Amores, lead sponsor). Passed House of Delegates 1/31/06. Referred to Senate Government Organization, then Senate Judiciary.

House Bill 2424 - Prohibiting persons from impersonating a public official by copying or imitating the markings of a public agency or official on a motor vehicle (Webster, lead sponsor). Passed House 1/30/06. Referred to Senate Judiciary.

House Bill 2548 - The Diabetes Care Plan Act. Requires the State Board of Education to adopt and disseminate guidelines for the development and implementation of individual diabetes care plans and to require local boards of education to implement these guidelines. (Tucker, lead sponsor). Introduced in House on 1/11/06. To House Education 2/2006. First reading Consent Calendar 2/16/06.

House Bill 2607 - Expanding newborn screening by adding sickle cell anemia and adrenal hyperplasia. (Leach, lead sponsor). Passed House.

House Bill 3213 - Creates the offense of malicious assault, unlawful assault, battery and recidivism of battery, assault on a driver, conductor, captain or other person in charge of any vehicle used for "public conveyance" (DeLong, lead sponsor). Passed House 1/25/06. Referred to Senate Judiciary, then Senate Finance.

House Bill 4011 - Relating to creation of a special unit within the State Police specializing in child abuse and neglect investigations (Mahan, lead sponsor). Passed House 1/20/06. Referred to Senate Government Organization, then Senate Finance.

House Bill 4012 - Creating "Child Abuser Registration Act" (Mahan, lead sponsor). Passed House 1/20/06. Referred to Senate Judiciary, then Senate Finance.

House Bill 4019 - Relating to the preparation and distribution of the Budget Digest (Kiss, lead sponsor). Passed House 1/24/06. Referred to Senate Finance on 1/25/06.

House Bill 4032 - Relating to authorizing the Consolidated Public Retirement Board to recover the payment and a fee, as provided by legislative rule, from a participating employer who fails to timely pay amounts due. (Stalnaker, lead sponsor). Passed House 2/1/06. Referred to Senate Pensions then Finance. To Finance on 2/9/06.

House Bill 4034 - Correcting definitions applicable to the assessment of real property. (Stalnaker, lead sponsor). Removing the requirement that a no-longer-disabled employee must return to his or her former job. Passed House 2/1/06. To Senate Pensions and then Finance.

House Bill 4037 - Correcting definitions applicable to the assessment of real property (Michael, lead sponsor). Passed House 1/19/06. Passed Senate 2/1/06. To governor, House and Senate Journal on 2/6/06. Approved by governor 2/7/06 in both Journals.

House Bill 4038 - Relating to donation and transfer of surplus personal computers and other information systems, technology and equipment for educational purposes (Campbell, lead sponsor). Passed House of Delegates 1/19/06. Referred to Senate Education, then Senate Finance. To Education on 1/20/06.

House Bill 4040 - Requiring voter approval prior to closure and consolidation of certain schools, includes requirement for successful petition signed by 20 percent of registered voters in county prior to ballot placement. (Williams, lead sponsor). Passed House 1/19/06. Referred to Senate Education, then Senate Judiciary. To Education on 1/20/06.

House Bill 4047 - Relating to part-time prosecuting attorneys. (Pethtel, lead sponsor). Passed House 2/1/06. Referred to Education then Judiciary.

House Bill 4048 - Placing limitations on the use of eminent domain (Amores, lead sponsor). Passed House 1/19/06. Referred to Senate Economic Development, then Government Organization. To Government Organization on 2/6/06.

House Bill 4049 - Relating to state-funded student financial aid, including Promise scholarship (Campbell, lead sponsor). Passed House 1/19/06. Referred to Senate Education, then Senate Finance. Senate Education Subcommittee created to consider measure. To Finance on 2/6/06.

House Bill 4105 - Requiring persons who have judgments against them and their wages to notify the court of any change of job status or employer. (Williams, lead sponsor). Passed House 2/15/06. Action deferred to Senate 2/15/06.

House Bill 4126 - Relating to retention of seniority for the purpose of seeking re-employment for professional employees whose employment with a country board of education was terminated voluntarily. (Kiss, lead sponsor). To Education then Finance on 1/26.

House Bill 4204 - Relating to authorizing the Department of Health and Human Resources to promulgate a legislative rule relating to Cancer Registry. (Mahan, lead sponsor). Introduced on 1/27/06. To House Finance.

House Bill 4240 - Changing the name of the Community and Technical College of Shepherd to Blue Ridge Community and Technical College. (Wysong, lead sponsor). To Education on 1/14/06.

House Bill 4260 - Requiring state board review of system of education performance audits. (Perry, lead sponsor). Passed House 2/15/06. Action deferred to Senate 2/15/06.

House Bill 4296 - Providing employer immunity from liability for disclosing job-related information concerning an employee or former employee to a prospective employer. (Craig, lead sponsor). Passed House 2/8/06. Action deferred to Senate Judiciary on 2/9/06.

House Bill 4341 - Requiring that instructional support and enhancement days are held twice before Dec. 31 and three times after Jan. 1 for the instructional term. (Schadler, lead sponsor). Introduced in House on 2/1/06. With amendment, do pass 2/15/06. On first reading, Consent Calendar 2/16/06.

House Bill 4355 - Providing for the temporary detention of juveniles who are the named respondent in an emergency domestic

See **BILL ABSTRACT** on page 9

BILL ABSTRACT

continued from page 8

violence protective order when the stated juvenile resides with the petitioner. (Brown, lead sponsor). Passed House 2/15/06. Action deferred to Senate 2/15/06.

House Bill 4398 - Improving the capacity of county boards of education to provide school health services. (Campbell, lead sponsor). Introduced in House 2/6/06. To House Finance 2/15/06, with amendment do pass.

House Bill 4406 - Removing the requirement to evaluate certain classroom teachers at least every three years. (Perry, lead sponsor). Introduced in House on 2/6/06. Action deferred, do pass, 2/15/06.

House Bill 4447 - Authorizing county boards of education to lease school buses for transportation associated with fairs, festivals and other educational or cultural events. (Perry, lead sponsor). Passed House 2/15/06. Action deferred to Senate 2/15/06.

Senate Bills

Senate Bill 7 – Establishes “Flood Protection Planning Act.” (Bailey, lead sponsor). Passed Senate 1/31/06. Referred to House Government Organization, then House Finance. Introduced in House 2/1/06.

Senate Bill 13 – Requires cross-reporting of suspected abuse or neglect of individuals or animals. (Yoder, lead sponsor). Passed Senate 1/24/06. Referred to House Judiciary.

Senate Bill 49 - Allowing county board of education to enter into lease-purchase agreements. (Hunter, lead sponsor). Introduced in Senate on 1/11/06. To Finance on 2/10/06.

Senate Bill 370 – Creates personal property tax exemption for farm equipment and livestock. (Helmick, lead sponsor). Passed Senate 2/1/06. To Judiciary then Finance 2/8/06. Passed House 2/13/06. Effective July 1, 2006.

Senate Bill 371 – Reduces severance tax on timber. (Helmick, lead sponsor). Passed Senate 2/1/06. To House Finance 2/2/06.

Senate Bill 390 - Authorizing Board of Examiners of Psychologists promulgate legislative rule relating to qualifications for licen-

sure as psychologist or school psychologist. (Minard, lead sponsor). To Education 2/1/06. To Senate Judiciary 2/10/06.

Senate Bill 442 - Changes expiration date of graduated driver’s license. (Kessler, lead sponsor). Passed Senate 2/3/06. To House Roads and Transportation then Judiciary 2/6/06.

Senate Bill 483 – Provides confidentiality of circuit court records involving guardianship of minors. (Kessler, lead sponsor). Introduced 2/2/06 – Effective from passage. To House Judiciary 2/8/06.

House Bill 4011 – Relates to creation of a special unit within the State Police specializing in child abuse and neglect investigations. (Mahan, lead sponsor). Passed House 1/9/06. Referred to Senate Government Organization, then Senate Finance.

House Bill 4012 – Establishes Child Abuser Registration Act. Passed House 1/19/06. (Mahan, lead sponsor). Referred to Senate Judiciary, then Senate Finance.

House Bill 4019 – Relates to “elimination” of the Legislature’s “Budget Digest.” (Kiss, lead sponsor). Passed House 1/24/06. Referred to Senate Finance.

House Bill 4037 — Rectifies definitions applicable to the assessment of real property. (Michael, lead sponsor). Passed House 1/19/06. Referred to Senate Judiciary, then Senate Finance.

Senate Concurrent Resolution

SCR 4 - Requesting Board of Education establish position to oversee school libraries. (Edgell, lead sponsor). Adopted by Senate 2/2/06. Introduced in House 2/3/06.

House Resolution

HR 11 - Expressing the urgency of the House for advancing appropriations of state aid to county boards experiencing serious financial difficulty attributable to the substantial rise in the motor fuel costs for the transportation of students. Pending in House Education Committee 2/7/06.

Prepared by Shawn Fluharty, a Charles Ryan Associates intern. Fluharty is a West Virginia University senior. He is a native of Moundsville.

2006 Legislative Calendar

✓ **1st Day** – Jan. 11: Second Regular Session 77th West Virginia Legislature Convenes/State of the State Address. (WV Const. Art. VI, §18)

✓ **20th Day** – Jan. 30: Submission of Legislative Rule-Making Review bills due. (WV Code §29A-3-12)

41st Day – Feb. 20: Last day to introduce bills in Senate. Does not apply to originating or supplementary appropriation bills. Does not apply to Senate resolutions or concurrent resolutions. (Senate Rule 14)

45th Day – Feb. 24: Last day to introduce bills in House of Delegates. Does not apply to originating or supplemen-

tary appropriation bills. Does not apply to House resolutions or concurrent resolutions. (House Rule 91a)

47th Day – Feb. 26: Bills due out of committees in house of origin to ensure three full days for readings.

50th Day - March 1, 2006: Last day to consider bill on third reading in house of origin. Does not include budget or supplementary appropriation bills. (Joint Rule 5b.)

60th Day - March 11: Adjournment at midnight. (WV Const. Art. VI, §22)

From West Virginia Legislature, West Virginia Association of Counties, West Virginia School Boards Association

Bill could give ISE scheduling flexibility

WVASA: RESA funding should remain in School Aid Formula

By Martha Dean, Ed.D., Executive Director
West Virginia Association of School Administrators

Things are getting a little bit more hectic down here at the Legislature. Tuesday the House Education Committee considered four bills, all affecting public education.

House Bill 4341 was introduced Feb. 1, with references to House Education, then House Finance. Sponsors include Dels. Robert A. Schadler, R-Mineral, Larry A. Williams, D-Preston, and Otis Leggett, R-Pleasants.

The bill proposes to change the timing requirements of the Instructional Support and Enhancement (ISE) days to require that two ISE days be held before Dec. 31 and that three of the days be held between Jan. 1 and the end of the instructional term.

This bill does not change any of the other requirements related to ISE days. As I see it, it would allow greater flexibility within the school calendar for scheduling ISE days. The bill was amended, but not substantially, just subject and verb agreement. It passed and will now go to Finance.

House Bill 4398 was introduced Feb. 6, with references to House Education, then House Finance. There are seven House sponsors, including lead sponsor Del. Mary Poling, D-Barbour.

Its provisions are close to what we would like to see regarding contracting with nurses because it allows a county board to contract with health care agencies for services, instead of just with county health departments.

It further states that an appropriation may be made to the West Virginia Department of Education, with funds distributed to counties after they apply for funds for the purpose of providing health services to students with specialized health care needs.

WVDE representatives were present to answer the committee's questions. There was some concern about the distribution of the money and it is still unclear exactly how it would be distributed, whether through per-pupil allocation, which would be easy to calculate, or on a needs basis.

This is left up to the Department of Education in the bill, but there has not been any money actually appropriated at this time.

House Bill 4406 was introduced Feb. 6, referred only to House Education. There are eight House sponsors, including lead sponsor Del. David Perry, D-Fayette.

It would remove the requirement to evaluate experienced classroom teachers every three years and would change that to "an evaluation shall be conducted or professional growth and development plan required only when the principal determines it to be necessary for a particular classroom teacher, or when a classroom teacher exercises the option of being evaluated at more frequent intervals."

It seems experienced teachers and principals support this, reasoning that good teachers who have proven their abilities don't need frequent evaluations. The bill passed with one dissenting vote by Del. Patrick Lane, R-Kanawha, who questioned whether evaluations might be done less frequently because of this bill.

House Bill 2548 is a carryover bill and was referred to the House Health and Human Resources Committee, then House Education. It is known as "The Diabetes Care Plan Act."

The bill would require the state school board to adopt and disseminate guidelines for the development and implementation of individual diabetes care plans and to require local boards of education to implement these guidelines.

The original bill was amended in the Committee on Health and

Human Resources by striking everything after the enacting clause and replacing the rest. The requirement that every elementary school where a diabetic child is enrolled "shall have a school nurse on staff" was struck. This was certainly slated to be an unfunded mandate and it is good it was removed.

The amended bill gives the state Board until Jan. 1, 2007 to adopt guidelines for diabetes care plans. It then would allow another six months for the counties to adopt a care plan and implement it.

Further, it requires that county boards make available necessary information and staff development to teachers and school personnel to appropriately support and assist students with diabetes in accordance with their individual diabetes care plans.

This bill was passed unanimously and will go to the floor next. A word of caution: You need to wait until the committee substitute is available to read this bill because it is substantially different from the introduced bill.

The Senate Education Committee met at the same time as House Education and I missed the meeting. I do know, however, that they passed out a Committee Substitute for **Senate Bill 127**.

The original bill was introduced at the request of the governor and would have changed the funding mechanism for Regional Educational Service Agencies from being part of the state School Aid Formula to an amount appropriated by the Legislature.

The committee substitute still contains that provision but also requires the state superintendent to conduct a comprehensive study of RESAs.

The West Virginia Association of School Administrators takes the position that RESAs should continue to be funded through the formula rather than at the discretion of the Legislature every year. There is also the question as to where the ability to govern RESAs

The WVASA takes the position that RESAs should continue to be funded through the formula rather than at the discretion of the Legislature every year.

Sex offender penalties could be increased

Bill makes it easier for county boards to check out contractors

By Del. Jon Amores, Chairman
House Judiciary Committee

The West Virginia Legislature is currently considering legislation that will increase protections from sex offenders by addressing three basic areas of the current law: Registration, penalties, and post-incarceration monitoring.

House Bill 4039, introduced by the governor in the House of Delegates on Jan. 17, seeks to strengthen West Virginia's sexual offender laws, which are already some of the toughest sexual offender laws in the nation. The bill increases penalties for the most severe sexual offenses and improves current methods for keeping track of sexual offenders after they have served their sentences.

The bill updates the Central Abuse Registry by permitting county school boards to check out contractors who will be entering schools when children are present. Additionally, the bill requires mandatory central abuse registry checks on individuals applying for positions as school service personnel, contractors and service providers. The House Judiciary Committee added professional educators and administrators to the list of persons who must undergo a mandatory central abuse registry check.

The bill updates the Sex Offender Registration Act by requiring sex offenders to register at the State Police detachment in the county where they live and where they work or attend school. The bill requires that the offenders register with a physical address rather than a post office box. In addition to the information currently required relating to motor vehicles they own or operate, sexual offenders will need to provide information about any trailer or motor home they own or operate, including the vehicle's make, model, color, license plate number and vehicle identification number.

The bill also requires sexual offenders to provide any home, work, cellular or electronic paging device phone numbers they use. However, this information may not be released to the public. Records produced in conjunction with an investigation, prosecution, adjudication, incarceration, probation, parole or pre-sentence review of a sex offender will be made available to the central abuse registry.

Currently, the law includes penalties for sexual offenders who fail to register with the State Police. The governor's bill also includes criminal penalties for persons who assist a sexual offender in eluding law enforcement or withholding information about a sexual offender who has failed to register.

In an effort to increase penalties for the most heinous sexual offenses, **HB 4039** increases the penalties for first-degree sexual assault from the current penalty of 15 to 35 years in prison, to a mandatory minimum sentence of 25 years. Similarly, the penalty for first-degree sexual abuse is increased from the current one to five years in prison, to two to 10 years in prison.

To keep track of sexual offenders who commit sexually violent offenses after their release from prison, the bill requires lifetime supervised release and electronic monitoring, along with mandatory electronic monitoring of sexually violent offenders on probation or parole.

To strengthen the governor's bill even more, the House Judiciary Committee included a provision requiring a sexual offender

register with the State Police in any county they own real property, in addition to the county in which they live. Additionally, the Judiciary Committee included a requirement that a sexually violent offender's driver's license or identification card must contain a code identifying the individual as a sexually violent offender.

However, the significant addition to the governor's proposed legislation by the House Judiciary Committee is the Sexually Violent Predator's Act, which allows for the long-term civil com-

mitment of sexually violent predators. Under this act, the county prosecutor in the county where a person was convicted, must be notified of the impending release of a person who has committed sexually violent acts. A county prosecutor would be permitted to file a petition in circuit court alleging that the person is a sexually violent predator.

A sexually violent predator is defined as a person who has been convicted of, charged with and found not guilty by reason of insanity, or found to be incompetent to stand trial for a crime of sexual violence and who suffers from a mental abnormality or personality disorder that makes the person likely to engage in predatory acts of sexual violence if not confined to a secure facility. Clearly, this class of individuals consists of offenders that would truly be a danger to society.

When a petition is filed, the court must have a probable cause hearing to determine whether cause exists to believe the person named in the petition is a sexually violent predator. If the court finds probable cause, the person will be detained in a secured facility until a trial is held.

See **GUEST PERSPECTIVE** on page 13

HB 4039 increases the penalties for first-degree sexual assault from the current penalty of 15 to 35 years in prison, to a mandatory minimum sentence of 25 years. The penalty for first-degree sexual abuse is increased from the current one to five years in prison, to two to 10 years in prison.

School calendar, STEP tests pressing topics in Feb. 1996

The Feb. 16, 1996 issue of *The Legislature* contained a lead article about the House Judiciary Committee adopting legislation regarding “willful violation” of school employee rights – a measure the Legislature had considered for several years.

The vote was 15-7 in favor of the measure which set a \$500 to \$5,000 fine for anyone, including county board employees, who were convicted of violating an employee’s rights.

The bill, however, did not become law and has not been introduced for several legislative sessions.

In other news, the school calendar would be subject of a public hearing – one of three scheduled later in February 1996.

Incidentally, one of those hearings was about school coaches – and the requirement that coaches who are teachers have preference.

Finally, Gov. Gaston Caperton signed legislation eliminating the STEP Test, which eventually was replaced with the WESTEST, and a “Rule of 80” retirement hearing was scheduled.

WVSBA President Peter H. Dougherty (Jefferson) was going to present at that hearing. The association was represented by Kanawha County Board member Priscilla Haden, who spoke about the school calendar. Mercer County Board President John Schott was scheduled to address the coaches’ issue.

Dana Eddy, Gov. Caperton’s counsel, wrote a guest column in which he said praise for the “Safe Schools Act,” adopted in the 1995 session, had been “diluted by unwarranted criticism...”

– From *The Legislature*, Feb. 16, 1996.

Education policy blunders to avoid

Follow Gandhi’s lead to help make good on good intentions

Gandhi taught that seven forms of passive violence eventually cause the active violence of crime, rebellion and war. He termed these seven forms of passive violence “blunders” because in each case, society mistakenly pursues a legitimate objective without valuing a corresponding virtue that is essential to social wellbeing.

He said there would be no peace as long as we tolerate these forms of passive violence. The seven blunders Gandhi listed are:

- Wealth without work
- Commerce without morality
- Science without humanity
- Pleasure without conscience
- Knowledge without character
- Politics without principle
- Worship without sacrifice

Are there blunders in education policy – good intentions in the absence of certain compelling virtues? Here is our list for starters.

- Information without understanding
- School without community
- Curriculum without participation
- Excellence without equity
- Rigor without relevance
- Accountability without opportunity
- Efficiency without performance
- Standards without culture
- Assessment without authenticity

Maybe you have some good ones to add? Send it to Rural Small Schools Forum. To subscribe to this electronic forum, send an email to ruralforum-request@lists.ruraledu.org, and put in the subject line the word subscribe and then your name in quotes.

Reprinted by permission — Rural Policy Matters, November 2005, published by the Rural School and Community Trust, Randolph, Vermont: www.ruraledu.org.

ADMINISTRATIVE PERSPECTIVE

continued from page 10

will lie if the funding mechanism is changed.

Both Education Committees are slated to meet on Thursday and additional bills will, in all probability, move out either to the floor or to their second references at this time.

– *Dean is a former county schools superintendent and RESA executive director.*

Stay informed.

On the Web at:
WVSBA.ORG

Treat teaching as the profession it is

By Jim Clipp, community columnist
The Martinsburg Journal

A little more than eight months ago, I was standing along the railing on the edge of a cliff overlooking a small, lush, green island in the middle of a vast, perfectly turquoise ocean. I was watching as the waves crashed against the rocky shoreline below me, while my wife used the zoom lens on the camera to look for humpback whales coming up for a breath.

Basically, I was in paradise. Then this woman from Houston decided to chat up my wife. It started out innocently enough with the perfunctory “Where are you from?” and “Where are you staying?” and “Isn’t this the most beautiful place you’ve ever been?” We’d only been on the Hawaiian island of Kauai for about 48 hours, but we’d already had this conversation at least four or five times.

Somehow this one lingered just a little longer and we got around to jobs. It turns out our new friend is a semi-retired teacher, a profession my wife practiced here in Berkeley County until about five years ago. As anyone who has ever been around two teachers talking for more than 10 minutes can guess, the conversation quickly shifted to teacher salaries (or the lack thereof, to be more precise).

To be honest, I was a little annoyed by this at first. Here we are in literally the most beautiful place I’ve ever been and these two are going on about lousy teacher salaries and neither one of them is even a full-time teacher anymore.

But then I got to thinking about it and realized that if these two educated, mentally stable women from different parts of the country are so frustrated that they can easily forget about the natural beauty of their surroundings and spend a few minutes commiserating, then there must be a real problem here.

And, as many of you already know, there is.

The starting salary for teachers in West Virginia for the 2004-2005 school year was \$27,935, according to the Jefferson County Schools Web site.

I have seen several classifieds in recent months advertising assistant manager positions at Taco Bell with a starting salary of \$23,000. Less than two years ago, I was a customer service technician for my employer, making \$25,000 and that’s a position that only requires a high school diploma.

What I’m getting at is these salaries are embarrassing for this area. The number of teachers leaving Eastern Panhandle schools for the greener pastures of Loudoun County seems to be growing exponentially each year.

The truth is it’s not just a problem in West Virginia. With a few exceptions, the profession of teaching is a vastly under-appreciated and under-compensated vocation in most areas of this country.

The problem is teaching is no longer viewed as a “profession,” such as medicine or law or architecture or engineering. While the pay for these other professions has escalated over the years, it has stagnated when it comes to teaching.

Yet the requirements to become a teacher are still as rigorous as they ever were, so you really can’t blame the best and brightest for choosing a career path other than teaching.

Perhaps this is why the test scores in this country continue to fall.

My grandfather was able to support his family of four in a comfortable, middle-class lifestyle on his salary as a shop teacher in Berkeley Springs and Hagerstown in the 1950s and 1960s.

Most of the teachers I know in Martinsburg in 2005 struggle to support themselves.

What we need to do is start viewing teaching as a profession again and paying our teachers accordingly. If our taxes have to go up a bit, then so be it.

I for one would be perfectly happy to fork over an extra hundred dollars or so to the state each year for my child’s education.

– Jim Clipp is a lifelong Eastern Panhandle resident. He spends the bulk of his free time washing dishes and changing diapers. He can be reached at j_clipp@yahoo.com.

This article was published by The Journal on Oct., 18, 2005 and reprinted here with permission. The views of columnists do not necessarily reflect the views of The Journal.

GUEST PERSPECTIVE

continued from page 11

A detained person has the right to legal counsel just as does a criminal defendant. The civil commitment trial must be held within 45 days of the probable cause hearing and the person, the prosecutor or the judge has the right to demand that the trial be before a 12-person jury. If no demand is made, the judge will hear the case without a jury.

If, after that trial, the person is determined to be a sexually violent predator, the individual will be committed to the custody of the Department of Health and Human Resources and confined in a secure facility for control, care and individualized treatment.

Annual examinations are required, and each year the person may initiate a proceeding to determine whether he or she should be conditionally released to a less restrictive alternative or even unconditionally discharged.

Finally, the Judiciary Committee amended the governor’s bill to require courts to place defendants convicted of certain felony offenses on a period of supervised release for up to 50 years and also added certain restrictions on residency and employment of defendants who are convicted of sexually violent offenses.

– Amores, D-Kanawha, is a member of the House Rules Committee as well as several interim legislative committees. You may contact him at jamores@mail.wvnet.edu.



Always on the web:

wvsba.org

Sound Bites

“I’ve got a mortal fear of reading them [House Education Committee *minutes*] some day and there being an awful mistake in them.” – House Education member Brady Paxton, D-Putnam, who most often makes the motion that House Education *Minutes* be approved. Chairman Tom Campbell, D-Greenbrier explained that he and the committee leadership review the *Minutes* for accuracy. Paxton, a former teacher and coach, is known for his eloquent *Minutes* motions.

“[An] inordinate amount of time is being wasted [on evaluating veteran teachers] who don’t need to be...” – House Education member David Perry, D-Fayette, discussing a bill that would remove the requirement that most veteran teachers be evaluated frequently.

“There are a lot of unanswered questions, but we plan on getting the answers and finding a way to prevent something similar from happening.” – Senate Education Chairman Bob Plymale, D-Wayne, discussing the criminal inquiry into missing money at Regional Educational Service Agency I in Beckley.

“We’ve taken the giant step to make people feel more comfortable with this bill...” – Sen. Ed Bowman, D-Hancock, discussing a metro government bill that cleared the Senate. A similar bill died in the House last year.

Meanwhile in Florida...

Sarasota High School sent a Valentine to Jerry Springer – and then took it back, according to news accounts.

The talk show host had accepted an invitation from the school’s cheerleaders to headline the “Hollywood Nights” dance last week.

But school administrators withdrew the invitation, saying Springer, whose TV guests include unfaithful lovers and brawling friends, was not an appropriate role model for students.

“He has his own career,” Principal Jeff Hradeck told the Sarasota Herald-Tribune. “It’s not the way we want to go for the school.”

– *From various sources, including the Associated Press*



The Legislature

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